

1982

Book Notes

Follow this and additional works at: https://digitalcommons.nyls.edu/journal_of_international_and_comparative_law

 Part of the [Law Commons](#)

Recommended Citation

(1982) "Book Notes," *NYLS Journal of International and Comparative Law*: Vol. 3 : No. 2 , Article 14.

Available at: https://digitalcommons.nyls.edu/journal_of_international_and_comparative_law/vol3/iss2/14

This Book Notes is brought to you for free and open access by DigitalCommons@NYLS. It has been accepted for inclusion in NYLS Journal of International and Comparative Law by an authorized editor of DigitalCommons@NYLS.

BOOK NOTES

THE SINO-SOVIET CONFLICT: A GLOBAL PERSPECTIVE. Edited by Herbert J. Ellison. Seattle: University of Washington Press, 1982. Pp. xxii, 432.

The essays in this compilation were presented in the fall of 1980 at a conference sponsored by the Center of Contemporary Chinese and Soviet Studies at the University of Washington. The Conference, "The Sino-Soviet Conflict: The Seventies and Beyond," brought together eighteen scholars for the purpose of conducting a detailed analysis of the current relationship between China and the Soviet Union.

The papers presented in this volume are organized around three themes: the internal political climate of China and of the Soviet Union over the last twenty years; the international ramifications of the Sino-Soviet conflict; and the nature of this conflict. The first section of this volume demonstrates how two factors, the end of the Cultural Revolution in China and the relative stability in the Soviet Union, have played a major role in the continuance of the conflict. This section focuses upon the internal background of the dispute, the resulting changes in foreign policy and the role played by economics. The second section analyzes the conflict from a global perspective and presents detailed information on the world-wide impact of the dispute. The third section, dealing with the conflict itself, is explored in two essays which serve as a summary of the issues presented in the first two sections.

The organization of these essays is logical and conveys a broad overview of how this conflict affects world affairs. There is a tendency to repeat information, as each author introduces his article, but this fault is inherent in any work of this nature. Both of the summation chapters effectively interrelate these diverse articles. This compilation succeeds in its goal of explaining the Sino-Soviet conflict and its impact on the rest of the world.

THE CONSERVATION OF ENEMIES: A STUDY IN ENMITY. By Frederick H. Hartmann. Westport, Connecticut: Greenwood Press, 1982. Pp. x, 258.

As a means of approaching current problems in international relations, Mr. Hartmann advocates an outlook on world security that accommodates the concept of conservation of enemies—a conscious acquisition by nations of only that number of enemies that can be safely confronted at one time.

Hartmann begins his study with an overview of the traditional theories of the sources and characteristics of enmity. He presents a model of international relations that consists of four cardinal principles: third-party influences; past-future linkages; counterbalancing national interests; and conservation of enemies. Hartmann compares and contrasts several existing universal models and reveals the inadequacies of each. Then, in a case study, the author illustrates how his theory has, in fact, been applied unconsciously over the years.

A secondary theme in this study is the necessity of achieving an objective standpoint from which to view international relations. Chief among his observations is that any nation's roster of enemies is largely a matter of its own choice and, therefore, the process of policymaking should acknowledge that a decision to develop an enmity relationship is being made. Hartmann presents a framework that would, he postulates, enable this choice to be made rationally. While his conclusions are unexceptional, Hartmann offers a novel approach to some old problems in this insightful, carefully wrought study.

CHILDREN OUT OF COURT. By F.M. Martin, Stanford J. Fox and Kathleen Murray. Edinburg: Scottish Academic Press, 1981. Pp. ix, 331.

Children Out of Court is a detailed study of the juvenile justice system adopted by Scotland in 1971. This system completely abolishes the traditional crime and punishment approach to the youthful offender and replaces it with a welfare-oriented set of provisions. The Scottish approach developed from a belief that the involvement of a young person in a formal judicial process is in itself harmful. The study examines the operation of the hearing procedures that play a central role in the new system, and such factors as the characteristics and qualifications of the laymen who sit on juvenile panels, the decision-making process and the handling of parents and children are explored objectively and systematically. In addition, the study examines the impact that the hearing procedures have upon the attitudes of the parents and children. In the final chapter the authors offer proposals on how the Scottish model can be adapted for the juvenile justice systems of the United States and Great Britain.

ISLAM AND POWER IN THE CONTEMPORARY MUSLIM WORLD. Edited by Alex Cudsi and Ali E. Hilal Dessouk. Baltimore: The Johns Hopkins University Press, 1981. Pp. 204.

Islamic fundamentalism is at the vortex of the social and political

upheaval that is occurring in the Middle East. The repercussions of Islamic resurgence have shaken the world. *Islam and Power* presents a collection of essays which examines the dynamics of the relationship between the Islamic way of life and political activism. Its revelations to an uninitiated Western reader are myriad.

The text traces the development of Islam from the Prophet Muhammad and the first Muslim community through the juristic works of Fadl Allah in the Middle Ages to the Islamic revival and Ayatollah Khomeini's notions of Islamic society. The secular Western thinker is introduced to political concepts alien to occidental thought. Islam is much more than a religion. It permeates every element of Muslim life. The political and religious domains are organically linked and inextricably intertwined. This organic relationship is the most prominent characteristic of the Muslim community.

The book postulates that the resurgence of Islamic orthodoxy is a reaction to the disorientation caused by modernization and to the disaffection of the denizens of the Middle East with the radical social changes brought about in the twentieth century. The text discusses this revivalist phenomenon in the context of various Muslim societies. The reader comes away with the understanding that the movement is not monolithic but, rather, a movement that can only be understood within the milieu of each particular Muslim society. *Islam and Power* provides a basis on which one can intelligently theorize, and fully appreciate, the wedding of Islamic fundamentalism to modern society.

JUSTICE AND TROUBLED CHILDREN AROUND THE WORLD, Volume 3. Edited by V. Lorne Stewart. New York: New York University Press, 1981. Pp. v, 230.

V. Lorne Stewart in this, the third volume of *Justice and Troubled Children Around the World*, has presented a collection of essays that analyzes the ways in which Italy, Jamaica, Japan, the Philippines, Saudi Arabia, South Australia and Sweden deal with the problems of caring for, protecting and controlling their children.

The book is divided into seven chapters, one per country. The approaches of each country are introduced by an editor's note which briefly outlines the particular program of that nation and the problems that may be affecting its children. The systems discussed in this book range from the variations of the American *parens patriae* courts used in Italy, Japan and the Philippines, to a system based on a strict adherence to the moral codes of Islam in Saudi Arabia.

Whether focusing on the developing services for children in need in economically troubled Jamaica or on the administrative and judicial

organs designed to control the juvenile delinquents in Italy, this book delivers a powerful message in a concise and well-organized manner. The problem of the immense and unmet needs of children, whether underprivileged or criminally delinquent, must be a global priority. The intolerable situation of the world's children must be addressed and attempts to remedy the problem must be launched. Editor V. Lorne Stewart has presented the global community with several workable suggestions on how to improve the treatment of children around the world.

BUILDING CHINA: STUDIES IN INTEGRATED DEVELOPMENT. Edited by John F. Jones. Hong Kong: The Chinese University Press, 1981. Pp. 158.

The revolution that ended the Nationalist Government's reign over the Chinese mainland culminated, in 1949, with the installation of a communist government under party chairman Mao Tse-tung. The revolution did not, however, stop there. The great economic, political, cultural and social reforms that followed were among the most comprehensive in world history. Mao's search for an "integrated development" spared no costs, time or effort.

John F. Jones, Chairman of the Social Work Department at Chinese University in Hong Kong, has collected six essays that trace the Chinese quest for a utopian state that would result in the greatest possible good for the greatest number of people through the harmonization and development of China's economy, cultural resources and people. Although some of the experiments, such as the Great Leap Forward, have failed miserably, these essays trace how the Chinese Government has readjusted its programs in an attempt to regain lost ground and how it has cautiously set off again in more promising directions.

Building China is a brief, yet thorough, review of the goals and accomplishments of the communist government. Jones has included essays that deal with the plans for the development of a self-sufficient, industrialized economy, of an educated rural sector, and of an improved system of rural health care, as well as essays that discuss the innovative experiments undertaken to achieve the Communist leadership's ideal society. This book is a useful reference source to Chinese economic, social, cultural and psychological growth since the revolution and it provides an informative insight into the values and goals of the Chinese leadership.