LIFE MEMBERS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 1987–1988

Gerald Aksen Stanley Anderson Masahiko Asada Calvin A. Behle Richard S. S. Bright John C. Brooks Ian Brownlie John Carey Chin-Yung Chao Stephen S. F. Chen Max Chopnick J. G. Clarke H. Alberta Colclaser Carter K. Combe Rebecca J. Cook Jorge Antonio De Marzi Dermott J. Devine John E. Donnelly Peter D. Ehrenhaft Robert Eikel Richard J. Erickson Eleanor H. Finch Richard I. Fine Roger D. Fisher Stefan Forch Carl Mason Franklin Gaudencio Garcia Moti Lal Govila Robert T. Greig Joseph P. Griffin Richard Kennedy Guelff Judith R. Hall Robert D. Hayton Dan F. Henderson Robert E. Herzstein Gary N. Horlick Christopher C. Joyner William S. Kenney Yoshito Kita Elizabeth Lay

Frankie Fook-lu Leung Cynthia C. Lichtenstein Mrs. Brunson MacChesney Myres Smith McDougal Samuel Pyeatt Menefee John M. Metzger Clifford L. Michel James A. R. Nafziger Andre W. G. Newburg J. D. Nyhart Hisashi Owada Mauricio Perez-Badell Hernán Pérez Loose Ellis L. Phillips Jane M. Picker Robert J. Radway Charles S. Rhyne Elliot L. Richardson Alfred P. Rubin Mark Sandstrom Tetsuo Sato Oscar Schachter Cabot Sedgwick Yukio Shimada William I. Shore Anne Patricia Simons Dwight I. Simpson Owen Meredith Smaw Earl A. Snyder Jane Sommerich John H. Spencer Henry J. Steiner Edward P. Torrey Tullio Treves J. W. van der Zanden L. W. Wadsworth **Edith Brown Weiss** Elmer E. Welty Ulrich Woelker C. U. Zachrisson Peaches Zaphiriou

Monroe Leigh

SUPPORTING AND CONTRIBUTING MEMBERS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 1987–1988

SUPPORTING

Mitchell Brock Charles N. Brower Alexander D. Calhoun William Gilbert Carter Anthony A. D'Amato Robert MacCrate William B. Matteson Covey T. Oliver George M. Pavia Walter S. Surrey Peter W. Thornton Peter D. Trooboff Jack G. Wasserman Basil S. Yanakakis

CONTRIBUTING

Richard L. Abbott Richard B. M. Abrams Richard C. Allison Manuel R. Angulo Steven Wright Baker I. Truman Bidwell Roman A. Bninski John Arthur Boyd George W. Brandt Aron Broches **David Carliner** C. J. Chen Donald E. Claudy Philip F. Cohen John P. Corrigan Samuel S. Cross Michael Danaher John L. A. De Passalaqua George C. Denney James M. Denny Edward A. Dragon Malcolm T. Dungan Richard A. Eastman Aly H. Elghatit F. Javier Fabregat Philip A. Faix, Jr. Stanley F. Farrar Benjamin B. Ferencz John. Basil Gantt David G. Gill Michael A. Gleim Joseph Gold L. F. E. Goldie Thomas R. Graham Ernest A. Gross James V. Hackney

Thomas E. Haven H. Healv Cecil Hunt Oliver T. Johnson Joseph S. Kaplan Charles J. Keever Lee A. Kimball Paul L. Laskin **James Leitner** Robert T. Lemon, II **Edwin Deane Leonard** Jacques L. Leroy David M. Levitan George N. Lindsay Carlos A. Lopez-Guevara G. Lorinczi Ralph M. McDowell A. F. Maulsby Gerald D. Morgan Frank E. Nattier Franz M. Oppenheimer Guillermo F. Peroni Jose Martins Pinheiro Neto Willis L. M. Reese A. R. Richstein Bruce L. Rockwood James F. Sams J. P. Schwebel Charles M. Spofford Samuel A. Stern Isaac N. P. Stokes Robert M. Thomas, Jr. Robert B. von Mehren Paul C. Warnke **John Stowell Williams** F. L. Wiswall Richard Young

Herbert J. Hansell

Joel B. Harris

Review of Socialist Law

Editor

F.J.M. Feldbrugge, Professor of East European Law, Director of the Documentation Office for East European Law, Leiden State University, The Netherlands

The Review of Socialist Law covers all areas of the legal systems in Eastern Europe, China, and other Socialist states. As the Soviet legal model has spread beyond Eastern Europe diversification has meant that the specifically Soviet flavour of many legal institutions has been lost or attenuated. What has usually remained is three elements of political life which have a decisive impact on the structure of the legal systems of the countries concerned: the paramount position of a single leading party, large-scale Marxist-inspired nationalization or socialization of the means of production, and rigid economic planning. The Review provides a scholarly study of legal systems characterized by these three elements.

Both the comparative lawyer and the lawyer whose international practice involves contacts with any socialist legal system will find this forum for the publication of articles on socialist law in the English language extremely valuable. It provides up-to-date information on new legal developments and gives general access to legal material otherwise difficult to locate. Specialists in the political, socialist, economic and historical aspects of the societies concerned will also find the

Review of Socialist Law useful.

Subscription Information

ISSN 0165-0300

1988, Volume 14 (4 issues)

Institutional rate: Dfl. 194.00/US\$92.00 incl. postage/handling Private rate: Dfl. 92.50/US\$40.00 incl. postage/handling

Private subscriptions should be sent direct to the publishers

Back Volume(s) Available Volumes 6-13 (1980-1987) Price per Volume excl. postage Dfl. 164.00/US\$68.00

Volumes 3; 5 may be ordered from: Wm. B. Gaunt & Sons, Inc. Law Books Dealers & Subscription Agents Gaunt Building 3011 Gulf Drive Holmes Beach, FL 33510, USA

Martinus Nijhoff Publishers



Kluwer Academic Publishers

P.O. Box 989, 3300 AZ Dordrecht, The Netherlands 101 Philip Drive, Norwell, MA 02061, U.S.A.



"The experts speak out on terrorism . . . "

LEGAL RESPONSES TO INTERNATIONAL TERRORISM U.S. Procedural Aspects

edited by **M. Cherif Bassiouni**, Professor of Law, De Paul University; Secretary General, International Association of Penal Law; Dean, International Institute of Higher Studies in Criminal Science

INTERNATIONAL STUDIES ON TERRORISM 1988 ISBN 0-89838-931-3

\$120.00

In the past two decades, the incidence of individual and state-sponsored, state-supported and state-conducted terror-violence has significantly increased and rightfully alarmed the international community. International concern, however, has regrettably focused on individual as opposed to state-related terror-violence. United States policy, too, has remained essentially aimed at the prevention and suppression of individual terror-violence, and this book therefore concentrates on contemporary U.S. legal responses to this phenomenon.

Part 1: Legislative Aspects.

Part 2: Enforcement Aspects.

Part 3: Policy and Crisis Management.

Part 4: International Cooperation.

Also Available . . .

THE 1986 ANNUAL ON TERRORISM

edited by Yonah Alexander contributing editors: Abraham H. Foxman and Eugene Mastrangelo

ANNUAL ON TERRORISM

1988

350 pp.

ISBN 90-247-3608-0

\$89.00

This book represents the first volume in an important new series which will focus on national, regional and global developments on a year-by-year basis.



Martinus Nijhoff Publishers an imprint of Kluwer Academic Publishers 101 Philip Drive • Norwell, MA 02061-1677



Institute of Muslim Minority Affairs

Editor: Syed Z. Abedin

HIGHLIGHTS 1987

V.N. Basilov: Popular Islam in Central Asia and Kazakhstan

Wilfred Cantwell Smith: Muslim-Christian Relations: Questions of a .

Comparative Religionist

Abdur Rehman Doi: Duties and Responsibilities of Muslims in non-

Muslim States

Hajji Yusuf Chang: The Hui Minority in China

Ali Asani: Khojahs of Indo-Pakistan: Quest for an Islamic Identity

Tozun Bahcheli: The Muslim-Turkish Community in Greece.

David Owusu-Ansah: The State and Islamization in 19th Century Africa

R.J. May: The Philippines Under Aquino

Michael Rywkin: Russian Party Apparatus in a Muslim Republic

Erkin Alptekin: The Uygars

Lord Ennals: Biharis in Bangladesh: The Third Great Migration

Ali Eminov: The Status of Islam and Muslims in Bulgaria

Along with Sections On

Interfaith Dialogue, An Islamic Agenda for Muslim Minorities, Research in Progress, Book-Reviews, Muslim Minority Profiles, Spectrum, Education of Muslim Minorities

Order Your Copy Now.

Institute of Muslim Minority Affairs 46 Goodge Street, London WIP 1FJ United Kingdom

Subscription	International	India	Pakistan	Bangladesh		
2yr institution	£ 20 (4 issues)	Rs. 150	Rs. 200	Tk. 350		
1yr institution	£ 12 (2 issues)	Rs. 90	Rs. 120	Tk. 200		
2yr individual	£ 16 (4 issues)	Rs. 120	Rs. 160	Tk. 275		
1yr individual	£ 10 (2 issues)	Rs. 75	Rs. 100	Tk. 175		



United Nations Publications are the definitive resource for international lawyers.

General Sources

Statistical Yearbook

Issued since 1949. Possibly the most complete statistical reference book in existence, this Yearbook provides a wealth of statistical data for more than 270 countries and territories on economic and social subjects, including population, agriculture, manufacturing, construction, transport, commodity import/export trade, balance of payments, national income, education and culture. Statistics are presented on an internationally comparable basis using overall world summary tables and more detailed tables with data by country.

Latest issue: 1985

EF86.XVII.1 (ISBN: 92-1-061105-5) \$85.00 (Hard)

Treaties

United Nations Treaty Series

Every treaty and international agreement entered into by any Member State of the United Nations is published in the Treaty Series. This series which began in 1946/47 continues the League of Nations Treaty Series which dates back to 1921

Latest issue-

\$22.00

Sea Law

United Nations Convention on the Law of the Sea

This volume creates a new record in legal history covering every aspect of the uses and resources of the sea. It shows the concern to agree on new ways of peaceful coexistence by the international community. Contains background material on the Conference as well as the official Text of United Nations Convention on the Law of the Sea with Annexes and an Index.

E 83 V 5

(ISBN: 92-1-133243-5)

The Law of the Sea: Multilateral Treaties Relevant to the United Nations Convention on the Law of the Sea.

(ISBN: 92-1-133273-7)

\$14.50

International Business/Trade

United Nations Commission on International Trade Law Yearbook

Annual Issues since 1968.

Included are studies and reports on international trade contracts, international payments, international commercial arbitration and conciliation, the new international economic order, transport law and activities of other organizations. Latest issues: 1985 (Vol. XVI)

E.87.V.4

(ISBN: 92-1-133291-5) \$54.00

Summer 1988

Transport of Dangerous Goods

Recommendations covering classification and definitions of classes, listing of the principal dangerous goods, packaging marking, labelling, placarding and shipping documents. Invaluable handbook for carriers, consignors and inspection authorities.

Fourth revised edition 1986.

E.86.VIII.3 (ISBN: 92-1-139022-2) \$40.00

The CTC Reporter

A periodical devoted to transnational corporations and related research. Topics include: restrictive practices, transfer of technology, standards of accounting and reporting, etc. Two issues per year, plus one complementary yearly report. Back issues available.

Annual subscription: Single issue:

(ISSN: 0255-4216)

\$20.00 \$ 9.00

Put a world of pertinent information at your fingertips. Order several titles from UNITED NATICAL'S PUBLICATIONS for your international law library today. For more information write for our complete 1988 catalog at the address below. Publisher's ISBN prefix: (92-1).

United Nations Publications

Room DC2-853 Department 0046 New York, NY 10017

Palais des Nations 1211 Geneva 10. Switzerland



Available NOW

Cumulative Index to American Journal of International Law and Proceedings of ASIL 1971–1980

This new *Index* provides ready access to all of the important documentary, judicial and commentarial material contained in the *Journal* and *Proceedings* for the years 1971 through 1980. It is the key to much of the most important literature of the last decade on international law. For all concerned with international law and relations, the new *Index* is unquestionably an indispensable source tool.

\$30.00, plus \$2.00 postage/handling

PLEASE PLACE YOUR ORDER NOW

American Journal of International Law 2223 Massachusetts Avenue, N. W. Washington, D. C. 20008 Please enter an order for _____ copy/copies of the Cumulative Index to AJIL and the ASIL Proceedings for the years 1971–1980. Check enclosed ____ Please bill ____ NAME ADDRESS ______ (state or country) (zip code)

(Make checks payable to American Society of International Law)

The Yearbook of the Institute of International Law (Annuaire de l'Institut de droit international)

The latest volume of the Yearbook (62-II, 1988), which has just been published, contains the proceedings of the Institute's Cairo session, held in September 1987, and includes scholarly reports, discussions, conclusions and resolutions (in English and French, as the case may be).

These deliberations focus on the following major issues:

- "Resolutions of the General Assembly of the United Nations" (Rapporteur: Professor Skubiszewski)
- "Air Pollution across National Frontiers" (Rapporteur: Mr. Geraldo E. do Nascimento e Silva)
- "The Duality of the Nationality Principle and the Domicile Principle in Private International Law" (Rapporteur: Professor Y. Loussouarn)
- "Contemporary Problems Concerning the Jurisdictional Immunity of States" (Rapporteur: Professor Ian Brownlie)

The preparatory work for the session, which was undertaken by specialized Commissions (of which the Institute has some 20 at present), including the reports and comments made thereon by Commission members, was published in the previous volume (62-1).

The Institute of International Law brings together 132 members and associate members selected from the world's most eminent specialists of public and private international law. The conclusions that have emerged from its meetings every 2 years have had a notable impact on the development and codification of international law.

Vol. 62-I, 681 pages, 600 French francs Vol. 62-II, 328 pages, 600 French francs

Publisher: A. Pedone, 13, rue Soufflot, 75005 Paris (France)

TRANSACTION PRESENTS DISTINGUISHED BOOKS PUBLISHED IN ASSOCIATION WITH THE CARNEGIE COUNCIL ON ETHICS AND INTERNATIONAL AFFAIRS



ASIAN DEVELOPMENT/ASIAN CAPITALISM: IN SEARCH OF MODELS THAT WORK

Peter L. Berger and Hsin-Huana Michael Hsiao, editors

This is unquestionably a major forum, not only on the practices of Asian development, but on the theories of political economy and political sociology.

ISBN: 0-88738-149-9 (cloth) 0-88738-686-5 (paper)

pp.

\$ \$

TRUTH AND TRAGEDY: A TRIBUTE TO HANS J. MORGENTHAU

Kenneth Thompson and Robert J. Myers, editors

With an intellectual autobiography by Hans J. Morgenthau

This volume on the renowned scholar and philosopher Hans Morgenthau, demonstrates how pervasive is his mark on the study of international relations and political philosophy.

ISBN: 0-87855-866-7 (paper)

386 pp.

\$12.95

GLOBAL ECONOMICS AND RELIGION

James Finn, editor

These essays examine the close interdependence of religion and economics in India, Iran, Mexico, Japan, and Nigeria. "This book is a fascinating collection of case studies of the influence of religious beliefs upon economic development." Joseph A. McKinney, Journal of Church and State

ISBN: 0-87855-477-7 (cloth)

277 pp.

\$26.95

ETHICS AND FOREIGN POLICY

VOLUME THREE

THE POLITICAL MORALITY OF THE INTERNATIONAL MONETARY FUND

Robert J. Myers, editor

The controversy over the IMF—which helps debtor countries balance current accounts and meet debt payments—centers on the "conditions" that the lending institution places on receiving nations.

ISBN: 0-88738-143-X (cloth)

0-88738-674-1 (paper)

164 pp.

\$24.95 \$14.95

VOLUME TWO

ETHICS AND INTERNATIONAL RELATIONS

Kenneth W. Thompson, editor

By relating ethical concerns to the various social science disciplines, the volume contributes to a new curriculum in international relations. "This little book merits a careful reading. . . . The essays here are distinguished authorities in the fields of constitutional law, history, government, economics and international relations." Foreign Affairs

ISBN: 0-88738-610-5 (paper)

160 pp.

\$12.95

VOLUME ONE

MORAL DIMENSIONS OF AMERICAN FOREIGN POLICY

Kenneth W. Thompson, editor

Addressing recurrent themes and unsolved problems in foreign policy, contributors to this volume discern some enduring principles upon which peace with justice might be built. "... a useful acquisition, pulling together out-of-print works by notable thinkers on still critical issues." Choice

ISBN: 0-87855-967-1 (paper)

350 pp.

\$9.99

The Carnegie Council on Ethics and International Affairs, located in New York City, was established in 1914. For more than seventy years it has been reporting changes, providing research and conducting conferences and seminars on the relationship of ethics and international affairs.

Order from your bookstore or prepaid from:



Transaction Books
Department CA10
Rutgers University
New Brunswick, N.J. 08903



Princeton University Press

Change and Stability in Foreign Policy

The Problems and Possibilities of Détente Kiell Goldmann

Kjell Goldmann identifies the factors that may have an impact on whether a specific foreign policy is likely to endure and develops a theory of foreign policy stability. He also outlines a hypothetical scenario for a fully successful process of détente stabilization and examines the extent to which this scenario is realistic.

Cloth: \$40.00 ISBN 0-691-07778-9

International Incidents

The Law That Counts in World Politics Edited by W. Michael Reisman and Andrew R. Willard

This provocative book is an initial effort at establishing a format for a new and more relevant kind of international political and legal analysis. It shows that many international standards of acceptable conduct derive far less from adjudications, statutes, or treaties and far more from what is found to be acceptable in the conflicts that we today call international incidents.

Paper: \$12.95 ISBN 0-691-02280-1 Cloth: \$35.00 ISBN 0-691-07772-X

Deadly Paradigms

The Failure of U.S. Counterinsurgency Policy D. Michael Shafer

Michael Shafer argues that American policymakers have a distorted vision of the Third World state as beleaguered modernizer and the United States as manager of modernization. This vision has obscured critical distinctions among threatened governments. As a result, U.S. counterinsurgency involvements have often been undertaken blindly.

Cloth: \$34.50 ISBN 0-691-07774-6

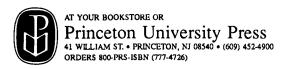
Condemned to Repetition

The United States and Nicaragua

Robert A. Pastor

Here is an insider's account of U.S. policy making toward Nicaragua, written by a major participant. Robert Pastor was Director of Latin American Affairs on the National Security Council from 1977 to 1981, a crucial period in U.S.-Nicaragua relations. With scholarly evenhandedness he offers a new interpretation of the kinds of choices that U.S. policy makers faced as they responded to the Nicaraguan crisis during the Carter administration, in which he served, and through the Reagan years.

Cloth: \$24.95 ISBN 0-691-07752-5



Studies in Transnational Legal Policy

from the

AMERICAN SOCIETY OF INTERNATIONAL LAW

- #21 \$8.00 The Gulf of Maine Case: An International Discussion, 1988
- #20 \$8.50 Avoidance and Settlement of International Investment Disputes, 1985.
- #19 \$4.00 Legal Aspects of International Terrorism: Summary Report of an International Conference, 1980.
- #18 \$12.00 The Functioning and Effectiveness of Selected U.N. System Programs, 1980.
- #17 \$3.50 The United States and the Inter-American System: Are There Functions for the Forms? 1978.
- #16 \$2.50 International Aid Coordination: Needs and Machinery, 1978.
- #15 \$5.00 A Global Satellite Observation System for Earth Resources: Problems and Prospects, 1977.
- #14 \$4.50 The International Regulation of Pharmaceutical Drugs, 1976.
- #13 \$5.50 The International Regulation of Pesticide Residues in Food, 1976.
- #9 \$3.00 The U.S. and the U.N. Treaty on Racial Discrimination, 1975.

ASIL PUBLICATIONS ORDER FORM

AMERICAN SOCIETY OF INTERNATIONAL LAW BOX 0164 WASHINGTON, D.C. 20055

Name (please pr	rint)	
Mailing Address	s	
Street, P.O. Box	x, etc.	
City, State, Zip		
Country		
	Check publications bel	ow. Enclose payment.
	□#21 □#20 □	#19 🗆 #18 🗆 #17
	□#16 □#15 □	#14 🗆 #13 🗆 #9
\$		Amount Enclosed (U.S.Dollars)

A Concise Guide to the Canada-United States Free Trade Agreement

Debra P. Steger with the assistance of Colin H.H. McNairn, John F. Blakney and Richard H. Kesler of Fraser & Beatty

ebra Steger, a leading author and commentator on Canada-U.S. trade law and policy, and her colleagues from Fraser & Beatty give you a balanced and detailed study of the text of the Free Trade Agreement. This book is written in a clear and straightforward style that you'll find both incisive and easy to follow.

You are provided with:

- a reliable synopsis of the Agreement
- unbiased commentary
- an understanding of the Agreement on existing government policies and on the GATT
- the timetable for implementing the Agreement
- the current political context, including the U.S. Omnibus Trade Bill
- a Glossary of Trade Terms
- a detailed comparison of significant changes from the preliminary accord released in October
- a list of locations where you can obtain, free of charge, the full official Government text of the Agreement

	ORDER FORM
	☐ Yes, please send me copy(ies) of Steger: A CONCISE GUIDE TO THE CANADA-UNITED STATES FREE TRADE AGREEMENT for a 30-day free
 -	examination. (L459-31721 Mar. 1988 100 pp. softcover \$15.50)
	Please send me more information on this title. Please ask your Sales Representative to call me at
i	Name
į	Address
	City State
	Zip Code Phone No
-	

Mailing Address: P.O. Box 2205, Buffalo, New York, 14240-9867

TOLL FREE: 1-800-387-5143 (Eastern Time Zone Bus. Hrs. only)

Price subject to change without notice. 6/88

RSWEL

Law Publishers since 1864

Join—

THE AMERICAN SOCIETY OF INTERNATIONAL LAW

Society membership includes:

- four issues each year of the most distinguished journal in the field, THE AMERICAN JOURNAL OF INTERNATIONAL LAW.
- the Society's NEWSLETTER.
- the opportunity to buy other Society publications at reduced prices, such as the valuable bimonthly documentary, INTERNATIONAL LEGAL MA-TERIALS, the PROCEEDINGS of the Society's Annual Meeting, and books published under Society auspices.
- the opportunity to participate in significant, Society-sponsored meetings (the Annual Meeting, regional meetings, study panels).
- occasion to join with others in contributing to the development of international law through the Society's wide-ranging studies and publications.

If you wish to join the Society, please clip out an application form and mail it, together with your check, to Membership, American Society of International Law, 2223 Massachusetts Avenue, N.W., Washington, D. C. 20008. You will receive the AJIL and Newsletter for the current year.

If your institution wishes to subscribe to AJIL or ILM, please so indicate below.

NONMEMBER SUBSCRIPTIONS

[]	AJIL (add \$5.00 if outside U.S.)	\$ 50
[]	Proceedings (add \$1.00 if outside U.S.)	\$ 15
[]	International Legal Materials (add \$6.50 if outside U.S.)	\$ 100