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WORLD TRADE POLICIES, by Henry Chalmers, University of California Press, Berkeley and Los Angeles, 1953. Pp. xxxvii, 546. \$7.50.

This book bears the subtitle: "the changing panorama, 1920-1953, a series of contemporary periodic surveys." With the exception of a brief last chapter appraising prospects for the future, the volume consists of an unretouched collection of annual articles published originally by the United States Department of Commerce. In these surveys the author, a veteran official of the Department of Commerce, has drawn on raw material supplied by the far-flung network of the United States foreign service as well as other sources to bring together in summary form the outstanding developments and emerging trends in the commercial policies of the principal trading countries.

Each chapter contains a brief and lucid account of the major changes in the regulation of international transactions organized according to a broad regional grouping. The bulk of the discussion is written largely from the point of view of an official concerned more with the hampering effects of foreign regulations on United States exports than with America's impact on the world economy. Particularly with respect to the period from 1945 to 1953, one does not find much comment on the major policy issues confronting the United States in its international economic relations, nor is there much discussion of various forms of protectionism practiced by the United States, except for a few oblique references to such matters as agricultural protectionism. A useful feature of the volume is the record it provides of the international economic conferences and other international efforts aimed at reducing trade barriers during the period covered.

A collection of annual surveys is not likely to make exciting reading. This tendency is reinforced in the present instance by the author's admirable lack of dogmatism and his unwillingness to impose an oversimplified analytical framework on such recalcitrant material. Yet even a factual account of the tangled underbrush of governmental restrictions on international trade and payments requires an organizing principle. Implicit in Mr. Chalmers' review of the year-by-year unfolding of commercial policy is a conception of "normal" international economic relations that is not too deeply concealed. It is a world of multi-lateral trade in which the limits to "wrong" governmental policies are set, if not with razor-like precision, by the manifest

advantages of an international division of labor. Governments are viewed as always under more or less pressure—often by forces outside their control—to deviate from the normal pattern; but in the end, powerful equilibrating forces operate to set limits to the extent of international economic disintegration.

To some extent, it must be admitted, Mr. Chalmers' task of writing an annual narrative of commercial policy appears to have been simplified by the manifold shocks to which the international economy was subject during the period 1920-1953. As indicated in the chapter headings, it is not too difficult to isolate the powerful proximate causes tending to disintegrate the international economic system during a period that includes the aftermath of the First World War, a major world-wide depression, a growth of international tension culminating in the Second World War, an intensive reconstruction effort compounded by inflationary pressure, and, finally, the up and down of the Korean episode. In retrospect, only the years 1924 to 1929 appear "normal."

Perhaps more than any other area of economic policy, the subject of commercial policy presents a great gap between the dicta of the professional economists on the one hand, and governmental practice on the other. A major problem in a survey like the present volume is that of explaining to the intelligent layman why governments in fact act as they do. Observing at close range, Mr. Chalmers is able to point out how much of foreign trade regulation seems to governments as defensive in character.

With the hindsight of which the author was deprived, it is perhaps now possible to discern more clearly certain elements in governmental policies which have tended to disintegrate international economic relations since the 1930's. First, there is now recognized and increasingly accepted an intimate connection between domestic and international economic policies. The goals of full employment and domestic stability set limits to which governments are prepared to go to adjust the economy to external changes. There is also increasing understanding of the limited extent to which individual countries can cope with pressure on their balance of payments caused by a breakdown in the system of multilateral trade and payments. Finally, the conscious acceptance of the goal of accelerating the economic development of under-developed countries has further complicated the formulation of policies in the international field. Perhaps little

new has been added to the "infant industry" argument for protection by the sophisticated talk about the need to shift labor from agricultural pursuits to industry in under-developed countries; but, as reflected for example in the negotiations for a revision of the General Agreement on Tariffs and Trade, there is an increasing international acceptance of the policy of accelerating internal changes in under-developed countries even at the expense of deviations from the traditional norms of commercial policy.

A careful reader can detect an awareness of most of these ideas lurking beneath the surface of Mr. Chalmers' narrative. Yet, as indicated, he remains cautiously optimistic regarding the outlook for restoration of a relatively non-discriminatory, non-controlled system of international trade. In present conditions this implies, as he notes, that neither domestic nor international goals shall have complete dominance in policy determination, but he expresses the view that international cooperation through such machinery as the General Agreement on Tariffs and Trade may afford a reconciliation of sometimes conflicting policies without sacrificing the obvious advantages of a multilateral, non-discriminatory trading system. On this view, the fabric of international economic relations will probably continue to be permeated by exceptions to the liberal rules of the game; but one may take consolation from the fact that such action will be recognized as a deviation from desirable goals.

For lawyers, who in private practice or as government officials are called on to deal with the symptoms of international disequilibrium in the form of exchange restrictions, quotas, subsidies and the like, this book will serve the useful purpose of reminding them of some of the underlying realities that condition the system of controls. Mr. Chalmers displays great skill in setting forth the essence of complex regulations in clear and simple language. The volume is not intended to serve as a technician's guide to the operation of trade controls and accordingly does not provide a description of the actual administration of commercial regulations or detailed annotation guiding the reader to specific statutes or administrative actions. Although there is a detailed table of contents, the inclusion of an index would have increased the usefulness of the volume for reference purposes. In general, the study fills a distinct gap in the literature on the history of commercial policy and will prove a most useful

guide for those seeking perspective when dealing with the pressing problems of the day.

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REFLEXIONEN UBER SEIN UND WERDEN IN DER RECHTSGESCHICHTE, by Ulrich von Lübtow. Duncker & Humblot, Berlin, 1954. Pp. 61. DM.4.80.

There is agreement today among students of jurisprudence and legal history that law, being part of the general civilization of a people, is undergoing changes as this civilization develops and that, consequently, the legal notions and institutions of any given period or nation cannot be fully understood unless seen in the light of their historical antecedents and growth. Comparative legal history, on the other hand, has brought to light surprising similarities as to the laws of peoples that have reached comparable stages of social and economic development but otherwise are not connected by either a common origin or mutual cultural influences. These similarities are the greater the more primitive the respective stage of general civilization is; but while positive institutions and techniques may become increasingly different as the law grows more sophisticated, there are certain patterns of development which may differ from place to place, as far as their relative importance is concerned, but still can be observed over and over again and therefore appear to be typical. The result of the interplay of all these factors is a certain tension between the conservative trends necessarily inherent in all law and the forces pressing for new concepts and formations. The ultimate task of the legal historian, as it is conceived today, consists in elucidating the part these elements play in the evolution of the law and in discovering the religious, intellectual, social, economic, and political conditions that bring the various factors into action.

A number of problems involved in this situation, and especially as they apply to the history of Roman law, are the topics discussed by the author (who holds the chair of Roman law in the Free University of Berlin) in his little book of "reflexions on the stationary and the evolutionary in legal history." In the first chapter he dwells on the two possible attitudes of lawyers

* The author is a member of the United Nations Secretariat, but the opinions expressed are personal and do not necessarily reflect those of the Secretariat.