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## Book Reviews

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## BOOK REVIEWS

A HISTORY OF THE WORLD'S AIRLINES, by R. E. G. Davies. Oxford University Press, London, 1964, pp. 591. \$17.50.

Since World War II a significant number of accounts of the commercial air transport activities of many countries, such as Australia, Canada, Germany, India, The Netherlands, the United States of America and the U.S.S.R. have been published.<sup>1</sup> Since 1959, there have been published in Great Britain noteworthy volumes on the British Ministry of Transport and Civil Aviation, British Overseas Airways Corporation (BOAC), the development of Britain's Imperial Air Routes in the period 1918-39, British and Commonwealth air transport in the period 1919-60, a descriptive presentation of the world's airliners, and volumes on the operation of airliners and on the economic and operating philosophy of British European Airways (BEA).<sup>2</sup>

The enumeration of those many volumes merely serves to illustrate the coverage of the present volume, which, in its own way, touches on all of those subjects, and many more, in its presentation of a history of the world's airlines. Peter G. Masefield, onetime Chief Executive Officer of BEA, points out in the foreword to the volume that this is the first such chronicle of this major world-wide industry having such great significance to international affairs since the publication, in 1942 in the United States, of Professor Lissitzyn's *International Air Transport and National Policy*.

Mr. Davies, the author of the volume, formerly with BEA and The British Ministry of Civil Aviation, and now in charge of market research for one of Britain's great aircraft manufacturers, the de Havilland Division of Hawker Siddeley, has assembled a volume with many photographs, maps and charts, that reflects a long study of the subject as evidenced by the detailed information that can be gathered only by careful and prolonged study. In the preface the author states that the purpose of the volume is twofold: to catalogue the relevant information and explain the lines of development, and to draw conclusions. In the process we learn how accidental and unplanned were many factors that had great and important influence on commercial air transport. For example:

Post-World War I British operators were told that they would not receive financial subsidies to support competition with subsidized French operators ("... the advice given by the Secretary of State for Air, Winston Churchill, ... must go down in history as one of the most short-sighted decisions this great statesman ever was to make in the whole of his distinguished career."), p. 17;

Post-World War I commercial air transport in Europe developed earlier

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<sup>1</sup> For citations to such accounts in books and articles, see Billyou, *Air Law 453-55* (New York, 1963).

<sup>2</sup> Jenkins, *The Ministry of Transport and Civil Aviation* (London, 1959); Pudney, *The Seven Skies* (London, 1959) (history of BOAC); Higham, *Britain's Imperial Air Routes, 1918-1939* (London, 1960); Brooks, *The World's Airliners* (London, 1962); Stroud, *Annals of British and Commonwealth Air Transport, 1919-1960* (London, 1962); Wheatcroft, *Air Transport Policy* (London, 1964); Williams, *The Operation of Airliners* (London, 1964).

and at a faster rate than in the United States because the States had a rail-road system that, not having been damaged by war, could meet demands for rapid transportation, p. 39;

Russia, after its revolution, was perfectly suited for air transport because, there, distances are so vast and other transportation so inadequate and ineffective (pp. 36, 295); this, in turn, has made Aeroflot the world's largest airline in terms of passengers carried and passenger miles and ton miles generated (p. 499), with a fleet of aircraft considerably larger in numbers (approximately 1950) than that of any other single carrier (Table 50);

Between the Wars there was little interest in developing a network of British air transport in Europe, but interest centered, rather, in the Empire, with the result that but for World War II, which led to the ultimate cessation of German civil aviation, Britain would not have had a second chance to become a major power in European air transport, pp. 59-60;

That in the Thirties the interests of Germany and of Great Britain in pressing the development of military types of aircraft, with the consequent subordination by designers and manufacturers of considerations of economical operation, eased the way for the acceptance by smaller European airlines (e.g., KLM, Swissair and SABENA), of commercial aircraft of United States manufacture, such as the Douglas DC-2 and DC-3 and the Lockheed 10 and 14, pp. 120, 243;

"A study of trends in aircraft speeds shows that those of transport aircraft tend to follow those of high-speed fighters after an interval of several years," p. 451, with obvious overtones applicable to the SST; and

That "... the tremendous advance which the big jets made . . . provided about four times as much potential work capacity as the best of the four-engined piston types which in most cases they replaced. The equation 1 B-707 = 5 DC-6B should have been inscribed on the desk-top of every air line executive concerned with planning jet aircraft programmes," pp. 501-02.

This fascinating volume will be a most useful addition to any library that is concerned with commercial air transport, past, present or future. That is an ever-increasing group, for, as Mr. Davies notes (p. 398):

There is no better way of displaying the national flag than on the nose, wings and fin of a modern airliner. It suggests that the aircraft's parent country has reached the standard of technical development which permits it to operate an airline, which, after all, is a highly complex exercise in organization and operation. The airline has become a status symbol. No independent country can afford to be without one. For this reason, one airline after another has been founded since the war to carry a multitude of flags on peaceful missions along the world's airways.

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PROCEEDINGS OF THE CONFERENCE ON SPACE SCIENCE AND SPACE LAW, University of Oklahoma, Norman, Oklahoma, June 18-20, 1963, Edited by Mortimer D. Schwartz, Fred B. Rothman and Company, South Hackensack, N.J., 1964. 176p. \$6.75.\*

Just as the discovery of new continents and new seas stirred the imagination of all thinking men in the fifteenth century, so too the exploration of space is bringing fresh hope and excitement into human affairs. People everywhere are asking questions—scientific, economic, social, spiritual—about the benefits and even the dangers which will affect our world. They want definitive answers as to the meaning of the space exploration effort. They look at this new born infant and want to know in advance what will be his appearance at maturity, how he will act and even what will be his thoughts and beliefs. If these same people had questioned the Wright Brothers at Kitty Hawk as to the significance of their first flight, the Wrights would have had difficulty answering such a question. Fortunately, in the conquest of space, we are past this first stage. We know now that benefits are to be had which will affect our national security, our international prestige, and our economic and scientific growth.

*Proceedings of the Conference on Space Science and Space Law* is an outstanding collection of speeches, reduced to print, which will introduce its readers to the world of space. The volume is organized into the following sections: Introduction, The Peace Side, The Conflict Side, The Co-operative Side, The National Side, Legal Problems and the Keynote Address by Professor Myres S. McDougal of Yale University.

Dr. Lloyd V. Berkner opened the conference with an excellent discussion of the goals and objectives of the United States in space, firmly establishing the underlying thought for the proceedings by the following statement:

As in all great social problems, it is impossible to unravel the complex interrelations between science—in—space, the civil and military objectives, and the political goals. You cannot say that one is worth this much, another that much, etc., and the sum of given parts should represent the total cost . . . or the total value. Each part of the package has strong reflections and interactions with the others . . . so we cannot avoid commitment to the whole package. If science were the only objective of space exploration, the form of this debate would be quite different. It is not! Therefore the balance must be stuck on space policy out of all factors, combining philosophical "value" judgements.

With this premise as a foundation, the proceedings, through a logical sequence, began to crystallize the thinking of the various participants as related to the basic subjects of discussion. "The Peace Side" was descriptively presented with emphasis placed on the communications potential of orbiting satellites. Since the conclusion of the conference, the futuristic Communication Satellite Corporation, formerly a topic of discussion, has become a reality with the mission of improving the global communications network in response to public needs and national objectives.

"The Conflict Side" reflected the United States' position from a military standpoint, including its programs, projects and the difficulty in

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\* Views and opinions expressed in this review are those of the authors, and they are not necessarily concurred in by The Judge Advocate General of the Air Force.

completely differentiating between military and non-military space activity. The speakers emphasized the fact that the United States has a single national space program clearly devoted to peaceful purposes for the benefit of all mankind.

"The Co-operative Side" presented a discussion with regard to the blending of science, national government and international government cooperation in the various aspects of this venture into space. It is interesting to note the great interchange and interaction among both the international science community and various governments and governmental agencies, from the NASA—Goddard Institute for Space Studies in New York City—to the International Committee on Space Research (COSPAR). The remarkable impact of space science exchange, interchange, and cooperation was firmly noted by the contributors.

"The National Side was perhaps the most "down to earth" or practical approach to what Dr. Berkner described as the "whole package" because it was related to such mundane items as costs, budgets, employment and economic benefits. The reader will be impressed by the impact of the space program on the national economy. There was presented a wealth of evidence to the effect that it is more than just the scientific community that will gain from this nation's space program. Dr. Edward C. Welsh demonstrated the impact of the space program on employment and related a comprehensive list of economic benefits. Thus, it is not only the aerospace industry but the entire nation and its economic progress which will profit from the achievements of space exploration.

The final section was devoted to the legal problems confronting the world community with regard to tort liability, sovereignty in and above air space, sovereign jurisdiction over celestial bodies and criminal responsibility in outer space. These subjects have been the source of much controversy and discussion and from the practical standpoint are daily becoming more realistic. Although the sovereignty problem will remain a subject of future debate, liability for damages arising out of space activities has been firmly established.

The areas discussed present a challenging array of problems to both the legal profession and scientific community ". . . to unravel the complex interrelations between science—in—space, the civil and military objectives, and the political goals."

Concluding the *Proceedings* are the remarks of Professor Myres S. McDougal, who challenges the premise that there is "very little law of space, with that little lagging in its pace of development far behind science." In mounting his attack on this kind of thinking, Professor McDougal categorizes ten basic concepts pertaining to space which have been developed through experience with respect to the oceans and air space. He concludes that there is no fundamental yard stick by which the contributions to the space age, by the legal profession and scientific community, can be measured; and further that the basic concepts of public and private international law which have already been developed are available for the regulation of space activities. He charges mankind with the responsibility of promoting the most appropriate system of law and public order for the earth-space arena.

In conclusion, *Proceedings on the Conference on Space Science and*

*Space Law* has well served the purpose of closing the gap between science and law. The contributions are remarkable, the participants exceptional. The benefits of this publication should be far reaching in both the legal profession and the scientific community, developing the sound premise that in the exploration of space, both groups must seek the common goals of bettering the world society and enhancing the dignity of man.

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