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Book Reviews

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BOOK REVIEWS

AN INTRODUCTORY SURVEY OF THE PLACE OF LAW IN OUR CIVILIZATION.
Kenneth Redden. Charlottesville, Virginia: The Michie Company,
1946. Pp. xi, 272.

Books typically are of two kinds: those which may be read and understood by all who are versed in the language, and those which needs must be explained. This book is of the latter class, for while it contains the basis for an undergraduate course intended to disclose the place of law in modern civilization it would be apt to confuse the average student of collegiate level unless it were accompanied by considerable lecture material designed to fill in the gaps between or to point out the significances of the excerpted materials.

Unquestionably, this age of specialization has departed from the broad cultural program of the earlier liberal arts requirements wherein all came in contact with law as a recognized subject of study, even those who were to become the doctors, bankers, engineers, teachers, writers or philosophers of the day. Likewise without dispute is the author's premise that each of these is but trying to solve different aspects of the same problems of society so each should integrate his knowledge with that of the others in order that all might benefit from the learning and experience of the entire group. Lamentable is the fact that each now speaks a language of his own, and is not without inclination to belittle the efforts of the others from an overabundance of ignorance about matters that primarily concern all. Any effort to remedy that condition, particularly if it serves to remove the misunderstanding held by many that lawyers are all "shysters" and law is "a vicious witchcraft," merits the commendation and support of the bar. The inculcation of an understanding of the part law plays in civilization, especially in the minds of those who are not intending to become lawyers, should allay many popular misconceptions about the functions of law and those who are its servants.

To return to the initial remark about this book, however, one is prompted to inquire just how the author expects to accomplish such a purpose. Doubtless those who have benefited by his instruction at the University of Virginia, where the book has been used as a text, might give a more satisfactory answer. The reviewer can only judge by the printed page. To him, the material takes on a disjointed appearance, not because of lack of organization but rather because of the wide swings the mind must take to range, for example, from a discussion of the Piepowder Courts only to be immediately confronted with a fleeting impression of the social implications behind a decision such as that in *Daily v. Parker*. To an untrained, unpointed mind, such leaps may well be impossible, hence the impression gathered from untutored reading of the assorted materials to be found in this book concerning law's place in society may tend to

confirm rather than to dispel popular misconceptions. In much the same way, forty-seven different definitions of law furnish little help in arriving at an understanding of the theories that underlie legal liability. One could go on to other comparisons, but perhaps enough has been said. Here, then, is a strange little book that challenges the imagination, but leaves one unsatisfied in feeling. It does contain the germ, as yet undeveloped, of a work of wider competence. Perhaps the author will some day oblige by recording the growth of that idea.

W. F. ZACHARIAS

PRACTICE OF LAW. Claude R. Miller. Chicago: Callaghan and Company, 1946. Pp. xvi, 300.

While Athene may have sprung "full-panoplied from the brow of Zeus," no one would contend that the graduate of a modern law school leaves his alma mater fully prepared to enter into the ranks of the legal profession or, for that matter, capable of taking on the handling of a client's affairs. Learning to practice law, as this author notes, "requires years of study." In the absence of some apprenticeship system, much of that training must come from association with those already skilled in the practical intricacies of the law as contrasted with its theoretical aspects. The demands of the hour are often so pressing that "older attorneys have not the opportunity to initiate their juniors into the many complexities" of daily practice. Under the circumstances, then, the novice must experience lonely doubts and confusions unless he can be helped by the recorded experience of those who have already become adept in practice.

It is upon that theme that this book is constructed, for the author has considered and attempted to answer many of the questions which must come to the minds of all who commence the practice of law. A wide diversity of points is dealt with ranging from choosing a place to practice, methods of securing business, handling cases as well as office practice, the lawyer's connection with politics, his legal status, and some pertinent general advice. The author is frank to admit that some of his remarks are obvious, some concepts doubtful, and other assertions are debatable. No discriminating reader would take issue with that admission, for some of his remarks about the quality of modern legal education could well be made the subject of exception. For that matter, insufficiencies could be pointed out as, for example, the book is lacking in a discussion of whether governmental, as contrasted with private, practice might not be a more desirable field for the beginner.

The book is, however, placed upon a plane of highly ethical advice, presents its message in extremely readable fashion, merits the attention of all who lack comprehension of the vicissitudes of actual practice, and should earn its author warm commendation for taking the time from his daily affairs to extend a helping hand to the embryonic lawyer.

T. F. BAYER