

University of Miami Law School Institutional Repository

University of Miami Law Review

5-1-1962

SYMPOSIUM ON THE LABOR- MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959. Edited by Ralph Slovenko. New Orleans, Louisiana: Claitor's Bookstore. 1961.

Herbert B. Mintz

Follow this and additional works at: <http://repository.law.miami.edu/umlr>

Recommended Citation

Herbert B. Mintz, *SYMPOSIUM ON THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959*. Edited by Ralph Slovenko. New Orleans, Louisiana: Claitor's Bookstore. 1961., 16 U. Miami L. Rev. 498 (1962)
Available at: <http://repository.law.miami.edu/umlr/vol16/iss3/12>

This Book Review is brought to you for free and open access by Institutional Repository. It has been accepted for inclusion in University of Miami Law Review by an authorized administrator of Institutional Repository. For more information, please contact library@law.miami.edu.

without registration, as long as the total amount sold in each six-month period does not exceed one per cent of all the securities of that class which are outstanding. It is highly probable that Section 4(2) and Rule 154 were not intended to sanction such sales every six months under the so-called one per cent formula. But the plain truth of the matter is that securities attorneys are so confused by the governing language of the act and rule that no other path seems open. Furthermore, they are unable to obtain a straight answer on what the language does mean. This state of affairs confronting businessmen and securities attorneys is inexcusable. Professor Loss does not hesitate to criticize this ineptness. Of section 4(2) and rule 154 he remarks in an understatement: "Section 4(2) is not a model of clarity. . . . This is a very fuzzy area."⁸ The author presents searching examinations of numerous other rules, regulations and releases which have spawned "fuzzy areas."

Professor Loss, in his second edition of *Securities Regulation*, has made a landmark contribution to that area of legal and financial literature in which he is so eminent an authority.

Hugh L. Sowards

Professor of Law
University of Miami School of Law

SYMPOSIUM ON THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959. Edited by Ralph Slovenko. New Orleans, Louisiana: Claitor's Bookstore. 1961. Pp. xliv, 1259. (\$20.00).

Those students and lawyers who are seriously concerned with labor law must become intimately familiar with the Labor-Management Reporting and Disclosure Act of 1959,¹ also known as the "Landrum-Griffin Act," or the "Labor Reform Act." This is the only piece of omnibus labor legislation to have passed the Congress since the Labor Management Relations Act of 1947² (Taft-Hartley Act). The law is significant for several reasons including the fact that it is indicative of the trend toward increasing federal control and regulation over labor unions and officials. It is also significant in that it grants federal recognition, for the first time, to the right of members of a labor organization to enjoy democratic processes within the

8. 1 LOSS, *SECURITIES REGULATION* 698, 707 (2d ed. 1961).

1. 29 U.S.C. §§ 401-531 (Supp. III, 1962).

2. 29 U.S.C. §§ 141-97 (1958).

union. The law also regulates union elections and the bonding of officials and sets up rules governing the establishment or continuance of trusteeships. Finally, it amends the National Labor Relations Act³ by altering the law applicable to boycotts and picketing.

In reading the *Symposium on the Labor-Management Reporting and Disclosure Act of 1959*,⁴ especially those parts of the book dealing with the congressional history, the reader is reminded of the attitude that Congress had toward unions in 1959, and of the difficulty and necessity for compromise that arose in order to secure passage of the legislation. The compromises have left the bill, at certain important parts, sufficiently confused in meaning and intent so that there will be a continuing task of administrative and judicial interpretation for years to come. Until the problems of interpretation have been settled with sufficient clarity and firmness, the arguments posed in the *Symposium* will have continued airing before the National Labor Relations Board and the appellate courts.

The *Symposium* is a compilation of articles and comments written by over a hundred specialists, experts and teachers, dealing in exhaustive detail with every section and subject directly or indirectly covered by this law. The book, in parts, is a compendium of conflicting points of view, each conflict being based upon purported precedent, congressional intent and logic. As a result, the book has the particular value of being an excellent presentation of both sides of issues. The extensive preface gives sufficient information on each article and writer to identify the subject matter and point of view being espoused. The skillful and thoughtful writing advanced by the opposing authors constantly challenges the reader's imagination and intellect.

The *Symposium* might well be considered as a text for a course on labor law. The book, although dealing mainly with current day problems, goes beyond its immediate and specific subject matter and delves into broader matters such as labor history, economics and philosophical argument on labor problems.

The practitioner or teacher can make good use of this book for reference purposes. Its subject index will direct the reader to the material on any point covered, which in turn will bring his attention to pertinent and opposing precedent, logic and criticism.

Some of the authors have repeated coverage of material but with different emphasis. This is not necessarily bad, however, since the repetitive parts are easily seen and the reader is free to skim certain parts of this twelve-hundred page book without losing the essence of the book as a whole.

3. 29 U.S.C. §§ 151-66 (1958).

4. [Hereinafter referred to as *Symposium*.]

The editor, Ralph Slovenko, Associate Professor of Law at Tulane University, has performed an excellent service in bringing together under one cover the spirit of professional and objective disagreement which permeates the field of labor law.

Herbert B. Mintz

Member of the Florida Bar