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## Book Notes

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## BOOK NOTES

**LAWYERS FOR PEOPLE OF MODERATE MEANS: SOME PROBLEMS OF AVAILABILITY OF LEGAL SERVICES.** By Barlow F Christensen. Chicago: The American Bar Foundation, 1970. Pp. 313. \$7.50.

While much has already been said about furnishing legal services to the poor, very little has been written about the distribution of legal resources to people of moderate means. In a series of papers, the author examines the problems involved in the production and distribution of legal services in civil matters to those people who are above the poverty level but do not possess sufficient money or property to protect themselves adequately. Specific suggestions offered for making the lawyer's services more readily available to these people include the use of para-professionals, legal insurance and group legal services. Much is written today about the failure of the legal system to fulfill the expectations of justice held by diverse groups of Americans who find the machinery of the system irrelevant to achieving their desires. The question of relevance should be of increasing importance to lawyers, since the failure of the legal profession to examine and adjust its functions in light of the problems will reduce the importance of the law as a solution to these problems. The book should provide practicing attorneys with thoughtful and provocative reading.

**"CODDLING CRIMINALS" UNDER THE WARREN COURT.** By Robert M. Maslow. Washington, D.C.. Coiner Publications, Ltd., 1969 Pp. 400.

Despite its suggestive title, this book is little more than a running commentary on the major decisions of the Supreme Court under Chief Justice Warren. By the author's own admission, this is not intended to be a definitive analysis of the Warren Court, but instead a chronicle of the Court's leading decisions in the fields of criminal law and civil rights. At best the book resembles a collection of newspaper accounts of the court's activities during the past fifteen years. Although its lack of focus and in-depth analysis will make it of limited utility to the practicing attorney, its accuracy cannot be questioned. It may prove useful to the layman who desires a brief synopsis of the cases

decided by the Warren Court and of some of the issues raised by these decisions.

**UNDERSTANDING THE ANTITRUST LAWS.** By Jerrold G. Van Cise. New York: Practising Law Institute, 1970 (5th edition). Pp. 363.

Perhaps no set of federal laws is more confusing to the average practicing attorney than those governing the regulation of business activities. The author believes that a clear comprehension of federal antitrust laws is essential to the proper supervision of a competitive economy and presents a very readable introduction to those laws. Following a brief historical review of American antitrust principles, statutes and cases are analyzed with special treatment given to the Sherman, Clayton, Federal Trade Commission and Robinson-Patman Acts. Programs for procedural compliance with these statutes are described and this edition adds a chapter analysing the effectiveness of the enforcement of the laws. The book is organized in a manner which facilitates an understanding of these laws and contains a comprehensive table of cases as well as the complete texts of the major antitrust statutes.

**ENVIRONMENTAL LAW HANDBOOK.** By Joseph J. Brecher and Manuel E. Nestle. Berkeley: California Continuing Education of the Bar, 1970. Pp. 343.

Increasing public awareness of man's degradation of the environment has attained national prominence. This handbook was prepared especially for a National Conference on Environmental Law held in San Francisco in November, 1970. It is designed as a survey of environmental law rather than as a treatise. While the authors focus on California's problems and solutions, they have included valuable information on Federal statutes and regulations as well as a comprehensive bibliography. Various chapters discuss topical problems, such as water pollution, open spaces, and air pollution, while others are devoted to the practical problems involved in litigation, administrative proceedings, and sponsoring legislation. The book is small in relation to the problem and only attempts to spark the reader's imagination and point to the vast interplay between the law and ecological life.

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HALFWAY TO TAX REFORM. By Joseph A. Ruskay and Richard A. Osserman. Bloomington: Indiana University Press, 1970. Pp. 299. \$8.95.

The Tax Reform Act of 1969 has been praised as a landmark of tax reform, yet many unjustified tax preferences still exist in the present law. Written by two practicing attorneys, the book is designed to give novices a basic understanding of the existing reforms and the major areas where further revision and reforms are needed. While many exponents of tax reform fault those who benefit from the various tax loopholes for evading their civic duty, the authors fix the blame on the legislators who are responsible for enacting and amending the law. The book proposes to improve the Internal Revenue Code by removing such continuing inequities as the depletion allowances, stock options, state and municipal bonds, tax exemptions for private foundations, religious institutions, and others. The book's everyday, understandable language will help make it a valuable source of information to citizens and legislators interested in further tax reform.

OMBUDSMAN PAPERS: AMERICAN EXPERIENCE AND PROPOSALS. By Stanley V. Anderson. Berkeley: Institute of Governmental Studies, University of California, 1969. Pp. 407. \$3.75.

The office of the ombudsman, although existent in other countries for over a century, has only recently been proposed in the United States. Professor Anderson, an early observer of ombudsman experiences in this country, presents a valuable source of material on the legislative history of the ombudsman and related proposals, as well as detailed accounts of the way American ombudsmen respond to and solve the problems encountered in this new and developing field. In addition to defining the essential characteristics of the ombudsman institution, the book also illustrates and analyzes various proposals for extending the office's application to various strata of government including the international community, the federal level, state and local entities, and the college campus. Especially interesting are the numerous appendices containing reports of ombudsmen experiences in those places where the office has been implemented. Also included is a comprehensive bibliography of English language articles and books on the ombudsman.

PRINCIPLES OF SCOTTISH PRIVATE LAW. By David M. Walker. London: Oxford University Press, 1970. Two Volumes. Pp. 1979. \$48.00.

Designed to provide students of Scottish law with a plain, concise statement of the leading and general principles of the private law of Scotland, these two volumes represent a completely new, systematic and comprehensive approach to the study of Scottish law. The author provides students with a general textbook coverage of a wide range of courses, giving them the necessary basis for more detailed study of particular topics. For lawyers, businessmen, accountants, and bankers, this work should serve as a reference and guide to Scottish legal principles that prove relevant to their work. While the book covers the entire field of substantive private law, including international private law, its most glaring omission is the procedural law, particularly the rules of evidence, court practice, and civil procedure. Since the author's emphasis is directed towards Scottish students and lawyers, the book's utility to the American attorney is very limited unless he finds himself engrossed in a Scottish legal problem or is interested in comparative law.

PRODUCTS AND THE CONSUMER: DEFECTIVE AND DANGEROUS PRODUCTS. By W. Page Keeton and Marshall S. Shapo. Mineola, N.Y.: The Foundation Press, Inc., 1970. Pp. 1269. \$17.50.

In recent years, the law has been characterized by marked advances in the area of products liability. Formerly the legal issues present in a products liability action were discussed as doctrines incidental to separate bodies of law, such as torts, contracts, or commercial transactions. The publication of this coursebook is a recognition of the viability of products liability as a distinct body of law. The authors examine every major legal issue confronting the consumer, manufacturer, and agency counsel in this increasingly complex area. They deal directly with the area of public regulation of products through the use of statutes, regulations, and legislative materials, and specifically discuss the public regulation of the production of oral contraceptives, pesticides and sulfur dioxide pollution. Common law cases dealing with drugs, cigarettes, and automobiles are also included. Although intended as a casebook for use in the general subject area of consumer protection, the book's emphasis on basic issues in the

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entire field of products liability commends it as a research guide to the practitioner.

**THE AMERICAN CORPORATION: ITS POWER, ITS MONEY, ITS POLITICS.** By Richard J. Barber. New York: E.P. Dutton & Co., Inc., 1970. Pp. 300. \$7.95.

In an economy dominated by big business, Americans have become accustomed to the age of the corporate giant. However, while citizens felt secure in the fact that government regulation provided them with protection from corporate abuses, the government was silently becoming a willing partner of big business. The author, after tracing the extent of corporate growth in America, admonishes those concerned about this recent alliance that conglomerate corporate Goliaths present a challenge to democracy and human welfare. Unless the citizenry is willing to re-examine its conceptions of business in America and take a new look at the realities of the new worlds of business, it will lose any influence it has in guiding its own affairs. The book offers many insights into the intricacies of this corporate take-over and also proposes suggested ways in which to restore a more equitable balance.

**JAPANESE TRADITION AND WESTERN LAW** By Richard H. Minear. Cambridge: Harvard University Press, 1970. Pp. 244. \$9.00.

Students striving for a complete understanding of contemporary Japanese law have justifiably placed a heavy emphasis on the development of Japanese constitutional law during the late nineteenth century. For reasons of sympathy and understandability, modern Western legal ideas have usually been stressed at the expense of the more traditional Japanese current of thought. In this book, the author examines the legal theories of Hozumi Yatsuka, founder of the conservative school of Japanese constitutional law, who after studying in Germany during the late nineteenth century, returned to Japan to espouse the theories of the divinity of the emperor and of absolute obedience to him. Although the author concludes that Hozumi owed a heavy debt to German legal positivism, he nevertheless finds that Hozumi was closer to Japanese tradition than to Western law.