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BOOK REVIEWS

ULTIMATE PENALTIES Capital Punishment, Life Imprisonment, Physical Torture

By Leon Shaskolsky Sheleff, Columbus, Ohio: The Ohio State University Press, 1987, \$27.50.

There is undoubtedly a sense in which *the* ultimate penalty the state can impose is the taking away of life. If I lose my life I am diminished to an incomparable degree: all my hopes, all my plans are rendered as of nothing on the bringing to an end of my existence. For this very reason, quite apart from the promptings of any biological urge to survive, we fear death; and precisely for this reason we threaten our worst offenders with death as a punishment. And yet, as the author of this wide-ranging study of capital and other severe punishments points out, death is only one of the ultimate penalties. Apart from the threat of execution, some offenders may face penalties such as life imprisonment and physical torture, the pain of which might well be considered to exceed the suffering implicit in capital punishment.

It takes no great stretch of the imagination to understand this point. There are circumstances in which life imprisonment may mean no more than a five-year prison sentence, but in others the period might be considerably longer. Relying on American evidence, the author points out that a considerable number of lifers actually die in prison, thus making their sentence mean what it says. These are surely the people from whom everything, except their life, is being taken. Their sense of despair, their hopelessness, is evident to those who encounter them within the prison system; in many cases they are the suicides and the psychiatric casualties of our systems of incarceration. At the same time, we probably consider them to be more fortunate than the occupants of Death Row; but are they? The fact that this question is posed in this book is part of the refreshingly new (at times, quite surprising) approach demonstrated in the author's work. Rather than rehearse the familiar arguments of the abolitionists and the retentionists, Sheleff attempts a root and branch examination of what our use of ultimate penalties says of our social and moral values and challenges a reexamination of what we are actually doing

with the people whom we consign into our systems of ultimate punishment. Finally, if these penalties are to be retained, he suggests ways in which existing and new institutions might be used to monitor their use and ensure minimum cruelty and arbitrariness.

It is difficult to estimate the full extent of the use of capital punishment (both judicial and extra-judicial) in the modern world. Certain countries produce reports of the number of executions and are generally open on the question. South Africa, for example, reports a high rate, but at least reports; Eastern-bloc countries make similarly frequent use of punishment but are highly secretive, only announcing those executions that it suits them to announce. Others (Iran and some African countries) execute in public but are hazy or uncommunicative about the figures. The picture, generally, is bleak, with abolitionist states appearing to be in the minority and with some jurisdictions in the United States appearing to be enthusiastically contemplating a spate of executions. The issue, then, is distinctly a live one for those concerned with human rights. But what, if anything, should be done?

Sheff is realistic about ultimate penalties. They exist, he says, whether we like it or not, and it would seem that he would regard abolitionist protests as in some respects "pious." It is not always immediately apparent where he stands on an issue, but it seems that he would cut through the cant of our squeamishness and challenge us to face the implications of abolition. In relation to the life imprisonment alternatives the argument is a powerful one and it makes a telling point against the abolitionists: life imprisonment, which tends to be the minimum that the public would accept in return for giving up the option of the death sentence, is no solution and may well be a worse penalty. Torture is also hardly an option, although it, too, has its public supporters. What then do we do with the killers and others who have committed particularly serious crimes? The abolitionist movement just has not faced the question in any serious way.

Sheff deals with the options, as he sees them, in two chapters that must surely rank amongst the most iconoclastic pages of recent penological writing. In a discussion of torture he suggests that the infliction of pain need not necessarily amount to physical torture, and might indeed be preferable to prolonged imprisonment. This is undoubtedly the case. It is also probably true that it demonstrates a greater disposition towards unthinking cruelty to allow imprisonment for year upon year and yet to frown upon surgical castration, which, alongside chemical treatment, might, in spite of inconclusive evidence, offer the possibility of freedom to at least a proportion of sex offenders. Yet it is anathema in some circles even to suggest this. Sheff makes the suggestion, placing great emphasis on the choice of the victim as a legitimizing factor. There are serious objections here: a choice in such circumstances is not necessarily a free

one, and, even if it were free, the least cruel alternative is not always the morally correct one. A cruel punishment might still respect the dignity of the offender, while a kind or expedient one may not. This difference is not one to be taken lightly.

In a subsequent chapter, Ossa is piled on Pelion, and Sheleff addresses the question of allowing convicted offenders to choose death rather than long-term imprisonment. He sees this question as connected with movement in the debate on euthanasia, which he feels is going to become widely accepted in time. The prisoner can choose to be killed if that is what he wants, and his death should be brought about humanely. The consensual element involved is said to make the whole process of capital punishment morally acceptable. What is more, the prisoner's death can be given some purpose if he is allowed to donate his organs for transplantation, a cause that has already found some support amongst a small coterie of commentators in the United States.

Sheleff has clearly devoted a considerable amount of time to an extensive, thoughtful, and extremely useful study of the profound issues involved in the application of ultimate penalties. He spurns, and with some justification, the simplistic abolitionist perspective, but ultimately his own solutions seem somewhat wanting. In particular, his suggestion that there should be supra-national control of such penalties, with executions proceeding on the authority of an international judicial body seems hopelessly Utopian, as any study of previous attempts at the creation of an international criminal law will reveal. The abolitionists might be short on alternatives, but surely it is a valid tactic to label capital punishment and torture as barbaric and to seek by all available means to embarrass governments who continue to use such punishments. Sheleff argues for a "due process" approach, but would opponents of slavery have succeeded in changing the conscience of the world by arguing that people should be sold into slavery through certain channels and after certain safeguards had been observed? If he does not approve of ultimate penalties—and he firmly pins his colors to that mast in the final paragraph of the book—then it would be as well for him to say that governments should disclaim them now, today. It is unwise to say to anybody that he can continue to misbehave but that he should try to be a little fairer in his misbehavior pending his complete conversion to goodness. Bullies don't mind such admonitions.

The suggestion that those convicted of serious crimes might be offered the option of consensual death, with possible organ provision included, is horrifying. Space does not permit the enumeration of reasons why this should be so, but there are many defenses of autonomy, both time-worn and recent, which give us very good explanations why we should not treat people this way. Moreover, the medical profession must continue to

decline to entertain any involvement in such schemes, even if its attitude is consequently described as inconsistent, paternalistic, or quite plainly wrong.

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Contract Law in the USSR and the United States: History and General Concept

By E. Allan Farnsworth and Viktor P. Mozolin. Washington D.C.: International Law Institute (in cooperation with the Parker School of Foreign and Comparative Law, Columbia University School of Law), 1987, pp. 350, \$35.00.

The role and influence of contract law in society, in economies, in trade, and in the world order have come under acute scrutiny in recent years.¹ *Contract Law in the USSR and the United States: History and General Concept* is an intriguing new entry into this realm of contracts scholarship. It represents the first volume of a promised three-volume series devoted to the study of American and Soviet contract law.² The series is being jointly published in English in the United States and in Russian in the Soviet Union and is devoted to a description of important aspects of, in turn, Soviet contract law and American contract law. Thus, the series will provide the obvious benefit of an English language treatment of Soviet contract law and a Russian language description of U.S. contract law.³

This first volume is co-authored by Allan Farnsworth, the noted American contracts scholar⁴ and Viktor Mozolin of the Soviet Institute of State and Law, each of whom was responsible for coverage of the law of his

1. See, e.g., P. S. ATIYAH, *THE RISE AND FALL OF FREEDOM OF CONTRACT* (1979); C. FRIED, *CONTRACT AS PROMISE* (1981); G. GILMORE, *THE DEATH OF CONTRACT* (1974); I. MACNEIL, *THE NEW SOCIAL CONTRACT* (1980).

2. Forthcoming volumes are tentatively subtitled *The Extent of the Power to Contract: Required Terms and Contracts of Adhesion* by William T. Vukowich, Veniamin Yakovlev, and Margarita Schiminova and *The Law of Sales*, by Viktor P. Mozolin and Robert S. Summers.

3. English language accounts of the contract law of foreign non-English speaking countries are somewhat sparse. See, e.g., B. NICHOLAS, *FRENCH LAW OF CONTRACT* (1982).

4. Professor Farnsworth served, beginning in 1971, as the Reporter for the Second Restatement of the Law of Contracts. See also E. FARNSWORTH, *CONTRACTS* (1982).

country. As the work is divided into two equal parts, one dealing with the history, structure, and organizational framework of Soviet contract law and the other with the same features of American contract law, it is admittedly not comparative in the traditional sense. (pp. 335–36) Rather each part is self-contained. As a result much of the comparative work is left to the reader, not a serious detriment since readers will largely be lawyers and scholars familiar with the law of one of the jurisdictions. The authors do present a jointly authored afterword in which they describe some of the differences and surprising similarities in the contract law of the two countries. (pp. 335–40)

Part I details the history and concept of contract law in the Soviet Union in the contextual framework of the Soviet system and economy. Thus, an American lawyer may not be surprised to learn that freedom of contract, as that concept is understood in the United States, is restricted in the Soviet Union. The limitation, however, stems not so much from a general curtailment of individual freedoms as from the lack of marketability for many types of commodities, due to the state control of many parts of the economy. (pp. 13–15)

We also learn that Soviet contract law is a civil law with a civil code, the *Fundamentals of Civil Legislation of the USSR and the Union Republics*. In addition to the traditional common law–civil law dichotomy over the importance of case law and statutory law, the Soviet civil law system emphasizes in every contract the interests of society as well as the involved individuals. (pp. 19–20) “In general, the state determines the terms of the contract by law in those cases where the interests of society have a well-established and durable character.” (p. 25) The effect of this “third party” interest also appears to restrict notions of freedom of contract since important terms like price and quality of performance are often established by the state rather than by the parties.⁵ (pp. 20–25)

The planned management of the Soviet economy also restricts the freedom of individuals to control the terms of their contracts. Since all aspects of production and distribution are planned by the state as part of state-controlled economic and social development of the country as a whole, there is often little room for individual initiative or negotiation in entering into “commercial” contracts. (pp. 27–28) The contract is viewed as an instrument to the accomplishment of the principal societal goal of a planned

5. The price as well as the order of payment is externally set for contracts involving socialist organizations. However, there is apparently an increasing tendency to permit the parties to a contract to negotiate their own price in certain classes of contracts, such as goods or services supplied to consumers on an individualized basis or for which the demand is great. (p. 21) Likewise state mandated quality of performance terms apply to some but not all industrial or manufacturing or processing contracts. (pp. 23–24)

society. In the socialist scheme of ordering priorities, individual contractual freedoms necessarily are less consequential than in a capitalist society.⁶

Mozolin provides a historical perspective to Soviet contract law that is helpful in understanding contemporary Soviet contract status. The important role of contract law in the planned and structured nature of the Soviet economy is even more apparent when one is exposed to the breadth of legislation developed since the Bolshevik Revolution to regulate contracts in important areas of the economy such as transportation, the production and supply of agricultural products, and the "delivery" of industrial, technical, and consumption products.

While the contrast with our common law, judge-made system of contract law seems rather dramatic, perhaps the difference in the two systems is not so great when one considers the underlying principles and the impact of article 2 of our Uniform Commercial Code. Certainly the uniformity and predictability envisioned by the drafters of the Code and achieved by its adoption in all fifty states provides a significant planning function for the commercial actors in our free market economy,⁷ just as the Soviet codification supports the planning function for the actors within their socialist economy.

Interestingly, the historical account dates only from 1917, the time of the "Great October Socialist Revolution." In contrast, Farnsworth's historical treatment of American contract law dates from distinctly pre-American Revolutionary times, which is perhaps a commentary on the relative impact that the two revolutions had on each country's legal system. Nonetheless, some consideration of the pre-revolutionary Russian civil law tradition on the post-revolution Soviet socialist legal system would be welcome.

Chapter 3 of Mozolin's treatment of Soviet contract law considers the sources of the law and provides some insight into the administrative and judicial structure of the Soviet system. Particularly enlightening is a section entitled "Court Practice" and a description of the judicial resolution of a lawsuit involving the purchase of a faulty television set that caught fire and damaged the purchaser's property.⁸ (pp. 98-100)

6. Even so, author Mozolin identifies significant theoretical and practical conflicts in the Soviet system stemming from the planned nature of the Soviet economy and contracts, which, even though used as an instrument of the planning function in a socialist society, are still vehicles for the ascertainment of individual rights and obligations. (pp. 28-36)

7. See, e.g., Gilmore, *Codifying Commercial Law*, 56 YALE L.J. 1341 (1948), Hawkland, *Uniform Commercial "Code" Methodology*, 1962 U. ILL. L.F. 291.

8. The People's Court (the appropriate trial forum) ruled the retailer liable on a breach of contract theory and held that the manufacturer had no liability to the purchaser. This decision was upheld on appeal by the Civil Judicial Panel of the Supreme Court, who noted the retailer's right of recourse in a suit against the manufacturer. Mozolin notes that while the case seemingly makes new law, case decisions are not considered sources of law in the

Chapter 4 is entitled "Characteristics and Organization of Contract Law" and covers a broad range of concepts such as validity, capacity, form, and performance. Some striking similarities to American contract law are revealed in, for example, the capacity to contract doctrine (pp. 122–26), and one learns that common law avoidance principles such as mistake, misrepresentation, duress, impossibility, and *force majeure* are features of the Soviet system. Interesting differences do surface; for example, an illusory contract in Soviet law is one that is used to conceal another transaction, whether legal or illegal (pp. 112–14), in contrast to the common law use of the term referring to promises supported by apparent rather than actual consideration. Formation rules appear to be similar, with one difference that the Soviet rules on offer and acceptance are detailed in its Civil Code. The concept of consideration is not mentioned, however, and does not appear to have any role in Soviet contract law, as is the case in most civil law systems. (pp. 128–30) Further, Soviet law categorizes and applies special formation and performance rules to many types of contracts, particularly those having an important role in the planned economy. For example, offers cannot be revoked in "delivery" contracts.⁹ (p. 130)

With respect to performance, more general differences appear. Under Soviet law, the contracting parties are obligated not only to the other side of the transaction but also to the state. Thus, "the principle of economy" requires that each party perform its obligation so as to benefit the economy of the country as a whole. (pp. 142–43) In addition, "the principle of cooperation" requires each party to aid the other in its performance of the contract. As a result, the socialist economy as a whole will theoretically benefit in a way that is not possible where the parties are antagonists.¹⁰ (pp. 143–46)

Specific performance also has broader currency in the Soviet system because alternative or substitute performances are often not available due to the planned and centralized nature of their economy. (p. 148) Again the difference is not as extreme as one might initially believe because

Soviet system. Courts function to enforce the laws; thus judicial decisions do not create legal rules but "principles of judicial application to be followed in similar cases." The distinction is between a judicial decision creating a new legal rule and its explaining an already existing rule "by establishing a definite rule for applying rule of law in analogous cases." (p. 100)

9. The reference there is to the Statute on Deliveries of Goods for Industrial and Technical Purposes.

10. In contrast, the concept of cooperation in U.S. contract law is present only where one party's cooperation is necessary to enable the second party to perform. In those instances U.S. courts will often imply a constructive condition of cooperation into the contract. See, e.g., *Kehm Corp. v. United States*, 93 F. Supp. 620 (Ct. Cl. 1950); *R.G. Pope Constr. Co. v. Guard Rail of Roanoke, Inc.*, 219 Va. 111, 244 S.E.2d 774 (1978).

Soviet law considers money damages received in the place of performance of an obligation as a type of performance. Thus, money damages are commonly awarded. (pp. 148, 157)

Lastly, chapter 5 succinctly and usefully sets forth the Soviet judicial and arbitration systems and their relative impact upon the settlement of contractual disputes. (pp. 165-74)

Part II of the book, which, as noted, covers contract law in the United States, is organized by chapter just as part I. In lucid prose, Professor Farnsworth succeeds in 140 pages in describing in surprising depth and breadth the history and general concepts of American contract law. Irrespective of Soviet interest in the work, Farnsworth's account of American contract law should have great utility here, whether it be for nonlegal scholars interested in understanding one of the foundational parts of our common law system or for lawyers seeking a review of the basics or a grasp of the historical roots of contract law. First-year law students should find it very useful because of its clarity and content. Needless to state, Soviet readers should find Farnsworth's work equally enlightening.

In sum, the book does an admirable job of covering the basics of the law of contract in two very different legal systems. While the reader is naturally struck by many of the differences, beginning with the definition of contract,¹¹ the similarities, some of which have been noted, are equally noteworthy. And it is important to remember that many of the differences, such as over the concept of consideration and the inclusion of contract as part of the broader law of obligations in Soviet law, are merely those that are present in comparing the common law to any civil law system.¹²

This is not meant to gloss over the magnitude of the differences in contract law in the two systems. Both, however, seem to serve a similar function within their vastly dissimilar economic structures: that of facilitating the necessary exchange of goods and services in society. The value of the book is in its description of just how that is done in the Soviet Union and the United States.

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11. While the term in the United States typically refers to promises to perform, in the Soviet Union contract encompasses both promises for future performances but also present performances, as for example in a cash sale for goods. (p. 6)

12. As one general example, the Soviet section of the book is almost devoid of case references; statutory authority predominates, even for seemingly minor issues. In contrast, the American portion of the book contains many case-oriented discussions, with references to statutes limited to article 2 of the Uniform Commercial Code. A similar difference in focus would occur with most civil law systems, with Scotland and South Africa perhaps the main exceptions.

International Law: Process and Prospect

By Anthony D'Amato. Ardsley-on-Hudson, New York: Transnational Publishers, Inc., 1986, pp. 250, \$45.50.

Professor D'Amato, a member of the faculty of the School of Law of Northwestern University, has deftly and attractively acquitted himself of the difficult task of fashioning a small but excellent introductory textbook on international law. By weaving in discussions of some highly complex modern international legal problems, he has succeeded in interestingly leading the reader through a brief discussion of the nature of the law and the legal system, a sketch of the history of the development of international law, and a description of the international legal community in which that law must function.

The author does not try to cover the vast field of international law by attempting to compress it into a few pages. He resorts to a remarkably lucid conceptual analysis of the law, highlighted by recourse to actual practices of states in various modern-day settings, with particular emphasis on human rights in the international sphere. Because Professor D'Amato has not hesitated to deal with difficult questions, a number of his conclusions may not necessarily meet with general acceptance. Some will no doubt take issue with his interpretation that classical customary international law is being radically altered by emerging human rights principles.

Professor D'Amato's final chapter, in the form of a postscript, provides an excellent glimpse into the difficulties that beset a professor of international law in a legal setting where "bread and butter" courses are conceived as the be all and end all of the law student's training. In commenting on a young lawyer's search for a position where knowledge of public international law might be useful, Professor D'Amato admits that such positions are few and far between, and that there is a huge competition for them. If one does not find employment as a professor of international law, or with a governmental agency involved in international legal affairs, or with a transnational corporation, or with a law firm with international clientele, Professor D'Amato suggests that a young practitioner continue his or her interest in international law by writing, from time to time, articles for legal periodicals on international law topics of current interest. A young lawyer would thus "rise above the crowd, and perhaps . . . lay the groundwork for a later career in international law."

This is a good book for reading and a rewarding book for study by all who maintain an interest in the international legal community.

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FALL 1988

Introduction to Turkish Law

Edited by Tuğrul Ansay and Don Wallace, Jr., Deventer, The Netherlands: Kluwer Law and Taxation Publishers, 1987, pp. 260, \$48.00.

Introduction to Turkish Law is a collection of eleven essays edited by Tuğrul Ansay, an attorney practicing in Hamburg, Germany, formerly professor at the Faculty of Law of the University of Ankara in Turkey, and Don Wallace, Jr., Professor of Law and Director, Institute for International and Foreign Trade Law, Georgetown University. Each essay, comprising a chapter, surveys a particular subject area of Turkish law in descriptive fashion. As stated in its preface, the work is intended to serve as a text for the second semester of a two-semester course for first-year students of the Faculty of Administrative Services at Middle East Technical University at Ankara. The Faculty of Administrative Services is not a law school and is attended by many non-Turkish students. Courses are primarily taught in English. Thus, readers seeking critical analysis of the Turkish legal system or hoping to deepen existing familiarity with this civil law jurisdiction or a particular subject area within it would be advised to research elsewhere. Nevertheless, the book's straightforward organization and approach to presenting an overview of Turkish law appears well suited for its primary instructional application; at the same time it also achieves the expressed secondary purpose of providing a preliminary reference for foreign lawyers and scholars.

Introduction to Turkish Law is neatly organized into the following chapters: 1. Sources of Turkish Law; 2. Constitutional Law; 3. Administrative Law; 4. Law of Persons; 5. Legal Persons, Societies and Associations; 6. Family Law; 7. Law of Succession; 8. Law of Property; 9. Law of Obligations; 10. Criminal Law; and 11. Law of Procedure (Civil and Criminal). Editor Ansay, as author of chapters 4 through 9 (and co-author of chapter 11), is the main contributor to this volume. It would be unfair to criticize this work for not covering more sophisticated topics such as conflict of laws or laws dealing with transfers of technology. Moreover, the collection contains an analytical table of contents, a subject index, and a table of abbreviations to assist the reader in focusing on an area of interest and in understanding references found. Also, the English-reading researcher desiring to develop further understanding of a particular area is provided with a selected English language bibliography organized along lines similar to the chapters of the book.

Assuming that the materials referenced in the bibliography are somewhat representative of the extant literature in English on Turkish law, and observing the fact that most of these resources were published between 1920 and 1975, *Introduction to Turkish Law* fills a need for legal materials

that take note of important recent developments in Turkish law. For example, a major constitutional reform occurred in Turkey as a result of the political upheavals of the 1970s and the ensuing military takeover of September 12, 1980. A new Constitution was adopted by popular referendum on November 7, 1982, which introduced many novel legal and political concepts into Turkish society. An outsider attempting to understand the contemporary legal framework of Turkey could not do so without a basic knowledge of the history of constitutional law leading up to and including the 1982 Constitution. *Introduction to Turkish Law* delivers this basic knowledge.

Those who have some background in the common law should have little difficulty grasping the essential features of Turkish law, since such concepts as bans on ex-post facto lawmaking, offer and acceptance in contracts, strict liability, revocability of wills, judicial review of statutes, and so on, appear, in adapted form, in the Turkish legal system as well. Readers familiar with one or more of the continental civil law systems should experience déjà vu while perusing descriptions of vast portions of Turkish law. In some cases, Turkish law was, at least initially, based almost entirely on a body of foreign law. Examples include: the Italian Criminal Code of 1889, which was adopted in Turkey in 1926 (half of its articles have since been changed); the Swiss Civil Code and Code of Obligations, also adopted in 1926, which formed the model for the Turkish law on persons, family law, succession, property, contracts, torts, and unjust enrichment; and French administrative law, which heavily influenced its counterpart in Turkey. Many particular instances of foreign legal concept assimilation may also be cited, such as the German distinction between ability to be the subject of rights (*Rechtsfaehigkeit; Haklardan istifade ehliyeti*) and capacity to act (*Geschaefstfaehigkeit; Muamele ehliyeti*).

Notwithstanding this observation, the reader should be careful not to assume naively that Turkey's deliberate attempt to modernize its legal and political system along western lines and away from customary and Islamic law has simply transposed those foreign systems. In all cases adjustments have been made to adapt such systems to the Turkish experience. This transformation is perhaps best illustrated by the contrast between secularism in the West, which means a complete separation of religion and the state, and secularism in Turkey, which means the supervision and control by the state over many aspects of religion. Other significant departures from western legal concepts include powers of limiting fundamental individual rights granted to the executive during periods of emergency or martial law, which are outside the scope of constitutional review by the judiciary. Another constriction of rights occurred under the 1982 Constitution, which prohibits constitutional challenges of a statute within a ten-year period following dismissal of another such challenge on

substantive grounds. Those concerned with women's rights will also be interested to learn that despite considerable progress in this area, Turkish law retains some of the vestiges of past inequities (in some cases inherited from the Swiss Codes) between men and women. For example, male children have preference over female children in the law of succession to agricultural land, the husband's views prevail in cases of dispute, the parental authority of the husband prevails, and a Turkish woman may take the nationality of the husband while a Turkish man cannot acquire a foreign spouse's nationality.

In a collection of individual articles such as this, areas of overlap and repetition between chapters are bound to occur. Although not overly intrusive, such repetition does interfere with the readability and smoothness of transition—more so in chapters 1 through 3 than elsewhere in the volume. Taking due note of the great difficulty inherent in writing a technical work in a foreign language (the articles were written by Turkish authors in English, not translated into English from Turkish), additional care in the proofreading of the text by English-speaking persons would have contributed enormously to the overall impression made by this book. It is disturbing when a grammatical (typographical?) error occurs in the very first sentence of the first chapter of the text.

Introduction to Turkish Law admirably accomplishes its goal of concisely surveying the basic principles of Turkish law in a descriptive, summary fashion. It does not purport to be a manual for the myriad problems faced by the modern international business lawyer with activities in Turkey. It is, however, a useful resource in rendering the contemporary legal system of a dynamic, increasingly important developing nation more accessible to the foreign lawyer.

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