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Cases and Materials on Labor Law. By Milton Handler and Paul R. Hays.

Joseph Shister
University at Buffalo

following the Model Uniform Juvenile Court Law, inquiry into the religion of the child is made to enable the court to preserve and protect the child's religious faith in the event of placement of the child away from his parents.

To be effective, religious motivation must come from sincere conviction and belief in the spiritual and supernatural destiny of man. I cannot agree with the authors that "religion is largely related to ethnic origins." Nor am I, for the purpose of this point, giving preference to one religious denomination over another. I know from personal experience and from observation of others that human conduct is not only influenced but controlled by the individual's understanding and acceptance of a moral code, and the strength of his character to live up to it. I cannot help feeling that the belief in the God of the founders of our country, Who as the Creator created us equal, and endowed us with certain unalienable rights, does influence not only the inner personal lives of the individual but also his respect for the rights of his fellow men.

How accurately the sincerity or depth of religious belief and its influence on particular acts can be measured scientifically, I do not profess to know. Somehow I feel that the Gluecks have the ingenuity, skill and experience that could devise the necessary technique and formulae.

The foregoing must not be taken as a condemnation of the otherwise excellent study. It is fortunate that the Gluecks are not satisfied to rest on their laurels and that in the Preface to UNRAVELING JUVENILE DELINQUENCY they promise that "this book represents the first analysis of the data of the causal mechanisms of persistent delinquency and express the hope that further reflection, particularly examination of more intimate intercorrelations of the constituents of the various levels of exploration, will very probably bring about deeper insights and some modification of present conclusions."

Students of social problems will find in UNRAVELING JUVENILE DELINQUENCY an invaluable guide for their own explorations into the mysteries of human behavior.

Judge, Children's Court
Erie County, New York.

VICTOR B. WYLEGALA

CASES AND MATERIALS ON LABOR LAW. By Milton Handler and Paul R. Hays. St. Paul: West Publishing Company. 1950. Pp. 989. $8.00.

Since the volume in question is a legal case book, and this is a legal journal, it seems rather incongruous for the review to be written by an economist. But what seems like an incongruity at first blush may well turn out to be a blessing upon further probing. For an outsider to the legal fraternity, like myself, may see the problems confronting the labor lawyer from a dif-

ferent viewpoint than the lawyer himself. Which means a fresh viewpoint for the lawyer. Whether this freshness is matched by the constructiveness of the viewpoint is something best left to the judgment of the reader.

In my frequent contacts with practicing labor attorneys, either in my capacity as an arbitrator or otherwise, I have been struck by this fact: very few of these lawyers have anywhere near a thorough understanding of the institutional (non-legal?) aspects of collective bargaining. And even those few whom I know to have a thorough understanding also shift to a so-called legalistic approach when handling a case either in arbitration or negotiation. The effects of such an approach on the labor-management relationship are rarely constructive and often disastrous. In part this legalistic approach stems from partisan representation. But in part too — in the main perhaps — it stems from the training that the law schools for the most part have been providing.

Law professors are no different from professors in other fields. Most of them do not innovate; they are quite content to follow. Specifically this means that the current texts determine the tenor of most of the courses. Which is to argue that the approach of the case books in labor law have more than a little to do with the kind of training the potential labor lawyer receives in law school. If this thesis be accurate, then the volume by Handler and Hays should contribute something toward remedying the defect of labor lawyers previously alluded to. To start with, the volume concentrates almost exclusively on collective bargaining, which is the labor field where "pure legalism" is most harmful and which, if I am accurately informed, has been woefully neglected in many a law school curriculum. The second, and by far most important, contribution of this volume to the problem at hand is that, in addition to the "purely legal" material, it includes a good deal of institutional material on unionism and collective bargaining.

The authors have included such institutional material as the provisions of collective bargaining agreements (union security, management security, seniority, wages, etc.), collective bargaining procedures, collective bargaining strategy and tactics, internal union affairs, etc. The student will glean from this material some understanding of the non-legal aspects of collective bargaining and unionism. He will not, however, gain too much insight. For the authors have chosen materials which, for the most part, are purely descriptive. The numerous reports of the United States Bureau of Labor Statistics are a case in point. It may well be the authors felt that some of the analytic findings in the field of labor economics and labor sociology would prove too difficult for the "average" student. If so, they clearly erred. There is an abundance of acceptable analytic material written in non-technical language which the "average" law student can readily understand. To choose only a few illustrations: Slichter's writings (which the authors have only sparsely used), Bakke's work, Dunlop's investigations, and Perlman's ideas.

It may also be that the authors abstained from including such analytic material lest they be accused by many law professors (who should know better) and law students (who are unsophisticated victims of "bias-baiters") that they were biased in their selections — either "pro-management" or "pro-labor." Disregarding for the moment the disdain with which such charges should be treated, the fact remains that there is enough "pro" and "con" analytic material available so that the authors could have included "both sides of the story," thereby pleasing (almost) everybody — the law professors, the law students, and the publisher (to whom the volume of sales is of more than passing importance).

But despite this shortcoming in the selection of the institutional material, the volume has the great merit of at least attempting to deal with the main problem of labor law training — namely, how to teach both the "purely legal" and the institutional aspects of collective bargaining. And as such it is recommended to those faculties that look upon law as a constructive social force rather than an instrument to be exploited to the fullest for personal gain.

Chairman, Department of Industrial Relations
University of Buffalo.

Joseph Shister

INTERNATIONALES ZIVILPROZESSRECHT. By Erwin Riezler, professor in Munich.

XIII and 710 pages. (Nr. 20 der Beiträge zum ausländischen und internationalen Privatrecht. Herausgegeben vom Kaiser Wilhelm-Institut für ausländisches und internationales Privatrecht. In Gemeinschaft mit Walter de Gruyter & Co., Berlin, Verlag J. C. B. Mohr (Paul Siebeck) Tübingen (1949).

As the author emphasizes in his preface, the book is an "attempt" to present a *comparative* discussion of the international procedural law.

The author in his modesty speaks of an "attempt," but the book is much more. To explain this to American readers means to point out that courses or books on private international law on the Continent generally do not extend to jurisdictional and procedural questions whereas here jurisdictional problems constitute an essential part of conflict of laws, and procedural questions are usually taken up in connection with the subject of "substance" and "procedure." The present volume, therefore, undertakes the discussion of the procedural side (in the widest possible sense, as the survey of its contents shows) of Private International Law.

The book is divided into twelve chapters. The *first* deals with introductory matters such as the concept of international procedural law and its sources, then with treaties, the freedom of parties to bargain on the application of legal rules, and with comprehensive if ever so concise historical outlines, as well as