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## BOOKS RECEIVED

**CLASS, STATE, AND CRIME.** By *Richard Quinney*. New York: David McKay Co., Inc., 1977. Pp. ix, 179. \$8.95 (clothbound), \$4.95 (paperback). A free enterprise state must provide funding for capitalistic expansion. At the same time, however, pecuniary resources are necessary to control an expanding population. The author discusses criminal justice policies of recent years as they intertwine with and relate to a capitalist society. Dr. Quinney believes that class struggle is a political issue and that the political awareness prevalent in the working class will have a direct effect on the future of the criminal justice system. As a result of this rising political consciousness, Dr. Quinney foresees a transition from capitalism to socialism, and the emergence of a new breed of criminal justice.

**CRIMINOLOGY AND THE ADMINISTRATION OF CRIMINAL JUSTICE: A BIBLIOGRAPHY.** By *Leon Radzinowicz and Roger Hood*. Westport, Connecticut: Greenwood Press, 1976. Pp. xii, 400. \$29.95. This reference book compiles a list of books, articles, reports, and other materials in the field of criminology and criminal justice for students and researchers. This bibliography does not purport to cover all that has been written in the field of criminology and criminal justice, but it does offer a wide and varied selection of material. The book focuses on references in the field of criminal justice and is directed towards policy issues and research results. These references pertain to literature written over the last twenty years, interspersed with earlier works to clarify the later literature.

**A DEATH IN CANAAN.** By *Joan Barthel*. New York: E.P. Dutton & Co., Inc., 1976. Pp. xii, 328. \$9.95. Isolated by the police from friends who sought his whereabouts, questioned for sleepless hours after finding his mother viciously murdered, Peter Reilly told the police anything he thought they wanted to hear. More than any "liberal" diatribe, the transcripts of Peter's questioning argue strongly and simply in support of the *Miranda* decision and the necessity for an attorney to be pres-

ent during questioning. Precisely this situation was feared by the Court. To those who think *Miranda* goes too far, read this book.

“DOCTORS WANTED: NO WOMEN NEED APPLY”: SEXUAL BARRIERS IN THE MEDICAL PROFESSION, 1835-1975. By *Mary Roth Walsh*. New Haven, Connecticut: Yale University Press, 1977. Pp. xxiii, 303. \$15.00. This book explores why women have not achieved equal opportunity in the regular medical establishment. Based on a survey of unexplored primary material, the author documents a dramatic increase in the number of female physicians in the late nineteenth century. The author's central proposition is that the male medical establishment made a conscious effort to minimize the number of female physicians, and succeeded because women had not institutionalized their position. This historical analysis of a “golden age” for women is offered as a warning to contemporary women that their victories may be eradicated if they fail to institutionalize their power.

GOVERNMENT BY JUDICIARY: THE TRANSFORMATION OF THE FOURTEENTH AMENDMENT. By *Raoul Berger*. Cambridge, Massachusetts: Harvard University Press, 1977. Pp. x, 483. \$15.00. Professor Berger develops a lengthy attack on the Supreme Court's interpretation of the fourteenth amendment based on the premise that constitutional interpretation should depend primarily on a narrow view of the intent of those who drafted and approved a given provision. Condemning virtually every significant decision since the amendment was adopted shortly after the Civil War, including the *Brown v. Board of Education* desegregation decision of 1954 and the reapportionment decisions of the early Sixties, the author argues that the Court has assumed unconferrred powers to the point where it now acts as a superlegislature. He warns that the Court, as a nonelected policymaker, may ultimately threaten the future of American democracy. At the least, he urges, the Court should abandon all pretense of following a constitutional mandate, and should submit to the electorate for approval of its role as the Nation's paramount policymaker.

JUDICIAL TYRANNY. By *Carrol D. Kilgore*. Nashville: Thomas Nelson Inc., Publishers, 1977. Pp. 370. \$11.95. Mr. Kilgore exam-

ines the Supreme Court's interpretation of the Constitution in relation to criminal procedure and concludes that the Court has decided cases according to what it wants the law to be, rather than according to what the law is. This book is an interesting history of the Constitution and the Supreme Court, and provides insight into how the Court "rules" the American public.

**LIE DETECTORS: THEIR HISTORY AND USE.** By *Eugene B. Block*. New York: David McKay Co., Inc., 1977. Pp. 211. \$9.95. The author traces the history of lie detection techniques and examines the various uses of lie detectors, as well as their dangers. He uses a number of interesting cases and anecdotes which illustrate both the possibilities and limitations of lie detectors in the field of criminology.

**OUTSIDE COUNSEL: INSIDE DIRECTOR: THE DIRECTORY OF LAWYERS ON THE BOARDS OF AMERICAN INDUSTRY** (rev. ed.). New York: Law Journal Press, 1977. Pp. 301. The Law Journal Press has developed information on fees received by attorneys who serve both as outside legal counsel and inside directors of public corporations. The study encompasses more than 1100 law firms and 1800 corporations during a two-and-one-half year period, calendar years 1974, 1975, and January to June 1976. The material is arranged in three separate indices. Index I is arranged by law firm; Index II by company name; and Index III by city. The indices provide information on fees paid to the law firms in 1974 and 1975 and in some cases as late as spring 1976. Indices I and II also provide the name of the lawyer(s) who served as a director or corporate officer. The book contains several statistical analyses, including the largest individual legal fees for 1974 and 1975, and a list of companies that have reported fees for multiple law firms with members on the company's corporate board.

**PARTNERSHIPS AND TAXES: A PRACTICAL GUIDE.** By *Joseph P. Sullivan*. Greenvale, New York: Panel Publishers, 1977. Pp. xx, 410. \$75.00 (includes supplementation for one year). This comprehensive, fully annotated guide covers almost every aspect of partnership organization, operation, and termination that a practitioner will ever confront. Covering the tax problems of partnerships from a practical point of view, this book

contains practical examples which present the opportunities in partnership taxation, as well as the problems and possible solutions. The guide features full tabs, cross references, a comprehensive index, and case tables and finding lists in terms of code sections, regulation sections, and revenue rulings. The appendix contains the provisions of the IRC and its regulations. The guide deals with the consequences of the Tax Reform Act of 1976 and will be periodically updated with recent developments.

**THE PLACE OF CRIMINAL JUSTICE IN DEVELOPMENTAL PLANNING.**

By *Hardy Wickwar*. New York: New York University Press, 1977. Pp. xiv, 130. The United Nations frequently commissions studies in the area of crime prevention and criminal justice as part of its regular work program. This book is the first volume of a new series which will make such policy studies available to the scholarly community and the general public. The topic with which the book deals, the relationship between unplanned development and increasing crime, has been under United Nations consideration for some time. The author contends that crime prevention and control should be given more consideration in developing general social policy such as urban housing or education. The study includes a world overview, as well as a regional analysis of Africa, Asia and the Far East, Latin America and the Caribbean, and Western Asia.

**PRAGMATISM, STATESMANSHIP, AND THE SUPREME COURT.**

By *Gary J. Jacobsohn*. Ithaca, New York, and London: Cornell University Press, 1977. Pp. 214. \$12.50. This book will be of particular interest to students and scholars of law, government, and history. In dealing with the Supreme Court and constitutional law, it looks at the theory of pragmatism in constitutional adjudication using the insights of Alexis de Tocqueville and the developments of John Dewey, William James, and others. The author's aim is to illuminate the meaning of statesmanship in a judicial context. Thus, the author discusses former members of the Supreme Court such as Justices Field, Holmes, Cardozo, and Frankfurter. The result is a well-structured and critical analysis of conventional views on constitutional jurisprudence.

**RESTATEMENT OF THE LAW (SECOND): PROPERTY: LANDLORD AND TENANT.** Adopted and promulgated by *The American Law*

*Institute*. St. Paul, Minnesota: American Law Institute Publishers, 1977. Two volumes. Pp. xxxv, 477; xxxix, 514. This publication is part of a program conducted by The American Law Institute, with Professor A. James Casner of Harvard University Law School as Reporter. The Institute's analysis of landlord and tenant law is distinctive. By using the concept of mutual dependence of the parties, a concept closely associated with the law of contracts, the Institute has adopted a more modern view of covenants in the landlord and tenant field. The *Restatement* also supports judicial innovation and the assessment by courts of recently developed policies together with the traditional concepts that exist in this area of the law. Although the principal part of the publication concerns the rights and obligations of landlord and tenant to each other, for the reader to have a rounded presentation, consideration is also given to the issue of tort liability to third persons.

TRUMAN AND THE STEEL SEIZURE CASE: THE LIMITS OF PRESIDENTIAL POWER. By *Maeva Marcus*. New York: Columbia University Press, 1977. Pp. xiv, 390. \$14.95. This book presents a full discussion of President Harry S. Truman's seizure of the steel mills in 1952 and the decision of the Supreme Court, *Youngstown Sheet & Tube Co. v. Sawyer*, which held the President's action to be unconstitutional. Maeva Marcus is a skilled legal historian, as well as a fine storyteller. This landmark case is placed in historical perspective by a detailed coverage of the period based upon extensive contemporary sources. For example, Justice Burton's diary is used to describe the Court's internal processes between the oral argument and the decision. The author analyzes the decision and the legal commentary which followed it, concluding that the value of the decision lies in the fact that it was made, ensuring that challenged presidential actions in the future would be reviewed by the courts. *Youngstown* served to stem a twenty-year expansion of executive power and to introduce a more activist period for the Supreme Court. Particular attention is given to the precedential value of *Youngstown* in the cases which dealt with the scope of executive power during the Watergate period. This closely researched and highly readable account of a seminal case will be of interest to constitutional lawyers and to those who seek an understanding of the legal precedent which supported a more recent limitation of presidential power.

