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BOOKS NOTED

THE TWO SWORDS: COMMENTARIES AND CASES IN RELIGION AND EDUCATION. BY DONALD E. BOLES. Ames, Iowa: The Iowa State University Press, 1967. Pp. 407.

Tackling the monumental task of reviewing the major issues which have beleaguered the courts when faced with the First Amendment freedom of religion clause, the author has done an outstanding job by succinctly separating the pertinent areas into distinct chapters and giving a brief background of each issue before presenting the landmark cases in each area handled by the United States Supreme Court and the leading state supreme court decisions. Delineating the field of controversy into "transportation," "released and dismissed time," "prayer," "Bible reading," "state distribution of text books," "flag salute," "school buildings," "religious garb in public schools," "curriculum," "compulsory education" and "incidental and public benefits," the author permeates his review with an unopinionated survey of the problems by citing the reactions of legal periodicals to the landmark cases. His preliminary discussion of each issue quickly orientates the reader to the scope of the question and his summary of each chapter brings the discussion up to date. This informative approach allows the reader to be his own judge upon the controversial issues and provides him with enough background material to support any conclusion he may reach.

THE TAXATION OF PERSONAL WEALTH. BY ALAN A. TAIT. Urbana, Chicago and London: The University of Illinois Press, 1967. Pp. 230.

Professor Tait addresses himself to the problem of the distribution of wealth. He establishes the premise that although economic analysis cannot establish the utility of wealth taxation, the inequalities of the distribution of wealth are subject to taxation on socio-economic grounds. After this inquiry different forms of wealth taxation are analyzed and a proposal is forwarded. It is argued that a tax structure consisting of three basic parts; an income tax, a pay as you accumulate tax and a lifetime tax, will improve equity throughout an economic system.

This book is of limited value to the practice of law, however given the widespread ignorance of both policy makers and the public at large

to the effects of taxation and most especially wealth taxation upon the economic system, this work will provide thoughtful reading. Though basically an economic inquiry, the book spares the reader much of the minutiae, differential calculus and unfamiliar analyses usually found in a work of its kind, and provides a thoughtful discussion not only into the distribution of wealth, but into general tax policy.

LAW AND THE LIBERAL ARTS. EDITED BY ALBERT BRODERICK. Washington, D.C.: The Catholic University of America Press, 1967. Pp. 208. \$6.50.

This book summarizes the proceedings and outcome of a conference on "Law in the Liberal Arts—The Social Dimension," held at the Catholic University of America, December 2-4, 1964. The participants from thirty-two universities, secular and Catholic, emphasize the need for professors in the specialized disciplines to present the place and role of law and basic legal principles in the teachings of the social sciences.

The conference was organized into four discussion sessions. The first discussion's purpose was "to attempt to clarify the nature of the intellectual fences which retard cooperation and understanding" between the various social sciences and the legal profession and education. The second discussion concerned itself with several experiments in relating law and the social disciplines in the intellectual world. The third discussion dealt with the advances that can be made at the undergraduate level through courses that will give informed preparation for citizenship, through a firm understanding of our legal system. The fourth discussion concentrated on the graduate courses with all the advantages and disadvantages in the preparation for specialized careers.

The conference was a very worthwhile attempt to bring the social sciences and law into proper perspective. Certainly it has fulfilled its primary objective: to improve our appreciation of the pertinent issues, achieved through the interchange of ideas.

OMBUDSMEN FOR AMERICAN GOVERNMENT? EDITED BY STANLEY V. ANDERSON. Englewood Cliffs, New Jersey: Prentice-Hall, Inc., Pp. 192. \$4.95.

Beginning with the hypothesis that modern bureaucratic government is losing touch with the individual citizen, editor Anderson, in a collec-

tion of essays by such men as Donald C. Rowat and Walter Gellhorn, argues the case both for and against our society's adoption of the *Ombudsmen*. After first focusing upon the Scandinavian origins of the *Ombudsmen*, the various contributors dwell upon the problems involved in transferring the system to this country including the necessity of protecting it from political influence. The authors conclude that Americans should experiment with the *Ombudsmen* concept particularly at the state and local levels of government as such a system could prove to be an invaluable means of bridging the communications gap between the citizen and his government.

CONGRESS: ANVIL OF AMERICAN DEMOCRACY. EDITED BY GEORGE GOODWIN, JR. Glenview, Illinois: Scott, Foresman and Company, 1967. Pp. 148.

This book should be well received by anyone with interests toward Political Science. The selections presented discuss the make-up and motivation of Congress with the underlying assumption that this branch is a valuable one and should continue to exist without drastic change. The essays concern the people who are in Congress, how they get there, the rôles of parties and pressure groups, and the ideal functions of the Congress. Proposing views from both the *Traditional* and *Behavioral* schools of political thought, this work, as a whole, supports the conclusion that a greater understanding of the legislative arm of the Government creates a broader acceptance of it.

REPRESENTATION. EDITED BY J. ROLAND PENNOCK AND JOHN W. CHAPMAN. New York: Atherton Press, 1968. Pp. 317.

The tenth volume in the Nomes series on political and legal philosophy, *Representation* is composed of a series of essays on the theory, history and practice of representation. A reappraisal of this subject is desirable in view of the recent Supreme Court decisions on reapportionment. Not only is representation in the multiple party society considered but in the one party state as well.

Of special interest to the student of law are the essays on the role of representation in law and equity and those on the standards for representative selection and apportionment and the relation of political parties to a normative theory of representation.

From an overview of political representation through an analysis of specific aspects of the subject to a consideration of representation under noncompetitive party systems, *Representation* is of value to the student of constitutional law, of comparative politics and of political theory in general.

TRIALS OF A PHILADELPHIA LAWYER. BY LAURENCE H. ELDRIDGE. Philadelphia, Pennsylvania: J. P. Lippincott Co., 1968. Pp. 257.

Laurence H. Eldredge, for over forty years a Philadelphia attorney, succinctly illustrates, by means of a few selected cases, that nothing best unveils human nature than a law suit. The author points out that personalities, on the surface stable, assume the garb of the thespian during the course of the trial. Mr. Eldredge, reporting cases both won and lost, deals with subjects as diverse as "contested wills" and "the dog who shot his master." In one case, the author participates in events worthy of a "Broadway production." In another, he sardonically learns that clients do not necessarily tell the truth, even to their own lawyers. Needless to say, the book itself is highly readable; from the author's nostalgic description of his own boyhood days, to his development as a witty and highly sophisticated trial court lawyer.

LAW FOR LIBERTY. EDITED BY JAMES E. BIECHLER. Baltimore, Maryland: Helicon Press, Inc. Pp. 202.

Probably the most controversial issue in the modern Catholic Church is the extent to which, if at all, the Canon Law should be changed. This book is a collection of essays emanating from a seminar on "The Role of Law in the Church" conducted by The Canon Law Society of America. The essays trace the historical development of the authority of the Church, presenting in broad overview the theological and philosophical considerations which have contributed to that development. Pervading the entire book is a liberal spirit. After a discussion by Doctor Vernon J. Bourke ("The Analogy of Law") comparing the flexibility of the Common Law with the relatively static and inflexible nature of the Canon Law, the book reaches the conclusion that "the reformed Canon Law should have the principle of change, development, and renewal built into it," indicating that the great lesson of the Com-

mon Law has had its impact on those anxious to preserve the institutions and authority of the Church.

WATERS AND WATER RIGHTS: WATER POLLUTION AND QUALITY CONTROLS (3rd Vol.). BY BURTON J. GINDLER. Indianapolis: The Allen Smith Company, 1967. Pp. 540.

Water pollution is today the problem of everyone from the weekend fisherman to the President of the United States, and billions of dollars are being committed into this field by governmental units as well as private interests. This treatise, the third volume in a series, deals specifically with the legal aspects in the control of pollution and quality of water. Burton J. Gindler places the reader in the proper perspective from the beginning of his technical work by giving the legal specialist a basic understanding of what man and nature can do to water. Pollution is discussed as it relates to watercourses and lakes and underground waters; and the various legal remedies are considered. In discussing the existing law, the author favors and follows the approach of the *Restatement of Torts* though at times he varies from it or makes additions, and whenever possible the available case law is given. The roles of the state and federal agencies are reviewed in great detail as are the interstate and international compacts. This book will prove useful to the lawyer involved in water litigation, to the conservationist desiring the legal means by which to control water quality, and to the legislator to whom water pollution is presently of major importance.

THE LETTERS AND PAPERS OF EDMUND PENDLETON. COLLECTED AND EDITED BY DAVID JOHN MAYS. Charlottesville, Virginia: The University Press of Virginia, 1967. Vol. I, pp. 1-377; Vol. II, pp. 378-753.

The two volumes compose the seventh in a series of documents by the Virginia Historical Society. The published letters and writings of this outstanding Virginian provide a valuable insight into his time (1734-1803). His correspondence with James Madison, Richard Henry Lee, George Washington, and Thomas Jefferson is enlightening and abundant. The chronological order of his writings relate his early career as an attorney, his involvement with the Revolutionary War, his political achievement (including his position as first Speaker of the House of

Delegates), and his career as a judge. And, while his officially published opinions are omitted, those are included which were unpublished or were more comprehensive than the published ones. Return correspondence is not included, but is mentioned in footnotes along with other pertinent information. As a whole, the work is thorough, well documented, and is valuable to any one interested in American legal history.

LORD NORTH. BY ALAN VALENTINE. Norman, Oklahoma: University of Oklahoma Press, 1967. 2 vols., Pp. 568 and 517. \$19.95.

While the title *Lord North* emphasizes this work's primary *raison d'être* as a biography of a man, Frederick, Lord North, who played a leading role in British politics for thirty crucial years, twelve of which (1770-82) were spent as first minister to George III, the work is more an account of the politics of mid-eighteenth century Britain. Alan Valentine relates North's rise to power via the well-established routes of a complacent ruling class to head a ministry whose ultimate collapse resulted from its inability to rise above its own complacency to meet the demands of a changing Britain. Though detailed accounts of personal political dealings often obscure more important developments, Valentine has done well in presenting Lord North as a symbol of English society in a crucial period of history. The significance of Valentine's work lies in the insight it furnishes into the causes of the most important events which occurred in mid-eighteenth century England. Valentine studies an age by studying one of its leading figures, and presents a detailed analysis of the British political dealings and the power plays which brought about turns of history of indelible significance.