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## Books Received

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## BOOKS RECEIVED

**Casebook on Carriage by Sea.** By E.R. Hardy Ivamy. London: Lloyd's of London Press, 1982. Pp. xxxix, 203. £11.50.

England, an island nation, has a rich history of admiralty law. Ivamy has summarized leading English cases on admiralty topics, including bills of lading, The Hague Rules, loading, limitation of shipowner's liability, general average, demurrage, and freight. Each chapter is divided into subsections stating the rule of law, the facts, the holding, and an excerpt from the opinion of an applicable case. For instance, the section on demurrage includes case law on the number of lay days, commencement of the lay days, effect of lay time being fixed, and the completion of the loading. This fifth edition differs from previous editions by its coverage of the recent developments in the law on charter parties.

**Casebook on Shipping Law.** By E.R. Hardy Ivamy. London: Lloyd's of London Press, 1982. Pp. xxx, 205. £11.50.

Ivamy summarizes significant English cases in the field of shipping law. This casebook is divided into seven sections. The first part synthesizes cases pertaining to the laws governing sales, mortgages and liens. "Carriage of Goods by Sea," the second section, presents summaries of cases on topics such as implied undertakings in voyage charter-parties, time charter-parties, conditions and warranties, bills of lading, The Hague Rules, discharging and delivery, and demurrage. Other sections discuss law regarding collisions and limitations of liability, salvage towage and pilotage, marine insurance, oil pollution, and jurisdiction. This casebook is set out differently than most United States casebooks because Ivamy's "cases" consist of the rule of law, facts, holding, and a short quote from the opinion, rather than the substantially complete text of the opinion. This 1982 printing is the third edition of this book.

**Regional Development Agencies in Europe.** Edited by Douglas Yuill. Hampshire, England: Gower, 1982. Pp. vii, 449.

\$44.50.

Regional development agencies, publicly financed institutions created for the purpose of stimulating capital investment and new jobs in an area, have become increasingly popular throughout Europe as a means to attract private investment. This book compares eleven selected regional development agencies. For instance, Belgium, a country divided by two distinct cultural and linguistic communities, uses several regional development agencies because of these social differences, while Ireland relies primarily on its Industrial Development Authority. The author facilitates comparison of development agencies by structuring each chapter to include a brief overview of the country's development agency system, a general description of the structure of selected agencies, and a detailed examination of each agency's activities to promote capital investment.

**United States Trade Policy Legislation: A Canadian View.** By Rodney de C. Grey. Montreal: The Institute for Research on Public Policy, 1982. Pp. xvii, 130. \$7.95.

United States import policies have a substantial impact on Canadian business and trade practices. This book provides the Canadian exporter with a guide to the major aspects of the recently revised United States trade system. Grey begins his study with comments on the reformation of United States trade policy, a discussion of the effect of the United States legal environment on trade with Canada, and the legislation enacted to protect American industry from import competition. This book then explores the United States policies on anti-dumping and countervailing duties as remedies for unfair import competition. Subsequent discussion focuses on the proposed revision of Canadian valuation provisions and its potential effect on Canadian importation of merchandise.

**Transfer of Technology: U.S. Multinationals and Eastern Europe.** By Marilyn L. Liebrez. New York: Praeger Publishers, 1982. Pp. xv, 363.

Despite the potential to compromise national security, transfers of United States technology to Communist countries have increased substantially in the last decade. This book examines the initial expectations and final results of eight multinational corporations who contracted to sell United States technology to East-

ern European countries. For instance, Liebrez describes the events surrounding Honeywell's agreement to sell technological information to a Polish foreign trade enterprise. The final chapter analyzes common factors in technology transfers, including corporate benefits, unexpected events, contract preparation, and leverage.

**Women's Rights & the EEC.** By Vanessa Hall-Smith, Catherine Hoskyns, Judy Keiner, and Erika Szyszczak. London: Rights of Women Europe, 1983. Pp. 161. £3.00.

Women in the United States have more legal protection against discriminatory treatment than women in Europe. This book describes how the laws of the European Communities can assist women in the United Kingdom to overcome inequality of treatment between the sexes. After explaining the Equal Pay for Equal Work Article of the Treaty of Rome, the authors discuss how the European Court of Justice held that the Equal Pay for Equal Work Article was directly applicable to Member State laws for direct and overt discrimination. Among several subjects covered in this book are the Equal Treatment Directive, the European Social Fund, equality of education for women, and new European initiatives promoting equal opportunity for women. An appendix contains addresses of European women's organizations.

**Tax Avoidance, Tax Evasion.** Compiled for International Bar Association. London: Sweet & Maxwell, 1982. Pp. viii, 104.

An increasingly sophisticated financial world often blurs the fine line between legitimately minimizing taxes and unlawfully evading tax. The Committee on Business Taxes of the International Bar Association's Section on Business Law arranged this study as a survey of tax avoidance and tax evasion in ten industrialized countries: Canada, Denmark, Italy, Netherlands, Norway, Spain, Sweden, Switzerland, United Kingdom, and the United States. The ten essays follow a similar format. After noting the legal distinction between tax avoidance and tax evasion, the essays discuss tax planning, tax havens, and the attitudes of tax courts. The article's concluding section sets forth both public opinion on tax avoidance schemes and the trend of the law governing tax avoidance. *Tax Avoidance, Tax Evasion's* introduction notes that although each country's legislation on tax evasion and tax avoidance differs significantly, the underlying concept of sub-

stance over form is used in every country to recharacterize excessive and artificial tax planning when those transactions would normally be expected to generate tax.

**Main Points in the Decisions of the World Bank Administrative Tribunal.** By C.F. Amerasinghe and D. Bellinger. Washington, D.C.: International Bank for Reconstruction and Development, 1983. Pp. ii, 29.

The World Bank Administrative Tribunal reviews employment decisions made by the World Bank's international staff. This pamphlet highlights the critical elements of the twelve decisions and three orders promulgated by the World Bank Administrative Tribunal since its inception in 1980. In the *Saberi* decision, for instance, the court held that the World Bank has no obligation to demote or transfer a staff member before dismissing the employee for unsatisfactory performance, even though the dismissal might also terminate the employee's visa in the United States. The only factors circumscribing the World Bank's final discretionary power to dismiss an employee are an arbitrary discriminatory abuse of power, an improperly motivated action, or a violation of fair and reasonable procedure. Amerasinghe provides a subject analysis of these decisions in *Case Law of the World Bank Administrative Tribunal*.

**Meeresforschung und Meeresfreiheit: Perspektiven nach der dritten UN—Seerechtskonferenz.** By Alex Borrmann and Hermann Weber. Hamburg: Verlag Weltarchiv, 1983. Pp. 479.

The United Nations held its first Law of the Sea Conference in 1958 to discuss utilization and resource exploitation of the sea. This work documents in German the Third United Nations Law of the Sea Conference draft convention on marine research. *Meeresforschung und Meeresfreiheit* weighs the advantages of the new convention for the marine scientist against the right of the coastal state to deny permission to conduct resource research. The text then analyzes the future of marine research in international law, particularly the effect of the new convention on the Federal Republic of Germany. Twelve appendices, including the text of the convention in English, describe, for example, many coastal states' declared territorial waters and the extent to which these states have agreed to work with West Germany in marine research.

**Freedom of Information Trends in the Information Age.** Edited by Tom Riley and Harold C. Relyea. London: Frank Cass, 1983. Pp. 172. \$27.50.

Freedom of information laws exist to assure government accountability to the public by permitting individuals to have access to reports relevant to their own personal lives. The first of five articles in this book reviews freedom of information laws in eight Western European countries as well as New Zealand, Australia, and Canada. The second article explores whether Congress should modify the United States Freedom of Information Act because of its administrative burdens and the potential danger to national security. The third paper, the personal report of the Honorable Jim Sasser, Senator from Tennessee and Chairman of the Subcommittee on Intergovernmental Relations of the Senate Committee on Governmental Affairs, is a proposal for reforms in the United States Freedom of Information Act. The remaining articles discuss the public accessibility of government documents in England and the degree to which Britain should keep information secret for the benefit of third parties. An appendix contains press releases and disclosures under the United States Freedom of Information Act.

**Economic Diplomacy Between the European Community and Japan 1959-1981.** By Albrecht Rothacher. Hants, England: Gower, 1983. Pp. xvii, 377. \$41.00.

European-Japanese political relations have deteriorated because of the European Community's increasing trade deficit with Japan, Japanese protectionist policies, and the devastating impact of Japanese imports on certain European industries. This book discusses commercial policies and their effect on economic and political relations between the European Community and Japan since 1951, when Japan regained her sovereignty in commercial trade. After an introduction on the theory of interaction between developed countries, Rothacher presents the structure for foreign policy in both Japan and the European Community and traces the empirical development in their bilateral commercial relations. Rothacher characterizes European-Japanese relations between 1969 and 1975 as the genesis of a common commercial policy, whereas relations since 1976 have reflected political and economic cyclical crises. This book concludes by noting the challenges of future European-Japanese relations.

**International Handbook of the Ombudsman.** Vol. 1-2. Edited by Gerald E. Caiden. Westport, Connecticut: Greenwood Press, 1983. Vol. 1, pp. xxiii, 190; vol. 2, pp. xix, 366. \$95.00 set.

Scandinavia first developed ombudsmen, neutral parties not associated with judicial systems, to act as arbitrators in cases of alleged governmental impropriety. Volume I, subtitled "Evolution and Present Function," analyzes the ideological foundation, evolution, and self-perception of ombudsmen. This volume provides various perspectives on the institution of ombudsman and includes miscellaneous articles such as "The Ombudsman in Health Care Institutions in the United States" and "The Military Ombudsman in Israel." Appendices provide selected information about international ombudsman organizations. Volume II, subtitled "Country Surveys," contains: (1) detailed studies on the use of ombudsmen in Australia, Canada, Finland, France, Japan, Nigeria, and several other countries; (2) articles describing ombudsmen in different regions of the United States such as "The Administrative Impact of the Alaskan Ombudsmen" and "The Nebraska Ombudsman: An American Pioneer;" and (3) chapters reviewing either ombudsmen in the Third World or recent ombudsman developments in Western Europe.

**Politics and Process in the Specialized Agencies of the United Nations.** By Housang Ameri. Hants, England: Gower, 1982. Pp. xiii, 284. \$46.00.

United Nations specialized agencies promote international cooperation by addressing a variety of technical, economic, and social concerns affecting the world. This book discusses the political influences found within these allegedly apolitical agencies. Ameri begins by describing the historical development of specialized agencies, their institutional structures and affiliations, and their problems of coordination within the United Nations. After examining the politics and alignments found within the specialized agencies, the author presents the attitudes of the Third World, the United States, and the Soviet Union towards specialized agencies. This book concludes with two case studies of specialized agencies: the International Labour Organization, which was the first United Nations specialized agency, and the International Monetary Fund.

**Women in Muslim Family Law.** By John L. Esposito. Syracuse: Syracuse University Press, 1982. Pp. xii, 155. \$18.95 cloth, \$10.95 paper.

The reemergence of Islamic fundamentalism in Muslim countries draws attention to the treatment of women under two primary sources of Islamic law: the Quran (Koran), the Muslim Holy Book, and the Sunnah of the Prophet, the record of the Prophet's words and deeds. This book first explains that these two sources provide the foundation for the *Shariah*, Islamic law governing duties to Allah (God) and one's fellow man, principally one's family. Esposito describes classical Muslim family law before analyzing how modern reforms in Egypt and Pakistan have improved the status of women and protected the rights of lineal descendants. Legal methodology for reforming Muslim family law consistent with Islamic tradition concludes this study.

**The United Nations and the Control of International Violence.** By John F. Murphy. Totowa, New Jersey: Allanheld, Osmun, 1982. Pp. xii, 212.

Has the United Nations been successful in fulfilling its assigned mission to maintain worldwide peace? The author answers this question by examining the United Nations' activities from the 1946 Russian occupation of Iran to the 1982 Falkland Islands War. After presenting a brief history of the United Nations' approaches to peace, this book reviews how the General Assembly and the Security Council handled specific international conflicts. The peacekeeping roles played by former United Nations Secretary Generals and accomplishments of the International Court of Justice are also discussed. The last third of this book investigates the United Nations' handling of nontraditional international violence including revolutionary warfare, wars of assassination, and international terrorism. The author concludes that the United Nations has failed to address adequately the continuing problem of nontraditional international violence.

**Managing Tax in Your Business.** By Robert Walters. London: Business Books Ltd., 1982. Pp. vii, 226. £15.00; \$36.75.

Recognizing that businesses which fail to manage their taxes can bleed to death, this book educates businessmen on the United Kingdom's taxes and the tax consequences of various business decisions. The first section of this book discusses England's income



tax, corporation tax, capital gains tax, national insurance, stamp duty, and capital duty. Part II evaluates the tax ramifications of various business situations including starting a business, managing fixed assets, financing a business, mailing investments, doing business overseas, and providing for retirement. Walters outlines each chapter with questions and clarifies points with frequent examples. One example demonstrates that a donor may have to pay a capital transfer tax on twice the value of the gift because of "grossing up." Among the several appendices are addresses of the United Kingdom's Inland Revenue, the English 1982-83 income tax rates, and a schedule of due dates for the various taxes.

**The Marriage Laws of Nigeria.** Edited by T. Akinola Aguda and assisted by Isabella Adi. Nigeria: The Nigerian Institute of Advanced Legal Studies, 1981. Pp. 170.

Marriages in Nigeria are governed either by Islamic law, customary law, or Nigeria's Marriage Act. Each system of law provides a different perspective on the marriage contract and spouses' marital rights. Four of the seven articles in this book explore family law under Nigeria's different Islamic sects. Another article examines how Nigerian courts treat customary law marriages. In order to permit polygamous marriages, the remaining two articles advocate the repeal of Nigeria's Marriage Act, which recognizes only monogamous marriages.