

Articles

- The lives and death of the MMC 4
Tax informers: the immunity issue 8

Law by Law

- Private international law 12
Law and theory 13

Institute News

17

Society News

20

Law by Law continued

- Intellectual property 21

Letters from ...

- France 25
The Bahamas 29

Comment

- Pensions 31

LOOKING FOR THE EMPEROR'S CLOTHES

The line between scholarship and activity of an academic character, which, while promoting and even giving rise to scholarly endeavour, is still not quite scholarship, can be difficult to discern, let alone dogmatically defend. There is currently a debate taking place within the Institute of Advanced Legal Studies and elsewhere as to the appropriate balance between what – for want of a less controversial description – one might term the pure theory of law, and those activities which are perhaps more applied, or at least perceived as being more capable of application.

In any university this balance is of profound importance as it will determine not only what others think of the enterprise, and therefore the support – financial and otherwise – they are prepared to give to it, but also for those within the institution. It will influence, if not dictate, their own priorities in terms of research and the manner in which they present the product of their work. Of course, whether in dispassionate terms such a subjectively determined appraisal will prove to be more than a self-fulfilling prophecy remains to be seen. Vested interests exist both inside and outside any organisation. What perhaps we lose sight of in such a debate is that law is an applied discipline and our goal should be to craft and apply laws that serve society – excellently!

An example of this approach is the annual *Symposium on Economic Crime* that is held at Jesus College, Cambridge. This was started 17 years ago with the support of several international organisations and the University of London. The purpose was, and remains, to provide a vehicle for those interested in analysing the issues relating to the inhibition and control of serious economic crime and economically-motivated crime. Although it regularly attracts well over 800 ministers, senior officials, diplomats, judges, regulators, law enforcement personnel and practitioners, there has been little interest on the part of British academics. This cannot be because the legal issues that are discussed, often in great depth, are not of interest to scholars; otherwise we would not receive the support that we do from our academic colleagues in other jurisdictions. One suspects that it is because of our near obsession with the 'cloistered virtue'. Real academics just don't concern themselves about such matters as fraud, let alone gangsters!

The *Seventeenth International Symposium* is taking place in Cambridge from 12 to 18 September 1999 and will focus on bank secrecy and confidentiality. Over 200 speakers, including even some leading academics, will examine not only the impact of secrecy and banking laws on the efficacy of enforcement, but also the implications that new laws allowing the authorities much wider powers of inquiry and interdiction have for those who look after other peoples' wealth. If you are interested in obtaining more information, do contact us at the Institute, which, with the Society for Advanced Legal Studies, is one of the principal organisers of this year's programme.

Professor Barry Rider