

January 1972

Books Received

Denver Law Journal

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Recommended Citation

Books Received, 48 Denv. L.J. 458 (1972).

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CHICANO MANIFESTO. Armando B. Rendon. New York: McMillan Company, 1971. Pp. viii, 337. \$7.95. Mr. Rendon sets forth in this concise book what he feels to be the relevant portions of the economic, philosophical, political, and spiritual history of the Chicanos and their revolt against the Anglo system of life and thought. His basic premise is that attempted assimilation and cultural discrimination are synonymous terms to the Chicano. While recognizing the melting-pot concept of the American heritage, the author feels that it is essential for the Chicano people to fight to retain their cultural heritage, dignity, and identity—even to the extent, should it become necessary, of violent, social revolution. Recalling initial reactions to *Das Kapital* and *Mein Kampf*, this book should be read by all persons who have any concern about the future direction of this country and the role the second largest minority group will play in that future.

CONGRESS, THE EXECUTIVE, & FOREIGN POLICY. Francis O. Wilcox. New York: Harper & Row, 1971. Pp. x, 179. \$5.95. Francis O. Wilcox is presently the Dean of Johns Hopkins University's School of Advanced International Studies in Washington, D. C., and previously served as Chief of Staff for the Senate Foreign Relations Committee (1947 to 1955) and as Assistant Secretary of State for International Organization Affairs (1955 to 1961). *Congress, The Executive & Foreign Policy* initially examines the deterioration of the role of Congress in formulating foreign policy, but is primarily concerned with the breakdown of the relationship between Congress and the Executive. The author notes that Congress, as an elective body, is particularly sensitive to changes in public opinion, and as such, should play a more significant role in the shaping of foreign policy. Dean Wilcox, believing that Congress must be more effectively organized to enable it to deal with the demands of foreign policy decisionmaking, offers concrete suggestions for improvement. Increased consultation between Congress and the Executive is seen as the key to easing relations between the two branches of government and to restoring the balance foreseen by the founding fathers. This book should be of interest to any person concerned with the present method of formulating United States foreign policy.

ENVIRONMENT AND MAN. Richard H. Wagner. New York: W. W. Norton & Co., Inc., 1971. Pp. xiii, 491. \$7.50. Presently teaching a course on the environment at Pennsylvania State University, Mr. Wagner attempts to use his book to introduce both students and general readers to the ecological problems which confront us. His central theme is that man's relationship to his environment has passed through several phases, culminating in rampant technological development, and that man must now face the problem of restoring the balance of resources and population which will allow peaceful coexistence between the earth and the organisms which inhabit it. The book is informative and interesting, though it offers a few new insights into this widely-explored field. Rather, Mr. Wagner's innovation is that he has created a book which is intended to fill the curricular gap existing on many college campuses. In short, he offers an alternative to the laboratory approach in the effort to relate science to the world in which we live.

ENVIRONMENTAL LAW HANDBOOK. Environmental Problems Committee. Denver: Colorado Bar Association, 1971. Pp. 160. \$3.00 (paperbound). The Colorado Bar Association has developed this current pamphlet of valuable information to aid the general practitioner who is faced with environmental questions. The *Handbook* sets out the applicable state and federal statutes, the standards promulgated under each, and the individual's rights and remedies. It is a thorough summary of present law, which will be updated periodically and will provide an easy guide to a complicated topic. Copies may be obtained from the Colorado Bar Association.

THE HISTORY OF THE COMMON LAW OF ENGLAND. Sir Matthew Hale. Chicago and London: The University of Chicago Press, 1971. Pp. xxxviii, 173. \$9.00. Sir Matthew Hale (1609-76) rose to the bench in 1654, and, except for a brief period under Richard Cromwell, served as a judge for the rest of his life. His *History of the Common Law* was printed three times (1713, 1716, and 1739) virtually unedited, and numerous times thereafter with editorial additions. The present text is reproduced from the third edition. Hale's *History* is generally recognized as the first book with any pretense to be a comprehensive account of the growth of English law. His historical analysis stands as a classic that was not rapidly superseded, and was essentially the only precedent for the late nineteenth and twentieth century body of explicit English legal history. This reprint has one major purpose: to put into the hands of

students of law and of history the general background of English law.

JUSTICE DENIED. Leonard Downie, Jr. New York: Praeger Publishers, 1971. Pp. 224. \$6.95. In *Justice Denied*, Leonard Downie has written a general survey of the injustices of the American legal system. The author's thesis is clear: "Every day, the laws, and the trial courts that administer the laws deny justice more frequently than they produce it." In support of this statement, Downie gives examples of several areas in which the legal process has ceased to function justly. He touches upon the archaic way in which the courts deal with narcotics offenders, drunks, and homosexuals. He devotes one chapter to a discussion of the legal and political problems involved in extending justice to rich and poor equally, and another to the ways in which the middle class is deprived of equal justice. An editor of the *Washington Post*, Downie is a journalist, not a lawyer, and consequently, his book is aimed at a lay rather than a professional audience. He does not delve deeply into the solutions to the problems he raises, nor does he examine in any detail the ramifications of various policy alternatives. Rather, his accomplished objective is to graphically illustrate the parameters of a grave and pressing national problem.

LAW AGAINST THE PEOPLE. Robert Lefcourt, ed. New York: Vintage Books, 1971. Pp. x, 400. \$2.45 (paperbound). Mr. Lefcourt's powerful and provocative collection of essays attacks the long-unquestioned view that the law works in behalf of all the people. The book is an impressive anthology of radical ideas on law. The first group of essays offers various theories which attempt to show the inherent nature of the discrimination in our legal system against the economically deprived classes of society. The second group relates the actual events which confronted those who challenged this system. These works are articulate and often shocking pieces by such nationally-known figures as Howard Moore, Jr., William Kunstler, and Arthur Kinoy. Their remarks warrant serious consideration by those concerned with social upheaval in our country today.

THE MENTALLY DISABLED AND THE LAW. Samuel J. Brakel and Ronald S. Rock, eds. Chicago: University of Chicago Press, 1971. Pp. xx, 487. The primary focus of this book is an analysis of the various state statutes that control the legal rights of mentally disabled persons. This new revised edition of the *Mentally Disabled and the Law* also reports research into im-

portant court decisions and writings that relate to all facets of the subject. The problems discussed include the question of how to identify the mentally disabled, hospitalization and discharge, care and treatment, rights and status during hospitalization, personal and property rights, and the relation of the mentally disabled to the criminal law. The authors demonstrate that even well-conceived mental health codes are only as effective as the administration thereof, and as the resources available allow them to be. Additionally, they suggest potential problem areas and recommend solutions to typical dilemmas faced by those who must administer the legal and medical affairs of the mentally disabled. Any reader with a professional interest in the mentally disabled will find this a rich source book.

NOMINALISTIC PRINCIPLE. Eliyahu Hirschberg. Jerusalem, Israel: Daf-Chen Printing Press, 1971. Pp. 138. \$3.00. The author examines the three alternative theories which may be used to govern the value of money in its role as a medium of exchange: the metallistic theory, the nominalistic theory, and the valoristic theory. He recommends valorism as the only legal means adequate to distribute the effects of changes in the value of money fairly amongst the different economic classes in society. Of the three possible theories, only valorism recognizes the basic fact that people contract in terms of the purchasing power of what they are to give and receive. Since the purchasing power of money may fluctuate enormously, the author suggests that certain types of monetary obligations be pegged to a cost of living index in order that neither party to the bargain will be unjustly enriched for reasons extraneous to the particular transaction. This work will appeal to legal theorists as well as economists.

THE RULE OF LAW. Robert Paul Wolff, ed. New York: Simon and Schuster, 1971. Pp. 252. \$6.95. This book contains a series of nine essays written by distinguished scholars and teachers. Their areas of expertise include jurisprudence, philosophy, and the social sciences. The essays were compiled and edited by Robert Paul Wolff, a Professor of Philosophy at the University of Massachusetts, and are concerned generally with the nature of law as a social institution. More particularly, the essays attempt to relate the functions of law to the problems and injustices which exist in society. From this point, the essays go in widely divergent directions ranging from a discussion of current unrest in the United States to developments in

international law. Some of the essays are written on a very theoretical level, while others are more practical in their description of law as an institution in modern society. All seem to arrive at a pessimistic conclusion. The book is intended for lawyers and non-lawyers and is not limited to the American system. It should be of particular interest to those who deal in social theory.

THE SILVERLAKE EXPERIMENT. LaMar T. Empey and Steven G. Lubeck. Chicago: Aldine Publishing, 1971. Pp. 354. This book reports the results of a four year experimental union of researchers and practitioners in the juvenile corrections field to form an innovative community of 15-17-year-old repeat offenders in Los Angeles. The authors describe what they see as our society's "rites-of-passage" into delinquency that provide no effective way back to non-delinquency status. They compare the Silverlake experience with a traditional institution (Boys' Republic) in terms of recidivism and produce significant data in that regard. Despite only moderate success at Silverlake, Empey and Lubeck clearly see bridging the schism between scientist and practitioner as the best present chance to move and shake traditional, hidebound approaches to delinquency reduction toward more effective solutions. *The Silverlake Experiment* should be of interest to all readers who are concerned about the many juvenile offenders who will never be functioning members of adult society.

THE STUDENT AND THE COURTS. John A. Damgaard. New York: Exposition Press, 1971. Pp. 96. \$4.00. The basic premise of the author is that students should know the legal consequences of their acts, particularly when those acts reflect the students' struggle to "discover themselves." Mr. Damgaard offers students a framework within which they can more easily ascertain the difficulties which their behavior might create. The book deals with drug abuse, riots, demonstrations, and other areas of concern to students. No particular sort of behavior is advocated; decisions are left to the students. The author seeks solely to provide needed information and a proper perspective so that those engaging in these activities might avoid unwanted repercussions.

TOWARD A RATIONAL POWER POLICY — ENERGY, POLITICS, AND POLLUTION. Neil Fabricant & Robert M. Hallman. New York: George Braziller, 1971. Pp. vi, 292. \$3.95. This exhaustive analytical report was prepared and written by Neil Fabricant,

Chief Counsel for the Environmental Protection Agency, and Robert Hallman, Deputy Counsel for that agency. In technical, yet highly readable language, the authors detail the effects on human health and environment associated with the operation of electrical power generation facilities and the growing conflict between a healthy environment and the need for more industrial energy. They discuss future possibilities for solution or diminution of this conflict with emphases on both the technological resolution of problems in the area of more efficient and less environmentally destructive power production, as well as on the existing practices and governmental policies which might facilitate or inhibit implementation of remedial procedures. This work accomplishes the twofold purpose of drawing attention to the environmental difficulties occasioned by the generation of power in America and of discussing, in a realistic and pragmatic manner, the alleviation of those difficulties.

TWO MILLION UNNECESSARY ARRESTS: REMOVING A SOCIAL SERVICE CONCERN FROM THE CRIMINAL JUSTICE SYSTEM. Raymond T. Nimmer. Chicago: American Bar Foundation, 1971. Pp. ix, 202. Mr. Nimmer, a research attorney with the American Bar Foundation, identifies in this book two basic assumptions of those currently involved in the process of policing the inhabitants of municipal skid rows: that police arrests cannot be eliminated without alternative methods of providing care for public inebriates, and, that the basic social response of criminalization is appropriate. Nimmer argues that neither of the above are necessary assumptions. In the process, the book throws a good deal of light on the skid row policing systems which produce approximately one and one-half million arrests annually for public drunkenness alone, generally at great expense to the state with little rehabilitative benefit to the "offender." The book is written in the vein of current overcriminalization arguments, and should be of interest to attorneys, politicians, and police administrators, as well as laymen.