

BOOKS RECEIVED

General Publications

Corporate Acquisitions and Mergers in Portugal: A Practical Guide to the Legal, Financial and Administrative Implications

By Ronald Charles Wolf. London, U.K.: Graham & Trotman, 1993, pp. vii, 125, Dfl. 145, £50.00, \$85.00.

An introduction for businessmen, consultants, and lawyers who need information on doing business in Portugal. The author provides a foundation on which to evaluate a possible capital venture in Portugal. Among other topics, he discusses company structures, distribution agreements, antitrust law, merger control, the Securities & Exchange Act, takeovers, corporate tax issues, labor law, equity joint ventures, and the regulation of foreign investment.

Freedom for the Seas in the 21st Century: Ocean Governance and Environmental Harmony

Edited by Jon M. Van Dyke, Durwood Zaelke, and Grant Hewison. Washington, D.C., and Covelo, California: Island Press, 1993, pp. xx, 504, \$27.50 (pb), \$55.00 (hc).

Essays by experts in international marine policy and law reexamine the law of the sea in light of today's understanding of the marine environment and recommend strategies to ensure its well-being. Topics cover a new look at ocean governance; Pacific approaches toward the ocean environment (including measures embodied in the cultural traditions and ancient practices of peoples indigenous to the Pacific islands); controlling ocean pollution; the living resources; the 1982 Convention on the Law of the Sea and the Nonliving Resources of the Deep Seabed; and military activities and peaceful uses of the high seas.

Handbook of GATT Dispute Settlement

By Pierre Pescatore, William J. Davey, and Andreas F. Lowenfeld. Irvington-on-Hudson, New York: Transnational Juris Publications, Inc., 1991, supplemented annually, 1 vol. looseleaf, \$185.00.

A reference source analyzing the GATT dispute settlement system. The *Handbook* includes full texts of GATT panel reports, together with a digest and summary of each report; an explanation of the principles of the GATT, its rules and dispute settlement system; and a comparison of the GATT to other international dispute settlement systems.

Human Rights in Crisis: The International System for Protecting Rights During States of Emergency

By Joan M. Fitzpatrick. Philadelphia, Pennsylvania: University of Pennsylvania Press, 1994, pp. xi, 260, \$39.95.

An examination of the multifaceted system for monitoring human rights abuses during states of emergency. The author defines and categorizes various kinds of emergency situations and examines the adverse effects such situations have on the protection of human rights and the rule of law. She profiles and critiques the numerous international bodies that have monitored human rights abuses during states of exception, as well as describing the contributions of nongovernmental human rights organizations in the field.

International Business and Economics: Law and Policy

By Paul B. Stephan III, Don Wallace, Jr., and Julie A. Roin. Charlottesville, Virginia: The Michie Company, 1993, 2 volumes: text, pp. xix, 899, \$49.00 (hc); documents, pp. iii, 507, \$15.00 (pb).

A textbook designed to integrate the post-Cold War realities of international business transactions. The course materials respond to the increase in privatization and foreign investment in developing countries; the transformations in financial institutions and business organizations due to technological change and competitive pressures; and the resulting impact of these evolving international business structures on national economies and legal systems as well as on the institutions of international cooperation. A separate volume of documents accompanies the main text. The authors plan annual supplements.

International Litigation: A Guide to Jurisdiction, Practice and Strategy

By David Epstein and Jeffrey L. Snyder. Englewood Cliffs, New Jersey: Prentice Hall Law & Business, 1993, 1 vol. looseleaf, \$110.00.

This volume's stated purpose is "to educate the lawyer in the handling of transnational litigation issues under U.S. law and procedure" and "to contribute to the lawyer's understanding of international law and practice from a global perspective." Written primarily for lawyers and other professionals unfamiliar with many of the issues faced in international litigation, the volume is intended as a reference guide. It sets out the principal legal issues involved in international litigation, and includes discussions of practical techniques and checklists designed to protect the interests of the client in a transnational legal action.

International Trade and Competition Law in Japan

By Mitsuo Matsushita. New York, New York: Oxford University Press, 1993, pp. xii, 352, \$39.95.

A detailed description of the way Japanese law regulates business activity in Japan and beyond its borders by means of trade laws and competition and antimonopoly laws. The author reviews the historical and legal framework of government regulation in business, and expounds on Japan's competition law, foreign trade and investment laws, and industrial policy.

International Trade Terms: Standard Terms for Contracts for the International Sale of Goods

By Adolf H. Hermann. London, U.K.: Graham & Trotman Limited, 1993, pp. xviii, 197, Dfl. 165, £53.00, \$90.00.

A compilation of standard terms (Intraterms) relating to the international sale of goods. The terms are intended for use as part of a contract, as general business conditions, or as help in drawing up contracts or business conditions. The author has drafted the terms in plain language to help traders and their legal advisers maneuver through the multiplicity of national laws and international conventions governing international trade. Each term is accompanied by explanatory notes and a commentary relating the term to the national laws of the main trading countries. A computer diskette containing the terms and notes highlighting their main intent accompanies the book.

Jewish Law: History, Sources, Principles

By Menachem Elon, translated by Melvin J. Sykes and Bernard Auerbach. Philadelphia, Pennsylvania: The Jewish Publication Society, 1994, 4 vols., pp. 2,500, \$300.00.

Written by the deputy president of the Supreme Court of Israel, and first published in Hebrew in 1973, this work surveys Jewish law from biblical times to the contemporary State of Israel. The author describes how sociological and economic factors have affected Jewish law and explores the relationship between the Jewish legal tradition and modern Israeli law. By using the techniques of comparative law and the methodologies of general jurisprudence the author provides an appreciation of how the nature and quality of Jewish law relate to other legal and social systems.

The Law of the Sea: New Worlds, New Discoveries

Edited by Edward L. Miles and Tullio Treves. Honolulu, Hawaii: The Law of the Sea Institute, 1993, pp. ix, 630, \$58.00.

This volume gathers together the papers and speeches presented at the Law of the Sea Institute's twenty-sixth annual conference. Topics include contemporary navigation issues; Latin America and the law of the sea; the protection of the environment and the UN Conference on Environment and Development; the Mediterranean; enforcement without force—new techniques in compliance control for foreign fishing operations; the UN Law of the Sea Convention; the EEC and the law of the sea; and UNCLOS and UNCED.

Legal Treatment of Foreign Investment: The World Bank Guidelines

By Ibrahim F.I. Shihata. Dordrecht, The Netherlands: Martinus Nijhoff Publishers, 1993, pp. xvii, 468, Dfl. 235.00, £92.00, \$135.50.

The author, a vice president and general counsel of the World Bank and secretary-general of the International Centre for Settlement of Investment Disputes, gives a personal account of the steps leading to the issuance by the Development Committee of the World Bank and the International Monetary Fund of the Guidelines on the Treatment of Foreign Direct Investment. The book includes the text of the Guidelines, the studies that preceded the preparation of that text, and the official reports that explain its rationale and contents, thus placing the Guidelines in the broader context of international efforts to improve investment climates.

Making Free Trade Work in the Americas

Edited by Boris Kozolchyk. Irvington, New York: Transnational Juris Publications, Inc., 1993, pp. xvi, 778, \$115.00.

The first volume in a series entitled "Toward Seamless Borders," produced by the National Law Center for Inter-American Free Trade, this book examines trade, investment, and harmonization of law and procedure between the United States and its neighbors, with a special emphasis on U.S.-Mexican trade and the NAFTA. Written by U.S., Mexican, and European scholars, chapters address public and private law aspects of free trade; investment; banking and commercial credit; the NAFTA and the environment; and unfair trade and dispute resolution.

Maritime Claims in the Arctic: Canadian and Russian Perspectives

By Erik Franckx. Dordrecht, The Netherlands: Martinus Nijhoff Publishers, 1993, pp. xxviii, 330, Dfl. 235.00, £95.00, \$140.00.

An examination of Canadian and Russian claims to the maritime boundaries of the Arctic and to what extent other states have recognized these claims. The author also explores the need for greater international cooperation in this area, not only between the two main contenders, but with other countries that have shown a special interest in Arctic navigation and the exploitation of the area's resources.

Nation Against State: A New Approach to Ethnic Conflicts and the Decline of Sovereignty

By Gidon Gottlieb. New York, New York: Council on Foreign Relations, 1993, pp. xiii, 148, \$14.95 (pb), \$22.95 (hc).

The author, director of the Middle East Peace Project and a visiting fellow at both the Council on Foreign Relations and the Hoover Institution for War and Peace, focuses on the ethnic conflicts threatening the stability of the post-Cold War world, from Northern Ireland to former Yugoslavia. He argues that granting statehood to all the peoples struggling for self-determination would dangerously fragment international society. As a fresh approach to resolving ethnic strife, the author proposed a "states-plus-nations" alternative that respects people's aspirations to a national home, without jeopardizing the territorial integrity of existing states.

Parallel Importation in U.S. Trademark Law

By Timothy H. Hiebert. Westport, Connecticut: Greenwood Press, 1994, pp. ix, 178, \$55.00.

A history of the development of the parallel importation doctrine, the book contains a full chronology of the legal events—cases, bills, statutes, regulations, and commentaries—that formed the basis for the doctrine. The author confines his discussion to trademark law and to legislation specifically addressing parallel imports.

Pollution Insurance: International Survey of Coverages and Exclusions

Edited by Werner Pfennigstorf. London, U.K.: Graham & Trotman Limited, 1993, pp. x, 245, Dfl. 210.00, £65.00, \$110.00.

This book reviews insurance coverage for the risk of liability for damage caused by pollution of the environment in twenty countries. It analyzes policy clauses, endorsements, and special forms used in those countries to identify the best methods of distinguishing between pollution risks that can safely be included in standard coverages and risks that are incalculable and therefore still unmanageable within the bounds of conventional insurance.

Proceedings of the 87th Annual Meeting of the American Society of International Law: Challenges to International Governance

Edited by John Lawrence Hargrove. Washington, D.C.: The American Society of International Law, 1993, pp. xiv, 652, \$65.00 (pb).

A compilation of the panel discussions at the 1993 annual meeting of the ASIL, this volume is assembled under what the editor describes as four “crosscutting themes”: Our Changing Sense of Community: The International Legal System Following the Bipolar World; Communities in Transition: Autonomy, Self-Governance and Independence; International Regimes: Progress and Problems; and The Internationalization of Domestic Law: The Shrinking *Domaine Reserve*. Within these themes, the contributors assess the implications for international law and institutions of the challenges that confront the international community in the post-Cold War era, ranging from interethnic conflict and demands for self-determination to pressures on the global trading system and environmental degradation.

Reconceiving Reality: Women and International Law

Edited by Dorinda G. Dallmeyer. Washington, D.C.: The American Society of International Law, 1993, pp. xiv, 283, \$18.00 (pb).

One of the ASIL's series of "Studies in Transnational Legal Policy," this volume provides an interdisciplinary study of women's perspectives on international governance and the prospects for developing a new world order in which women are truly representative. Part one addresses the current state of feminist analysis of international law; part two discusses the distinction between state action and private action as they apply to women's rights at the international level; part three concludes with essays on feminist approaches to war and peace.

The Tokyo Trial and Beyond

By B.V.A. Röling; edited by Antonio Cassese. Cambridge, U.K.: Polity Press, 1993, pp. ix, 143, \$17.95.

An account of the functioning of the International Military Tribunal in Tokyo at the end of World War II in which Japanese leaders stood accused of war crimes and of crimes against peace and humanity. The book takes the form of an extended interview with the late Dutch jurist B.V.A. Röling, a member of the tribunal. In addition to his insights on the Tokyo trials, Röling reflects on individual responsibility for international crimes, on the difference between Japanese and Western attitudes to guilt and crimes against humanity, and on the nature and limits of international law in controlling the use of force.

Trade and the Environment: Law, Economics, and Policy

Edited by Durwood Zaelke, Paul Orbuch, and Robert F. Housman. Washington, D.C., and Covelo, California: Island Press, 1993, pp. xv, 318, \$9.95 (pb), \$24.95 (hc).

The editors, members of the Center for International Environmental Law, selected the chapters in this book on the basis of their contribution to the debate on the reconciliation of trade and environment. The essays by leaders from industry, trade, environmental groups, international organizations, and policy-making bodies, address the issues and concerns surrounding the complex interactions between trade agreements and environmental protection.

UCP 500 & 400 Compared

ICC Publication No. 511. New York, New York: ICC Publishing, Inc., 1993, pp. 148, \$39.95 (pb).

Subtitled "An Article-by-Article detailed analysis of the New UCP 500 compared with the UCP 400," this publication is designed to familiarize those involved in international trade with the new UCP 500 rules. It contains the full texts of the UCP 500 and 400 rules and highlights the differences between the two texts, with particular attention paid to those articles that have been the source of confusion.

U.S. Regulation of the International Securities Markets: A Guide for Domestic and Foreign Issuers and Intermediaries

By Edward F. Greene, Alan L. Beller, George M. Cohen, Manley O. Hudson, Jr., and Edward J. Rosen. Englewood Cliffs, New Jersey: Prentice Hall Law & Business, 2d ed. 1993, 2 vols. looseleaf, \$195.00.

A study of U.S. regulation of the international distribution and trading of financial instruments and of U.S. regulation of foreign financial institutions engaged in the securities business in the United States. The authors, partners of Cleary, Gottlieb, Steen & Hamilton, detail the U.S. regulatory regime applicable to foreign companies entering U.S. capital markets and to securities distributions in international markets by issuers with a U.S. presence. Discussion also focuses on what instruments are "securities" under U.S. securities laws, and what instruments are subject to regulations under the U.S. commodities laws.