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BOOKS RECEIVED

THE JURIDICAL BAY. By Gayl S. Westerman. New York: Oxford University Press, 1987. Pp. xii, 290. \$39.95.

In light of changes in demographics, improvements in technology, and the emergence of new nation-states, a thorough analysis of article 7 of the Geneva Convention on the Territorial Sea and the Contiguous Zone, which was left virtually untouched by the drafters of the Third United Nations Conference on the Law of the Sea (UNCLOS III), is necessary to provide a reliable basis for the disposition of complex coastal disputes. Westerman accomplishes her analysis of article 7 by examining the history of the law of the sea in the context of balancing the individual interests of states against the global interest in freedom of the seas. She first examines the policies and principles underlying the international law on bays. Then she proceeds to recount the historical treatment of bays from pre-Roman times to the twentieth century. Westerman follows this historical analysis with an extensive examination of article 7 itself including comment on the text of article 7 as well as the legislative history surrounding the Territorial Sea Convention. She next takes a pragmatic look at article 7 in light of current practices by states, such as Australia, Canada, the Federal Republic of Germany, Mexico, and the United States. The author concludes her analysis by demonstrating that article 7 is in reality a straightforward and unambiguous provision that is capable of providing both an essential foundation for policymakers and an orderly and workable solution to future coastal disputes.

HELSINKI, HUMAN RIGHTS AND EUROPEAN SECURITY: ANALYSIS AND DOCUMENTATION. By Vojtech Mastney. Durham, North Carolina: Duke University Press, 1986. Pp. xxxv, 389. \$49.50 hard cover, \$18.95 soft cover.

The Conference on Security and Cooperation in Europe (CSCE), also known as the Helsinki Conference, has induced its participants to regard domestic respect for human rights as a component of international security. In his introduction, Mastney provides an analytical framework for this compilation of primary sources documenting the progress of the CSCE from the signing of the Final Act in 1975 to the present. Mastney examines how the non-binding agreements reached by the 35 states participating in the CSCE have served to put human rights issues on the

international agenda. He divides the documentation into three broad sections, each concerned with the relationship of human rights to the other aspects of the CSCE: European political security, East-West trade, and military affairs. The documents consist of contemporaneous and retrospective accounts by individual CSCE participants, transcripts of interviews and discussions outside the conference, assessments by scholars and activists, and numerous dispatches by correspondents of Radio Free Europe/Radio Liberty. Finally, the appendixes include a listing of CSCE conferences since 1977, the concluding documents of the first and second follow-up meetings, and the Western summaries of two meetings of experts concerning human rights.

NEITHER CONFIRM NOR DENY. By Stuart McMillan. Westport, Connecticut: Greenwood Press, 1987. Pp. viii, 177.

On February 4, 1985, in keeping with its policy of denying port access to nuclear-armed or nuclear-powered ships, the New Zealand Government denied port access to a United States Naval vessel, the *U.S.S. Buchanan*, because the government suspected that the ship might have been carrying nuclear weapons. The focal point of this work is the clash between this New Zealand policy and the United States policy of neither confirming nor denying possession of nuclear weapons. The author discusses the background that led up to New Zealand's decision to bar nuclear-powered or armed ships and how other countries have coped with similar situations. The author then describes the relationship between the United States and New Zealand before the confrontation and how the confrontation changed that relationship. Finally, the author explains the roles and views of other countries with respect to this occurrence as well as the implications flowing from this historic conflict.

INTERNATIONAL LAW OF TAKE-OVERS AND MERGERS: THE EEC, NORTHERN EUROPE, AND SCANDINAVIA. By H. Leigh Ffrench. Westport, Connecticut: Greenwood Press, 1986. Pp. viii, 390.

Third in a series of four volumes on international law regarding takeovers and mergers, this reference volume will be of particular interest to attorneys specializing in foreign law, securities law, and those representing multinational corporations around the world. Volume III covers the European Economic Community (EEC) plus the individual nations of northern Europe and Scandinavia. Other volumes cover Australia, New Zealand, and Asia (Volume I), the Americas (Volume II), and southern Europe, Africa, and the Middle East (Volume IV). In an attempt to facilitate cooperation between companies of different countries, Ffrench has provided a detailed description of the regulations in each country. This volume will be a useful resource for transnational companies seek-

ing information on a particular country's commercial laws or take-over and merger rules.

INTERNATIONAL LAW: PROCESS AND PROSPECT. By Anthony D'Amato. Dobbs Ferry, New York: Transnational Publishers, Inc., 1987. Pp. vi, 250. \$45.50.

Rules of international law are like the boundaries that demarcate nations: the important consideration is not what the rule is, but rather that there is a rule that describes parameters of legal expectations. This work approaches the theoretical underpinnings of international rules of law by examining major international incidents of the recent past. D'Amato begins by noting the significance of international law in defining what constitutes a "nation." He then analyzes the use of transnational force and the role of international law in curbing it, emphasizing the difficulty of its application in a system lacking effective legislative, judicial, and executive authority. The author next discusses human rights in the context of an international legal system that is primarily addressed to nations, not individuals. Finally, D'Amato explores three specific problems—territorial apartheid, individual versus state litigation, and the case of *Nicaragua v. United States* before the World Court—to demonstrate the processes and justifications leading to the formulation of international law.

THE INTERNATIONAL COURT OF JUSTICE AT A CROSSROADS. By Lori F. Damrosch. Dobbs Ferry, New York: Transnational Publishers, Inc., 1987. Pp. xxvii, 511. \$67.50.

The case of *Nicaragua v. United States* has signaled a reevaluation of national policies toward the World Court despite forty years of United States acceptance of the Court's compulsory jurisdiction. This work is the first comprehensive examination since *Nicaragua v. United States* of the issues that governments must confront as they reexamine the scope of their consent to World Court jurisdiction. The study begins with a series of articles that focus on how well the current system of compulsory jurisdiction responds to participating states interests while providing an international dispute settlement mechanism. The next series considers the suitability of certain kinds of disputes, including those involving the use of force, the inherent right of self-defense, and the Court's institutional credibility, for resolution by the Court. Contributors then analyze special problems of international adjudication including authority for provisional measures, multilateral disputes, and evidentiary problems. The final articles examine both the relationship of the United States and the International Court historically as well as constitutional issues in termination of compulsory jurisdiction acceptance. The contributors are leading experts

on the World Court's jurisprudence and represent a variety of backgrounds and viewpoints.