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BOOKS RECEIVED

Developments in the Law of Treaties 1945-1986. By Shabtai Rosenne. New York, N.Y.: Cambridge University Press, 1989. Pp. xxv, 535. \$75.00.

Shabtai Rosenne, Israel's principal spokesperson in the field of international law, is one of the most widely cited authorities on the law of treaties. His latest work, *Developments in the Law of Treaties 1945-1986*, represents the expanded version of a series of lectures, talks, and seminars delivered by the author while serving as the Arthur Goodhart Professor in Legal Science at the University of Cambridge during the academic year 1985-1986. In this book, Rosenne, now retired, shares with the practitioner his wisdom, scholarship, and experience gained through a lifetime of diplomatic service that included membership on the International Law Commission and the United Nations Commission on Human Rights as well as chairmanship of the Israeli delegation to the United Nations conferences on the law of the sea and the law of treaties.

In *Developments in the Law of Treaties 1945-1986*, Rosenne considers legal problems surrounding the 1969, 1978, and 1986 United Nations Conventions efforts to codify the international law of treaties. Rosenne focuses on the unaddressed issues in the codified law of treaties, the role of the written arrangement in international relations and international law, the issue of good faith in the codified law of treaties, the question whether a constituent instrument of an international organization is an international treaty, the issues surrounding settlement of treaty disputes under the Vienna Convention, and the role of the United Nations with regard to the law of treaties.

Once again, Rosenne succeeds in making the difficult issues manageable for the practitioner. Anyone with an interest in the art of diplomacy, politics, or arbitration would be well advised to acquire a copy of *Developments in the Law of Treaties 1945-1986*.

Materials on International Human Rights and U.S. Criminal Law and Procedure. By Hurst Hannum. Washington, D.C.: The Procedural Aspects of International Law Institute, 1989. Pp. ii, 152. \$20.00.

Materials on International Human Rights and U.S. Criminal Law and Procedure is yet another tribute to the twenty-five year human rights tradition of the Procedural Aspects of International Law [PAIL] Institute. Writing for both the academic and the practitioner, Hurst Hannum, Executive Director of the PAIL Institute, has now completed

his second treatise comparing international and United States human rights law. Hannum's first volume, *Materials on International Human Rights and U.S. Constitutional Law* published in 1985, addresses the issue of substantive human rights, while the present volume addresses the issue of procedural rights relating to arrest, trial, and incarceration. Hannum admonishes that international and United States criminal law systems could, and in his view should, work cooperatively toward a more just application of procedural human rights law. He notes that whereas the United States Constitutional provisions regarding criminal law provide greater procedural safeguards in the areas of right to trial by jury, use of the exclusionary rule, plea-bargaining, and the operation of the privilege against self-incrimination, international law has surpassed the United States in other areas such as providing broader prohibitions against inhuman and degrading treatment and punishment, applying greater restrictions on use of the death penalty, and allowing the accused to benefit from any reduction of penalty which may occur in the interim between arrest and trial. Hannum's work succeeds in forcing jurists to reflect on, and re-evaluate, the present state of criminal law, and as a result may hasten the current trend toward adopting greater procedural safeguards under both international and United States human rights law.

A Guide to the Laws, Regulations and Policies of the People's Republic of China. By James L. Kenworthy, Esq. Buffalo, N.Y.: William S. Hein & Co., Inc., 1989. Pp. xvi, 189. \$85.00.

As a result of the 1978 economic reforms, the People's Republic of China has passed over 500 laws and regulations aimed toward attracting foreign investment. James L. Kenworthy, attorney and consultant on international trade and investment and past Professor of International Trade Law at the University of Missouri/Kansas City Law School, spent June-July 1988 at East China Normal University compiling over 400 laws, regulations, official notices, and policy pronouncements on matters of commercial trade and investment issued by the Central Chinese Government as well as by several local governments.

A Guide to the Laws, Regulations and Policies of the People's Republic of China, the product of Kenworthy's monumental research effort, while itself admittedly incomplete, is nevertheless the most comprehensive text of its kind. The Chinese Government does not possess an official, standard repository of economic legislation. Practitioners and academics will, therefore, find Kenworthy's book a useful and indispensable research guide.

Kenworthy provides an alphabetical listing of the Chinese laws as well as citations to hard-to-find English translations. Kenworthy warns,

however, that English translations often differ slightly so several sources should be compared. In addition, Kenworthy notes that the text of each law or regulation should be checked to determine its effect on prior legislation because the Chinese government often passes laws on a trial basis or in draft form and frequently passes new legislation which nullifies or amends prior laws without explicitly indicating such.

Refugee Law and Policy: International and U.S. Responses. Ed. by Ved P. Nanda. New York, N.Y.: Greenwood Press, 1989. Pp. x, 228. \$45.00.

Refugee Law and Policy: International and U.S. Responses is a collection of thirteen essays compiled by Ved P. Nanda, Thompson G. Marsh Professor of Law and Director of the International Legal Studies Program at the University of Denver College of Law, in response to the growing number of displaced persons throughout the world. These essays are the product of a colloquium sponsored by the Colorado Endowment for the Humanities held at the University of Denver. The goal of the colloquium was to work toward attaining human dignity for all.

The essays in *Refugee Law and Policy: International and U.S. Responses* consider the refugee problem from legal, ethical, economic, and social perspectives. The authors point out the need for filling the gap between those human rights obligations assumed by various world governments and the policies the authors perceive as actually necessary to bring about a solution to the problem. The authors first delineate the problem and then address several current responses including the response of the United States to the situation in Africa and Central America, the responses of the various states throughout Western Europe, and the response of ordinary citizens and church-affiliated groups. Finally, the authors propose their solution for stemming the tide of refugees and for providing protection for those persons who continue to seek asylum outside their national boundaries.

This collection of essays provides much insight into an issue of growing international concern. Anyone interested in or troubled by the increasing refugee problem will find this work greatly enlightening and will find the solutions proposed worthy of consideration.

