

# **Book Reviews**

EDITED BY A.U. de SAPERE

## **An International Rule of Law**

By Eberhard P. Deutsch. Charlottesville, Virginia: University of Virginia Press, 1977. Pp. 302. \$20.

Addressed to the thesis that permanent world peace can be achieved only by substituting the rule of law for the resort to arms, this brilliant and timely book, in order to achieve that end, sets forth a plan for the reconstitution of the International Court of Justice, established in the United Nations Charter as the principal judicial organ of the United Nations.

The plan “. . . contemplates no real surrender of sovereignty, while vesting in that tribunal unreserved, universal, and uniform compulsory jurisdiction over the justiciable controversies of all nations with each other, on what is sincerely believed to be a universally acceptable basis.” (p. x.)

If all nations will renounce the use of force, reducing it solely to domestic needs, and accept unqualifiedly (i.e., without reservations) the compulsory jurisdiction of the reconstituted International Court of Justice over all international, as distinguished from domestic, disputes, the world will for the first time in history become a safe international community.

Indeed, the very existence of an international tribunal with compulsory jurisdiction to decide disputes will itself tend to impel diplomatic adjustment of many, if not most, controversies between nations.

To bring this great good about, how is the International Court of Justice to be restructured?

Mr. Deutsch proposes:

1. The fifteen members of the court will be appointed for life or during good behavior.
2. Each member of the court, as a condition precedent to his accession to office (or, if now a member, as a condition to continuing to hold

office) shall renounce his or her allegiance to the state of which he or she is a national, and shall be deemed to become, for life, together with the member's spouse, a citizen of the United Nations, with all of the perquisites of such citizenship.

3. To overcome the one great obstacle to compulsory jurisdiction, when the objection is made that a matter brought before the court for adjudication is essentially within the domestic jurisdiction of the objecting state, the court shall not exercise jurisdiction over the proceeding unless at least ten of its judges concur in holding the matter to be within the jurisdiction of the court.

When one bears in mind that the judges have all renounced national allegiance and that no more than one judge can originally come from any one state, this seems to be an astutely conceived solution of the highly controversial problem of what are "domestic" questions beyond the reach of the court. Witness, for example (there are others), the Connally Reservation adopted by the United States Senate, reserving to the United States of America the exclusive right to determine whether a question is domestic.

4. Only public international organizations or states may be parties in cases before the Court, not individuals.
5. To provide for flexibility the Court may form one or more chambers, to consist of three or more judges, to hear and determine, for the Court, any controversy submitted, subject to review by the full court. The seat of the Court is at the Hague, but the Court, as well as any chamber, may sit elsewhere.

The foregoing are the seminal features of Mr. Deutsch's proposal for the attainment of world peace through law.

Enforcement of its judgments are not a function of the Court. Its decisions are purely declaratory. Enforcement is covered in Article 94 of the United Nations Charter, which in case of noncompliance authorizes "recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment."

In a scholarly discussion buttressed by intensive research, the author develops the background for his plan. He covers the work of the Permanent Court of International Justice, which was coupled with the League of Nations immediately after World War I, as well as the work of the International Court of Justice created in the Statute of the Permanent Court of International Justice as an integral part of the United Nations Charter. It is the weaknesses in these judicial structures and the resultant limited use that he seeks to remedy.

To make his proposal specific, Mr. Deutsch sets forth in Appendix C his Proposed Revised Statute of the International Court of Justice, thus permitting comparison with Appendix B, the present Statute. A reading of

Appendix C, a matter of perhaps thirty minutes, will give the reader a complete view of the restructured court.

Regrettably, but unavoidably, the plan requires the ratification, without reservations, not only of two-thirds of the members of the United Nations, but of "all of the permanent members of the Security Council," just like an amendment to the United Nations Charter, which, for that reason, has not been amended since its adoption in 1945.

The American Bar Association in 1965 adopted a resolution recommending the consideration of Mr. Deutsch's concepts. An effort in 1970 to put a "Review of the Role of the International Court of Justice" on the agenda of the General Assembly failed. The Soviet delegation was "resolutely opposed to the very idea of revising the role and Statute of the Court as well as the establishment of any body to deal with the matter." (See Deutsch, p. 276.)

Nevertheless, keeping the discussion perennially alive should some day bear fruit.

As a practical matter, negotiations should be attempted between the United States, the People's Republic of China, and Soviet Russia to agree to compulsory jurisdiction if the other major powers will agree. Perhaps if the United States of America and the People's Republic of China would take this initial step, combined with a conditional pledge of disarmament, Soviet Russia, which considers them its principal threats, might then agree on the same conditions. Untold billions of dollars would be saved for more useful purposes.

Certainly Mr. Deutsch's advocacy of a world governed by an international rule of law merits the acclaim of all persons of good will everywhere. To stop trying for such a rational solution is unthinkable.

ALFRED J. SCHWEPPE  
SEATTLE

## Law and Politics in China's Foreign Trade

Edited by Victor H. Li. Seattle and London: University of Washington Press, 1977. Pp. 467. \$20.

Sometimes delays in publication can work in fortuitous ways. *Law and Politics in China's Foreign Trade*, growing out of a conference in London in September 1971, has now been published at a time when interest in the subject is at an all time high.

The book is excellent. Professor Victor Li is to be commended for organizing an excellent conference of busy practitioners and scholars and for

patiently and persistently coping with the inevitable problems when some of those participants delayed completion of manuscripts. Many of the manuscripts have been updated to 1973; however, not even a conference and publication in mid-1978 could have remained timely in the face of events in China of the past few months.

What is surprising about the book is how much of the Chinese trade apparatus remains unchanged. Indeed, as Randle Edwards points out in a fascinating chapter on "The Old Canton System of Foreign Trade," much of the current foreign trade practice in China can be traced to practices of the eighteenth and nineteenth centuries.

Victor Li's introduction and his chapter "State Control of Foreign Trade After Liberation" provide both an updated analysis of Chinese trade and an historical perspective on early post liberation trade procedures and apparatus. The chapter on trade with Japan by Don Henderson and Tasuku Matsuo suffers somewhat because of the major changes in Chinese-Japanese trade since 1973. The shift from "dummy" firms doing business in China to "dummy" firms doing business in Taiwan, the Japanese "solution" in Taiwan, the negotiations leading up to the 1978 China-Japan treaty, and recent joint venture negotiations are all important events for those interested in trade with China that are too recent for inclusion.

Both George Ginsburgs' article on trade with the Soviet Union and Stan Lubman's article on trade with the United States fare better, but for different reasons. Ginsburgs' emphasis is primarily historical and retains its usefulness accordingly. In a time of significant change, this has been an area of relatively little activity. On the other hand, most of the changes in U.S. trade have been so recent that any scholarly analysis may well be premature. Mr. Lubman notes that U.S. trade volume in 1973 "would probably be close to one billion dollars." Latest estimates on 1978 trade according to the National Council for U.S.-China Trade are also in the one billion dollar range, with growth to three billion dollars anticipated by 1981. Obviously, the last few years have been a period of little growth in trade volume. The problems he identifies of delayed delivery, dispute resolution, payment terms and tariff treatment are still very much present. Most of the contracts utilized in China trade have undergone little modification as well. In short, this chapter, which is probably of greatest interest to the U.S. reader, is well done and remains very valuable.

Some of the other chapters, on trade with West Germany, Denmark, and Italy, have a somewhat more esoteric interest. One should not assume the same of the article on trade with Hong Kong by Alan Smith. This chapter is an engrossing study of interlocking stock ownerships and other means of investment by the PRC in major Hong Kong businesses. Smith's article, coupled with Frank Münzel's article, "Ways of Payment in Foreign Trade," gives a rare glimpse of Chinese-owned or controlled financial institutions.

Anthony Dick's article on maritime law and practice is extremely valuable. The recent surge of shipbuilding and port facility construction, and

the ascendancy of Cosco, the State shipowner, over Zhongzhou, the State chartering organization, has made the Chinese merchant fleet a point of increased interest in years to come. Under Vice Premier Deng Xiaoping's urging, direct shipping under U.S. and Chinese flags may well be in the offing in the near future.

Professor Jerome Cohen notes his hope that the subject of his article, "Personal Security of Businessmen and Trade Representation," would decline in importance. It seems that it has.

This book richly deserves a place in the library of anyone who is at all interested in the history and prospects of Chinese trade, from either a professional or scholarly perspective.

E. CHARLES ROUTH  
SEATTLE

## **The Constitutional Case Law of Japan: Selected Supreme Court Decisions, 1961-1970**

By Lawrence Ward Beer and Hiroshi Itoh. Seattle and London: University of Washington Press (Asian Law Series No. 6), 1978. Pp. xvi, 283. \$30.

In fulfillment of the editors' objective, this casebook brings to readers of English, across a formidable linguistic barrier, a representative selection of significant constitutional decisions rendered by the Supreme Court of Japan during the period 1961-1970. As suggested in the preface, the book may be considered a sequel to John M. Maki's *Court and Constitution in Japan: Selected Supreme Court Decisions, 1948-60* (Seattle: University of Washington Press, 1964), a similar volume of earlier cases.

During the decade covered by the book the Supreme Court of Japan continued the task, commenced in 1947, of construing Japan's new postwar constitution through adjudicating concrete legal disputes in a manner generally similar in approach, if not yet in vigor, to judicial review by its counterpart in the United States. For example, early in the decade the Japanese Court for the first time declared unconstitutional a statute of the National Diet having prospective applicability at the time of the decision (an earlier case had declared unconstitutional a previously repealed statute), and the Court continued to develop a number of fundamental concepts such as the political question doctrine and standards for striking the balance between individual rights and the public welfare.

The book consists mainly of translations of opinions from thirty-two Supreme Court cases, segregated into ten chapters following a system of classifying constitutional cases commonly used in Japan. All the translations are the work of the editors, both of whom are political scientists

having considerable expertise in the field of Japanese constitutional law. The following are brief descriptions of the matters dealt with in ten of the cases, one from each chapter of the book:

1. Constitutionality of penal provisions in an Osaka City prostitution ordinance;
2. Validity of a statute allegedly enacted without compliance with certain procedural rules of the House of Representatives;
3. Constitutionality of a system for selecting ward mayors without popular election;
4. Disallowance under the Income Tax Law of income splitting between spouses despite the Constitution's "equality clause";
5. Malapportionment of House of Councillors seats;
6. Prohibition, without compensation, of long-standing agricultural use of land surrounding an irrigation reservoir;
7. State imposition of fees for textbooks used in the compulsory education system;
8. A statute prohibiting door-to-door election canvassing;
9. Constitutionality of a search and seizure of narcotics in connection with a lawful arrest;
10. Application of an obscenity statute to a translation of the Marquis de Sade's *In Praise of Vice*.

In addition to the Supreme Court opinions themselves the book includes an introduction by the editors, three appendices (an English translation of the 1947 Constitution, and information concerning the judicial system and Supreme Court Justices of Japan), a bibliography and an index. A useful selection of background information and statutory reference material is also provided with each case. The resulting volume reflects a great deal of painstaking, scholarly work on the editors' part, but is itself pleasantly readable.

RONALD E. LEE  
TOKYO

## **Chinese Family Law and Social Change in Historical and Comparative Perspective**

Edited by David Buxbaum. Seattle and London: University of Washington Press, 1978. Pp. 582. \$20.

This volume is a collection of sixteen papers delivered at a conference sponsored by the University of Washington Law School in August 1968. It is divided into five parts: marriage and divorce in traditional China; parti-

tion in traditional China and in comparative perspective (through comparison with Tibet); marriage and divorce in Taiwan; marriage and divorce in the People's Republic of China (PRC); and comparative developments (in India and Indonesia).

In the decade between the conference at which these papers were delivered and the publication of this book, several papers have been succeeded by later articles or incorporated into full-length studies by the same author. With respect to these papers and the others as well, the failure to revise and update is a serious shortcoming, as the reader is left to wonder how their conclusions have been modified by later events and continued research.

Another weakness of the volume, which the editor's introduction does not overcome, is the lack of a unifying framework. The individual authors, who hailed from the United States, Asia, and Europe, represented the disciplines of sociology, anthropology, history, and law, with correspondingly different sources of data and technical vocabulary. To this writer the most readable group of papers dealt with changes in family structure on Taiwan, where the authors enjoyed the benefit of field research. Yet even this group of papers, generally speaking, did not show the effect of interchange of viewpoints at the conference or an attempt to harmonize results.

What does emerge from this book is the notion that despite differences in the political, economic, and legal systems of the PRC and Taiwan, certain phenomena have occurred in both places. There has been a trend towards the nuclear family, a lowering of the birthrate, greater autonomy of women, and decreasing reliance on the authority of elders. These radical changes in family structure are shared with many other developing, and developed, societies, and may be due less to legal reform than to wider distribution of income, education, and public health services. At the same time neither the PRC nor Taiwan appears to be afflicted with the negative consequences of Westernized family structure, such as a high rate of divorce, juvenile delinquency, and the isolation of the aged. The prominence given to divorce in the marriage law of the PRC overstates the frequency of divorce, even for the early years of the regime. The persistent strength of the Chinese family is a fascinating but unresolved question in this book.

Space limitations do not permit extensive comments on individual papers, but I have found the following of particular interest: Myron L. Cohen's study of family partition in Taiwan; Müller-Freienfels's ambitious comparison of Soviet and Chinese family law; and Meijer's gloss on the marriage law of the PRC.

HILARY K. JOSEPHS  
HONOLULU

## International Law

Published by the State Bar of Texas.

Dallas, Texas, 1978. Pp. 495. \$30.00.

The legal aspect of international business transactions, primarily the federal regulation of such transactions, is only now being recognized as an area of sufficient complexity, coherence, and significance to deserve treatment as a separate area in the study and practice of law.

The Texas Bar Association sponsored a one-day program on the topic of law and international business and produced this book for use in the program. *International Law* is not a pretentious work; it has more merit than the few other works of its kind. Although the book possesses defects inherent in the genre, it deserves praise as a pioneering effort.

The book's eight chapters consider the following topics: the General Agreement on Tariffs and Trade; the International Monetary Fund; the International Trade Commission; business transactions in the European Common Market and in Latin America; extraterritorial aspects of U.S. antitrust laws; and export and Eurodollar financing.

While the uniformity of each chapter is not consistent, many chapters include useful documents and introductory comments by contributors. Although not followed throughout the book, this advantageous format provides copies of existing legislation, cases and other documents not readily available in one location.

The individual chapters vary greatly. The discussion of business transactions in the European Communities emphasizes the transfer of technology and patents, but omits most other aspects of this area. Other problems of Community law, such as harmonization of company law and worker representation, are entirely omitted along with matters of national law.

The chapter on export financing proves most beneficial. It explains the letter of credit transaction and operation of federal-supported export credits in the context of the Export-Import Bank's operations.

From the perspective of the practicing attorney, discussions on the International Monetary Fund, the General Agreement on Tariffs and Trade, Eurodollar financing and recent legal changes in Latin America are not as significant as some of the subjects omitted from the book, such as United State export and import restrictions; antiboycott and antibribery laws, matters including DISC legislation, extraterritorial application of securities legislation; arbitration of international contracts; recognition and enforcement of foreign arbitral awards and foreign judgments in the United States, the Foreign Sovereign Immunities Act; the Act of State Doctrine; and problems of extraterritorial service of process, securing evidence, and proof of foreign law in domestic litigation. The wisdom of including matters such as foreign law with federal law in a one-day conference or in an introductory



book on the legal aspects of international business for the practitioner is a most difficult one to justify from either a conceptual or pragmatic perspective.

The chapter on antitrust indicates the problems of adequately treating an appropriate topic. Without devoting substantial space to antitrust in general, the treatment should concentrate on those aspects of federal law which relate directly to international operations. The selection of materials should emphasize these international aspects rather than the subject in general.

Basically, the work needs a clearer focus on the subjects discussed and the inclusion of more pertinent material. *International Law* will prove to be a valuable contribution because so little is available in this area, yet it undoubtedly points the way for what still needs to be accomplished.

STUART S. MALAWER  
MCLEAN, VIRGINIA

## Tax Aspects of International Transactions

By David R. Tillinghast. New York: Matthew Bender & Company, 1978.  
Pp. 672. \$16.00

Two primary themes run through this book: "The U.S. Enterprise Doing Business in or with Foreign Countries" and "The Foreign Enterprise Doing Business in or with the United States."

The first theme opens with "The Concept of Domiciliary Jurisdiction," dealing with how some countries impose income taxes on individuals. The next topic, "The U.S. Manufacturing Enterprise Operating Abroad" opens the reader's eyes to basic U.S. tax policy on foreign source income. The subjects of Taxable income and the foreign tax credit are covered. Here the first of a series of hypothetical problems is interjected to give the reader a pattern to assist in understanding various tax problems which he will see.

The author goes on to explain the organization and operation of a foreign branch of a U.S. subsidiary and of a foreign manufacturing subsidiary. Section 482, Internal Revenue Code is explored in "Transactions Between the Domestic and Foreign Operations." To complete the picture, the consequences of a liquidation or sale of a foreign operation are discussed. The reader is also introduced to tax haven, or base company, income and the reality that the Internal Revenue Service may disregard one entity and consider its income to be income of another entity. Also explained are Subpart F, the effects of changes in currency exchange rates, and joint ventures in developing countries.

The second half of the book begins with "The Concept of Source Jurisdiction" which discusses the limits of sovereignty and the concept of "doing business within the United States." "The Foreign Manufacturing Enterprise Entering the United States Market," licensing and technical assistance agreements, "Direct Sales Through Distributors or Employees," "Establishment of a Sales and Servicing Subsidiary," the establishment of a U.S. manufacturing subsidiary, and a joint venture with a U.S. enterprise are all explored for the reader.

The author provides a substantial appendix (297 pages).

In the text the author weaves the cases, regulations and rulings together to tell a complete picture. This effort was greatly needed and consequently adds a new teaching tool to the instructor who is attempting to explain a difficult subject.

LAWRENCE A. FREEMAN  
MIAMI

## **Encyclopedia of European Community Law**

Edited by K.R. Simmonds. London: Sweet & Maxwell, 1973. Three Vols. Looseleaf. \$612.50.

The *Encyclopedia of European Community Law* accomplishes the task of presenting the legislative sources of European Community law. In so doing, the *Encyclopedia* has been divided into three main parts: the first presents the law of the United Kingdom and the amendments which have resulted from entry into the Community; second, the basic treaties of the European Community, including their annexes, protocols, further agreements and secondary treaties; and, the last section contains the Community Secondary Legislation, which includes the Regulations, Decisions and Directives of the Council and the Commission of the European Communities.

The looseleaf format of the *Encyclopedia* enhances its utility as a research tool designed for the use of lawyers. In fact, the Publisher's Preface contains the statement that ". . . the purpose of an Encyclopedia of this kind is not to replace the specialist textbook but to act as a companion reference work." In that, the editors, contributors, and publisher have well succeeded.

Volume A, *United Kingdom Sources*, introduces the reader to those enactments which have placed the United Kingdom in compliance with the obligations entailed by membership in the Communities. A series of useful

annotations, entitled "General Notes," are used to explain the background and circumstances surrounding the legislative changes needed to place the United Kingdom in compliance with its membership obligations in the European Coal and Steel Community (ECSC), the European Economic Community (EEC) and the European Atomic Energy Community (Euratom). These annotations are quite detailed and helpful in providing additional information, which, when used in connection with the statutory materials provided, provides copious information for the reader. For instance, the annotations refer to "General Notes," and other texts and articles which may be consulted in conjunction with the *Encyclopedia*. As a bonus, the "General Notes" interpret the enactments in terms of their effect and purposes, as well as their historical significance.

Numerous "Schedules" are placed throughout the Volume, some of which are used to keep the reader apprised of the portions of those Acts which have been repealed and the extent to which the repeals apply. Other "Schedules" are utilized as a means of organizing and setting forth factual matters and amendments. Volume A is composed of one binder, AI, which is divided into seven sub-parts: "Tables"; "European Communities Act 1972"; "Other Acts"; "Rules and Orders"; "Miscellaneous Information" (such as diplomatic exchanges); and, "Northern Ireland Rules and Orders."

Volume B, *European Community Treaties*, contains the official English language texts of the constituent treaties (ECSC, EEC and Euratom) and amending treaties (Merger, Budgetary and Accession) together with other treaties, protocols and agreements concluded among the Member States of the Communities, and the Treaties concluded between the Communities and non-Member States. Accompanying these texts the reader finds extensive annotations prepared by the team of twenty contributors. The result is precisely that which the publisher cites as the purpose of all this information: ". . . to help and guide the reader with illuminating comment."

Within the three binders which constitute Volume B, the reader finds treaties, protocols, agreements, exchanges of letters, communiqués, and decisions. What could be a veritable maze of documents has been effectively organized by the Checklist which appears at the beginning of Binder BI, and which lists, in chronological order, each instrument printed in Volume B. This device, used in connection with the Index located at the end of Binder BIII, serves to simplify the task of finding one's way through the mass of information.

Binder BI is devoted to the ECSC, Euratom, Merger, Budgetary, and Accession Treaties, whereas Binder BII is dedicated in its entirety to the EEC and treaties among the Member States. Binder BIII is set aside for those agreements which exist between the EEC and non-Member States.

Volume C, *Community Secondary Legislation*, contains all of the instruments promulgated by the various Institutions of the Communities. Thus, the final Volume serves as an excellent reference to the unique laws of the European Communities. Fewer annotations are to be found in this part of

the set, but it is as well organized and easy to use as the first two volumes.

The first of the five Binders of Volume C, CI, is devoted to what is called an "Approximation of Laws," setting forth the Directives, Regulations, Decisions, Recommendations, Opinions, and Notices made by the Council of Ministers, and the Commission.

Binder CII contains materials on the law of Coal and Steel, Company Law, Competition and Economic Affairs. Binder CIII uses seven sub-parts to present the instruments concerning Euratom, External Affairs, Fuel and Power, Institutions, Movement of Goods, Regional Policy and the Right of Establishment. Considerable space is given to the two topics in Binder CIV; namely, Social Affairs and Subsidiary Bodies of the Communities. Inserted among the materials on Subsidiary Bodies, one finds the only grouping of items which relate to agriculture and customs policies of the Communities. Finally, Binder CV covers materials on Tax, Transport and Environment, and an exhaustive Checklist and Index to the contents of Volume C. However, the Checklist is not arranged chronologically.

The *Encyclopedia of European Community Law* is truly a specialist reference work. Every lawyer or professor who deals with European Community legal problems will find the *Encyclopedia* to be an indispensable research tool.

JAMES W. SKELTON, JR.  
HOUSTON

## **International Business Transactions: Tax and Legal Handbook**

By William P. Streng. Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1978.  
Pp. 661. \$39.95.

An ambitious undertaking, to survey the entire range of the tax and legal implications of international business transactions in a single-volume text. Yet William P. Streng has undertaken just such a project, and his efforts come remarkably close to succeeding in reaching his goal.

The range of topics sought to be covered is somewhat staggering for a volume of only slightly over six-hundred pages. The author's approach to this vast array of subjects is transactional and practical: In what kinds of transactions would a lawyer be involved, and what would he/she need to know about those transactions?

To answer these questions, the author devotes an introductory section of the book to the "environment" of international business transactions, particularly monetary, trade and financial considerations.

The next section is devoted to export transactions (with a brief survey of

United States import controls). The specific topics include legal restrictions on United States export trade, financing devices (primarily letters of credit), governmental incentive programs and tax planning considerations.

After a relatively brief section on the structuring of licensing transactions, the author concentrates a major portion of the book on the various aspects of direct foreign investment transactions. Finally, there is a survey of miscellaneous considerations: foreign currency translation (accounting and tax aspects), United States employees abroad, international leasing, captive offshore insurance companies and East-West trade.

The problems with the book are those inherent in any work of this nature: the survey must necessarily sacrifice detail for breadth of coverage, and the discussion of specific subjects can become quickly outdated. The author's treatment of these subjects is, however, admirable, and each chapter contains extensive footnotes to facilitate the reader's pursuit of individualized research of specific topics.

To some extent, the author's publishers have done him a disservice. The preface is dated August, 1977, and the book was officially published in February, 1978. The delay between writing and publishing, and then distribution, has seen the enactment and promulgation of statutes and regulations which have made portions of the book outdated.

Specifically, the area of foreign "improper payments" has been substantially altered by the enactment of the Foreign Corrupt Practices Act of 1977, and the subject of United States companies' participation in or cooperation with foreign boycotts has been changed by the Export Administration Amendments of 1977, to say nothing of the regulations subsequently issued to implement these new laws. While the subjects of bribes and boycotts are mentioned in the Steng book, there is (and could have been) no mention of the newly enacted legislation. Obviously every book must have a cutoff date, and to some extent this date will always be arbitrary; nonetheless the omission of topics such as these impairs the overall value of the book.

Another major defect of the book is the lack of an index. The table of contents is exceptionally detailed but cannot substitute for an index, particularly since several topics (e.g., the DISC, the operations of the Export-Import Bank and OPIC, etc.) are treated at several different places in the book.

Nonetheless, for the reader with little prior exposure to the subjects covered in the book, one could not recommend a better starting place for basic understanding and for avenues of further research.

THOMAS M. HANEY  
CHICAGO

## **Legal Aspects of Exporting**

Commercial Law and Practice Course Handbook Series No. 197. New York: Practising Law Institute, 1978. Pp. 586. \$20.

*Legal Aspects of Exporting* is a course handbook prepared by a number of legal experts who participated in the Practising Law Institute (PLI), an educational program for which it was prepared. The following subjects dealing with exports are covered in the book: sales contracts, letters of credit and other instruments of payment, distributorship contracts and licensing agreements, United States export control laws, United States anti-trust laws, United States foreign corrupt practices, laws, taxation, Ex-Im Bank financing, export credit insurance, and exporting to centrally planned economies.

There is a great deal of useful information, forms, draft agreements, and other already published material to be found. Exporters who need a legal reference manual for such material will find it extremely useful, as will lawyers who are not routinely involved with such problems. Like all P.L.I. course handbooks, it contains little analysis of the material. One must attend their educational program.

LEONARD THEBERGE  
WASHINGTON, D.C.