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Book Review: Foundations of Aviation Law

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Cover Page Footnote

The IJAAA editors would like to thank Mr. Eleazer D. Durfee, of Ashgate Publishing, for his professional and expeditious support of this review.



Book: *Foundations of Aviation Law*

Authors: Michael W. Pearson & Daniel S. Riley

Publisher: Ashgate Publishing Ltd

Year: 2015

Book Price: \$53.96

eBook Price: \$59.95

Length: 352 pages

Read Time: 8 hours

Read Rating: 3 – Average

Book Rating: 4 – Good

A comprehensive introduction to aviation law that is a must for all involved in this industry. This is an academic book that has been structured to separate critical aspects into sizes that are sufficient in depth not to drain the reader. It is balanced to read and no chapters are too long, and a reader can divide them to learn without extensive revision of the work. I particularly like how the case studies are not burdened in detail and allow the reader to recognize the scope and depth of the exercise from a non-legal point.

Aviation law stems from maritime law and the case for the history and heritage is particularly interesting and informative. It is surprising that the more I read the more I became interested in aspects of the Law I would have assumed to be boring. There are case studies that explain the reasoning behind why we do things and importantly why we do not do other things. Most law books are filled with pages of writing that result in long chapters that are heavy reading. In this book the work is separated with diagrams, figures and case studies that break up the monotony of long text and create natural reading breaks. For most of us that are not legally trained it is a skill that can be tough to follow in this career field and with this book a good balance has been achieved.

Each part is divided into chapters that address unique aspects. Each chapter has its own chapter objectives. While these are useful and indeed measurable, I found not have answers, reinforced points or even a chance to test myself disappointing. I do worry that I might have misunderstood the individual parts. Not good for anyone wanting to understand aviation law. If I am to be critical in a principal way it is that the book is very Federal Aviation Administration (FAA) focused. That may be argued not as a major problem for the American aviation industry; but we live in a global world. The book does introduce European Aviation Safety Agency (EASA) and other aviation authorities in the final part however, this is covered too briefly and not in any depth to build confidence. I wonder if the American focus of case studies and incidents will limit its potential audience and in any future edition these aspects could be addressed to make the focus a foundation of international aviation law. It would not be a big step.

Halfway through the subject of medical certification is introduced. One subject you would think at first with clear obvious answers. Not so, the history and case studies explore how this is complex and current standards are at best a compromise, at worse, restrictive, even given the obvious methods of health classification. It is surprising that there are very different approaches by nations globally and these need the over-arching authority of the United Nations through the International Civil Aviation Organization (ICAO) to ensure the sky is safe and national needs maintained. That being so I do not say this book tries to complicate the law, it rather points out where the laws are not consistent and even oppose.

It is interesting how insurance and the needs of insurance have been taken as lower level outputs from law so not to choke the subject. These two requirements are interlinked and when you finish the book on reflection you can appreciate the languid and successful way the authors have lead you through this complex and diverse subject. It is easy to think insurance is there to stop legal problems but the opposite is true, legal applications result in the need for insurance.

To summarize, this book it would be that it takes a novice through complex issues without the reader feeling pushed. For someone that has been involved with legal sides of aviation I found this approach from history through case histories to be enlightening and refreshing.