



Notre Dame Law Review

Volume 46 | Issue 2

Article 6

1-1-1971

Book Review

Edward Manier

Follow this and additional works at: <http://scholarship.law.nd.edu/ndlr>

 Part of the [Law Commons](#)

Recommended Citation

Edward Manier, *Book Review*, 46 Notre Dame L. Rev. 430 (1971).

Available at: <http://scholarship.law.nd.edu/ndlr/vol46/iss2/6>

This Book Review is brought to you for free and open access by NDLScholarship. It has been accepted for inclusion in Notre Dame Law Review by an authorized administrator of NDLScholarship. For more information, please contact lawdr@nd.edu.

BOOK REVIEW

ABORTION: LAW, CHOICE AND MORALITY. By Daniel Callahan. New York: Macmillan Co., 1970. Pp. xv, 524. \$14.95.

"Abortion is a nasty problem, a source of social and legal discord, moral uncertainty, medical and psychiatric confusion, and personal anguish."¹ *Abortion: Law, Choice and Morality* is an extremely careful and comprehensive study of the many dimensions of the abortion problem. Daniel Callahan spared himself very few, if any, scholarly and intellectual labors in constructing a book which at once provides a clear and orderly introduction to the massive bio-medical, psychiatric, legal and philosophical literature relevant to the abortion problem. One of the most impressive features of the book is the success with which its author has "lowered his voice," not by aiming at value-free objectivity, but by an early statement of his own bias and a strong commitment to the honest exposition of all the evidence — both that supportive of his thesis and that tending to negate it. Callahan accepts the self-disciplining motto of the anthropologist Bronislaw Malinowski, "It is gratifying to a fieldworker when his observations are sufficiently well presented to allow others to refute his conclusions out of his own material."² In consequence, his book is in no sense a partisan tract, and it is certain to remain a valuable reference on this complex and uncomfortable topic for many years to come.

The book is an extremely valuable model for research, interpretation and judgment in the increasingly important field in which we must assess the implications of radically new developments in science and technology. It is obvious that there are particularly poignant aspects of this issue; the overwhelming implications for our society's attitude toward the basic relationship of maternity make this inevitable. Some of the qualms felt in confronting the issue of abortion, however, have a more general basis: a fear of hubris, a concern for overstepping the appointed limits of our stewardship on earth by attempting to define and redefine basic human values to insure the smooth functioning of a new world dominated by man's scientific and technological ingenuity. The basic question then becomes: in what, if any, sense are moral imperatives *given* to man (whether by nature or by God). Could the *givenness* of such rules imply that man is responsible only for their discovery and accurate articulation and application? Or is there a sense in which the determination of their substantive content is a human task?

The formulation (and affirmative resolution) of this question is as classic as the moral philosophy of Immanuel Kant. Nevertheless, it is often regarded as a key element in the cultural metamorphosis of "technological man," or man (honorifically described) willing to match his moral judgment and responsibility to his scientific intelligence. Callahan resists that current of the technological ethos which tends toward moral solutions which are merely personally convenient or problem-free, and he applies one of his sternest epithets ("falsification of consciousness") to the thesis that man has only to "discern and obey" moral rules

¹ D. CALLAHAN, ABORTION: LAW, CHOICE AND MORALITY 1 (1970).

² *Id.* at 18, quoting from B. MALINOWSKI, CRIME AND CUSTOM IN SAVAGE SOCIETY 41 (1926).

imposed upon him by God or nature. According to Callahan, a false or inauthentic consciousness is one which short-circuits man's true moral plight by assuming that authoritative or mechanically logical decisions can take the place of a fresh evaluation of the complexities of the experience of each responsible moral agent. Man must take "full responsibility for his own fate"; the elaboration of what Callahan calls "moral policy" is through and through a *human* task. For anyone who subscribes to this view, a series of agonizing reappraisals of established mores is inevitable.

The notion of moral policy is the key to the ethical position taken by Callahan. In his analysis, a policy establishes a general direction or bias, it sets some limits to acceptable behavior, and it clarifies the meaning or moral significance of the alternative courses of action within a defined range. A policy is explicitly *not* a moral blueprint which aims to determine and settle every eventuality beforehand.

In somewhat more technical language, a policy is determined by one or, more typically, several moral *principles*, e.g., the sanctity of life (the controlling principle in Callahan's moral policy concerning abortion). Specific *moral rules* stand in a subordinate relationship to such *moral principles*. For example, the rules falling under the principle of the sanctity of life include: the protection of the survival and integrity of the human species, the integrity of family lineages, the integrity of bodily life, the integrity of personal choice and self-determination (or mental and emotional individuality), and the integrity of personal bodily individuality. Callahan argues that such rules cannot be logically derived from the principle to which they are subordinate on the basis of an inspection of the meaning of the terms involved. The rules falling under a specific principle may, in fact, come into conflict with each other, and we must make judgments about their relative priority in specific situations. To decide whether or not such priorities are in fact serving the respect we want to accord human life, we must turn to the critical assessment of experience rather than to logical analysis.

In general, and from a neutral perspective, a moral policy is "any culturally, philosophically or religiously chosen, given or accepted way of devising, relating and ordering moral rules."³ The criteria to be used in evaluating such policies include:

1. Scope or range. Of two competing policies, that which takes the more comprehensive approach to the evidence is to be preferred. Callahan is extremely critical of "one-dimensional" abortion policies, i.e., policies for which only one sort of evidence — sociological or genetic — is decisive. On the basis of this criterion, he rejects Garrett Hardin's efforts to justify any abortive act in terms of the vanishingly small social utility of the conceptus (a generic term covering all stages of development from fertilization to birth), and is equally critical of attempts to resolve the issue by concentrating solely on the biological evidence, e.g., that the fertilized egg contains all the genetic information required for the development of a full-term infant (he finds the traditional Catholic position erring in this direction).

3 *Id.* at 341.

2. Consistency. A coherent policy obviously requires some reconciliation of the competing demands of specific rules, e.g., those rules having to do with the survival and integrity of the human species and with the bodily integrity of an individual mother. This criterion is specifically intended to guard against the use of ad hoc definitions of such key terms as "life" and "death," in order to arrive at predetermined, tailor-made solutions of the problems of abortion, donation of vital organs, and euthanasia. The fact that the notion of brain death seems to have gained such wide acceptance in decisions as to when the heart may be removed from a prospective donor suggests the appropriateness of an analogous criterion (a discernible electroencephalogram — usually in the 8th week of development) of human life in the approach to the abortion issue.

3. Concreteness. Callahan is quite critical of efforts to solve moral problems exclusively in terms of abstract generalizations. Although such generalization is obviously necessary to meet the first two criteria, it cannot be the decisive factor when this would lead to insensitivity to the wide range of differences among individual cases.

While Callahan's notion of moral policy is not developed with technical completeness (e.g., there is little or no discussion of the tension between the three criteria), the position taken seems clear, reasonable, and flexible. Moreover, it is solid enough to escape objections that it leads to relativism or situationism. Critics who raise the latter charge⁴ seem to pay insufficient attention to the first two evaluative criteria, and they leave themselves very little room for sensitive attention to the real, but often highly individual, circumstances involved in specific cases.

Some reviews of Callahan's book have stressed its critical departure from the traditional Catholic prohibition of abortion.⁵ Very careful attention should be paid, however, to the details of Callahan's position in this regard. First of all, he argues for distinct, separate (but, of course, mutually coherent) moral and legal or social policies. In the personal, moral domain he holds that:

respect for the sanctity of human life should . . . incline [us] toward a general and strong bias against abortion. Abortion is an act of killing, the violent, direct destruction of potential human life, already in the process of development. . . . [However] [i]n many circumstances . . . a decision in favor of abortion . . . can be a responsible moral decision, worthy neither of the condemnation of others nor of self-condemnation. But the bias of the principle of the sanctity of life is against a routine, unthinking employment of abortion; it bends over backwards not to take life and gives the benefit of the doubt to life. It does not seek to diminish the range of responsibility toward life — potential or actual — but to extend it. It does not seek the narrowest definition of life, but the widest and the richest.⁶

4 See, e.g., Connery, Book Review, NATIONAL CATHOLIC REPORTER, Aug. 7, 1970, at 8, col. 1.

5 See, e.g., McCormick, Book Review, *A Moralist Reports*, AMERICA, July 11, 1970, at 42. McCormick takes a very cautious view of Callahan's announced aim of achieving a moral consensus concerning abortion. For an enthusiastic review in a general circulation magazine, see Woodward, Book Review, *Morality of Abortion*, NEWSWEEK, June 8, 1970, at 64.

6 D. CALLAHAN, *supra* note 1, at 497-98.

This stress on the necessity of a multi-dimensional definition of human life — and the impossibility of establishing permanent priorities among the various elements of the definition — opens up the possibility that respect for the mental and emotional vitality of the mother (or father, or already living children) may take precedence over the bodily life of a developing, potential human being. (To admit that such action might, in principle, be the morally responsible option may be shocking or outrageous to some. But it is difficult to see how this can be denied without resort to a narrowly bio-medical definition of human life.)

In *fact*, however, Callahan's exhaustive review of the medical, psychiatric, and legal literature dealing with this topic leads him to the conclusion that there are no automatic indications for or against abortion. With modern medical care, medical indications are increasingly, but not totally, nonexistent. "There . . . [is] a general [medical] consensus that abortion operations, of all sorts, should be taken with utmost seriousness and avoided if possible."⁷ This consensus is based on the possibility of subsequent gynecological complications (including irregular pregnancies or even sterility), rather than on direct danger to the life and health of the mother.

Psychiatric data is notoriously difficult to evaluate or interpret, and Callahan finds this true of the data related to the abortion problem. He considers it irresponsible, however, to suggest that difficulties involved in formulating exact psychiatric criteria indicating the need for an abortion should result in the refusal to admit psychiatric indications.

Callahan's review of the medical and psychiatric literature is so extensive and detailed that it is difficult to summarize adequately. Its greatest use will be as a reference background for the evaluation of individual cases. In general, Callahan takes a very cautious approach to the probabilities involved in such matters. For example, he would consider both the probable availability of effective medical care and therapy and the probable incidence of congenital malformation in deciding whether or not to induce abortion when the mother contracts rubella during her first trimester. He concludes that the problem of whether one should be willing to take a chance against unfavorable odds, or even the identification of specific odds as unfavorable, is a moral question to be resolved in terms of the general bias favoring the protection of life.

Callahan approaches the problem of a legal policy on the abortion issue by studying three separate classes of legal systems: the restrictive legal codes characteristic of the United States before 1968, Great Britain before 1967, India and Latin America; the moderate legal codes found in the Scandinavian countries; and the permissive laws of the Soviet Union, Eastern Europe and Japan. He aims at assessing the social and moral consequences of these different systems, but concludes that the identification of the impact of abortion laws upon the general ethos of a country is a nearly impossible task for which no empirical procedure can be provided.

The author finds little indication that restrictive laws are a functionally adequate symbol of society's respect for life. Evidence of this includes: the frequency with which such laws are broken (one abortion for every three or four

7 *Id.* at 42.

live births in the United States under restrictive laws⁸); the considerable medical danger to the woman undergoing an illegal abortion; and the solid indication that abortions are rather easily available to the wealthy, but available to the poor only under the most hazardous conditions.

Motives for liberalizing abortion laws are the reduction of the number of medically hazardous illegal abortions and a response to the rights of women to determine the exercise of their own bodily functions and the size of their own families. Moderate legal systems have rather conspicuously failed to reduce the number of illegal abortions (because of the delay, the complicated application system and the continued high cost of abortions in countries following this system). Callahan's own sympathies are strongest (although he has several reservations) for the philosophy underlying the permissive system of East European countries:

The aim is precisely to insure the greatest possible freedom for women. This goal, many believe, cannot be fulfilled unless women (a) are fully advised of the physical hazards of abortion, (b) are given contraceptive advice in order (in the future) to avoid unwanted conceptions, (c) are provided the chance to accept additional financial and social assistance sufficient to support a child, offered to her not just in general but, specifically, when she comes to the moment of choosing for or against abortion, and (d) it is insured that women are making a free choice, uncoerced by their family or friends.⁹

The major drawback to such permissive laws¹⁰ is that there is evidence that such systems favor a climate in which an increasing number of women make an individual choice for abortion. The only apparent remedy for this is an extensive educational program against abortion, informing the public of its costs and making non-abortive alternatives (including contraceptive information and materials) readily available to everyone, including unmarried teen-agers. The restrictive laws presently in force in most of the United States are judged to be doubly wrong: first, in refusing the woman's right to choose, and, second, in only rarely offering women any real help in finding viable alternatives to abortion.

A central thesis of *Abortion: Law, Choice and Morality* is that no "last word" can be written on this topic; it must remain open to the modifying effects of improved data and the consequences of shifting social circumstances. The book aims at providing a framework for discussion that will cut across as many value systems as possible, engaging the intelligence and good will of all members of society in the solution of a problem whose ethical gravity and considerable dimensions require concerted action on the part of the whole community. The search for moral consensus can seem utopian or banal, as Callahan points out, but on some particularly awesome topics the attainment of consensus is very close to a necessary condition of survival.

*Edward Manier**

⁸ *Id.* at 133, citing F. TAUSSIZ, *ABORTION, SPONTANEOUS AND INDUCED* 387-88 (1936).

⁹ *Id.* at 247.

¹⁰ Callahan's own "ideal" law would essentially allow abortion on request until the 12th week of pregnancy and give the woman's voice greatest weight thereafter, it would provide free abortion or free obstetric and child care service, it would require subsequent contraceptive counseling, and it would allow for the freedom of conscience of medical personnel involved.

* Associate Professor of Philosophy, University of Notre Dame.

BOOKS RECEIVED

- THE BEHAVIORAL SCIENCES: ESSAYS IN HONOR OF GEORGE A. LUNDBERG.** Edited by Alfred de Grazia, Rollo Handy, E. C. Harwood and Paul Kurtz. A compilation of nine essays, both on George Lundberg and on topics in which he was interested, including definitions of terms, sociology and neo-behaviorism. Behavioral Research Council. 1968. Pp. 179. \$4.75.
- BLACK PRIDE.** By Janet Harris and Julius W. Hobson. A historical account of the rise of the black race in America vis-à-vis their leaders. Progression from 1790 to present, including the Black Panther movement. New York: Bantam Pathfinder. 1970. Pp. 134. \$.75 (paperbound).
- BROADCASTING AND BARGAINING: LABOR RELATIONS IN RADIO AND TELEVISION.** Edited by Allen E. Koenig. A study of the broadcasting industry and its unions. Madison: The University of Wisconsin Press. 1970. Pp. x, 344. \$8.00.
- BUSINESS CORPORATIONS LAW OF NEW YORK.** By Eugene R. Canudo. An outline and guide to the law of business corporations. Jamaica, New York: Gould Publications. 1970. Pp. vi, 112. \$3.75 (paperbound).
- THE BUST BOOK: WHAT TO DO UNTIL THE LAWYER COMES.** By Kathy Boudin, Brian Glick, *et al.* The book purports to provide legal first aid for "movement" members. It presupposes that the judicial system is an instrument of oppression and status quo, and thereby the mortal enemy of those to whom it is addressed. New York: Grove Press, Inc. 1969. Pp. 159. \$1.25.
- CALIFORNIA POLITICS AND PROBLEMS, 1964-1968; A SELECTIVE BIBLIOGRAPHY.** By D. R. Leister. University of Cal., Berkeley: Institute of Governmental Studies. 1969. Pp. 33. \$1.00.
- CIVIL LIBERTIES AND THE CONSTITUTION.** Edited by Lucius J. Barker and Twiley W. Barker, Jr. This casebook examines various basic issues in civil liberties: free exercise of religion and church-state relations; freedom of expression and association; rights of persons accused of crime; and problems related to racial justice. Englewood Cliffs: Prentice-Hall, Inc. 1970. Pp. vii, 471. \$8.95.
- CIVIL PRACTICE LAW AND RULES OF NEW YORK.** A complete text of the Civil Practice Law including the 1969 enactments. Jamaica, New York: Gould Publications. 1969. Pp. 198. \$4.50 (paperbound).
- COMMUNITY CONTROL AND THE URBAN SCHOOL.** By Mario Fantini, Marilyn Gittell, and Richard Magat. Poses the decentralization and community control of urban (ghetto) schools as a remedy for the present irrelevancies in such schools. New York: Praeger Publishers. 1970. Pp. xix, 268. \$3.45.

CONSTITUTIONAL FREE SPEECH, DEFINED AND DEFENDED. By Theodore Schroeder. The book is an unfinished argument in a case of blasphemy, *viz.*, *Conn. v. Michael X. Mockus*. A freedom of speech argument emphasizing the historical interpretation of our constitutional guarantees. New York: De Capo Press. 1970. Pp. 465. \$19.50.

CONTEMPORARY CHINESE LAW. Edited by Jerome A. Cohen. The essays contained in this volume deal with the methodology of studying the legal system of the People's Republic, describe the available research materials, and analyze the problems presented in making the materials of Chinese law intelligible to Western readers. Cambridge: Harvard University Press. 1970. Pp. 380. \$10.00.

CRIME, LAW AND THE SCHOLARS. By Gerhard O. W. Mueller. A history of thought and action in matters of criminal law; an interpretation of contemporary American criminal law in the light of its antecedents, pointing to a need to systematize and codify the criminal law. Seattle: University of Washington Press. 1969. Pp. xv, 302. \$12.50.

CRIMINAL PROCEDURE LAW OF NEW YORK. Edited by Irving Shapiro. A complete text of the Criminal Procedure Law as passed at the 1970 legislative session. Jamaica, New York: Gould Publications. 1970. Pp. vii, 302. \$4.25 (paperbound).

THE EFFECT OF JUDICIAL REVIEW ON FEDERAL-STATE RELATIONS IN AUSTRALIA, CANADA AND THE UNITED STATES. By R. E. Johnston. An examination of the manner in which the courts of three nations have treated problems of federalism. A comparison of the United States courts' "deference to the legislature" policy with Australia's courts' "lawmaking" policy. Baton Rouge: Louisiana State University Press. 1969. Pp. xvii, 320. \$12.00.

AN EYE FOR AN EYE. By Clarence Darrow. A novel by the renowned attorney for the damned. Deals with a narrative by a condemned man the night before his execution. It shows how social, economic, and biological determinism dictates the inalterable outcome of man's life. Durham: Moore Publishing Co. 1969. Pp. xxiv, 213. \$5.95.

THE FORMAL BASIS OF LAW. By Giorgio Del Vecchio, translated by J. Lisle. A survey of legal philosophy and growth of the law, its nature and relation to history with much emphasis on natural law. New York: Augustus M. Kelley. 1969. Pp. lvii, 412. \$20.00.

THE GAO. By Richard E. Brown. The book reviews the background of the GAO, delineates its duties, describes its work and the use made of it by Congress, analyzes its effectiveness, and synthesizes suggestions for potential growth. Knoxville: University of Tennessee Press. 1970. Pp. x, 127. \$5.95.

1970 GUIDEBOOK TO MASSACHUSETTS TAXES. Chicago: Commerce Clearing House, Inc. 1970. Pp. 187. \$5.00.

HUMAN RIGHTS AND INTERNATIONAL ACTION. By Ernst B. Hass, Professor of Political Science, University of California, Berkeley. Declares that despite resolutions and treaties, the effort to protect human rights by international means has been a failure. Stanford: Stanford University Press. 1970. Pp. x, 184. \$6.50.

IDEOLOGY, POLITICS, AND POLITICAL THEORY. By Richard H. Cox. Written as a text for political theory on both the graduate and undergraduate levels. The center of focus being the development and current state of theories of ideologies as a distinct philosophical entity. Belmont: Wadsworth Publishing Co. 1969. (Price unreported.)

THE IMPACT OF COMPUTERS ON COLLECTIVE BARGAINING. Edited by Abraham J. Siegal, Professor of Industrial Relations and Associate Dean, Massachusetts Institute of Technology. Cambridge: The M.I.T. Press. 1969. Pp. xvi, 294. \$15.00.

THE IMPACT OF NEGOTIATIONS IN PUBLIC EDUCATION: THE EVIDENCE FROM THE SCHOOLS. By Charles R. Perry and Wesley A. Wildman. Examines both the nature of the bargaining process between school boards and teacher organizations and the results of teacher bargaining in the schools. Worthington: Charles A. Jones Publishing Co. 1970. Pp. xi, 254. (Price unreported.)

INTRODUCTORY PROBLEMS IN POLITICAL RESEARCH. By Frederick M. Wirt, Roy D. Morey and Louis F. Brakeman. Englewood Cliffs, New Jersey: Prentice-Hall, Inc. 1970. Pp. x, 194. \$3.75 (paperbound).

ISSUES IN POLICE ADMINISTRATION. By Harold K. Becker, Associate Professor of Criminology, California State College. A treatment of the areas of conflict and controversy that exist in many police organizations and communities. Metuchen: Scarecrow Press, Inc. 1970. Pp. 332. \$7.50.

JUSTICE: THE CRISIS OF LAW, ORDER, AND FREEDOM IN AMERICA. By Richard Harris. A study of the transition of policies in the Department of Justice after Richard M. Nixon won the Presidency. New York: E. P. Dutton & Company, Inc. 1970. Pp. 268. \$6.95.

LAW OF SEASHORE, WATERS AND WATER COURSES: MAINE AND MASSACHUSETTS. By Moses M. Frankel. Forge Village: The Murray Printing Company. 1969. Pp. xxi, 196. (Price unreported.)

LAWYERS FOR PEOPLE OF MODERATE MEANS: SOME PROBLEMS OF AVAILABILITY OF LEGAL SERVICES. By Barlow F. Christensen. Chicago: The American Bar Foundation. 1970. Pp. xii, 313. \$5.00 (paperbound).

THE LEGAL CONSCIENCE, SELECTED PAPERS OF FELIX S. COHEN. Edited by Lucy Kramer Cohen. The volume contains a selection from Felix S. Cohen's writings in the fields of law and philosophy, Indian problems, and democracy in action, and are indicative of the scope and depth of his thinking and contribution to the law. Hamden, Conn.: Archon Books. 1970. Pp. xvii, 505. \$15.00.

LEGAL FOUNDATIONS OF NURSING PRACTICE. By Irene A. Murchinson and Thomas S. Nichols. An in-depth analysis of the legal principles underlying nursing practice. Designed for nursing students, and for practitioners in educational settings, in hospitals and other health institutions. London: Collier-Macmillan. 1970. Pp. xxv, 529. \$8.95.

THE LEGAL MIND IN AMERICA, FROM INDEPENDENCE TO THE CIVIL WAR. Edited by Perry Miller. A chronologically arranged collection of speeches and documents dating from 1793 to 1857 outlining the evolution of the American legal and judicial system. Ithaca: Cornell University Press. 1962. Pp. 312. \$2.45 (paperbound).

THE LEGISLATION OF MORALITY. By Troy Duster. An examination of the connection between laws and morals which traces historically a specific case: the evolution of narcotics morality. New York: The Free Press. 1970. Pp. x, 274. \$6.95.

THE LIMITS OF STATE ACTION. By Wilhelm von Humboldt and edited with an introduction and notes by J. W. Burrow. Utilizing the principles of John Stuart Mill, the author defines the criteria by which the permissible limits of the state's activities may be determined. London: Cambridge University Press. 1969. Pp. xliii, 145. \$7.50.

MARTIN LUTHER KING, JR., A PROFILE. Edited by C. Eric Lincoln. Biographical and interpretative writings on the life of Martin Luther King, Jr., by various individuals including Ralph Abernathy, James Baldwin, David Halberstam and Carl T. Rowan. New York: Hill and Wang. 1970. Pp. xix, 232. \$1.95 (paperbound).

MEDICAL ASPECT OF NEGLIGENCE CASES. By Charles Kramer. A handbook pinpointing each medical feature that is critical to the development and success of the personal injury case. New York: Practicing Law Institute. 1970. Pp. 167. (Price unreported.)

THE MILLIGAN CASE. Edited by S. Klaus. An analysis of the case. Ex Parte: in the matter of Lambdin P. Milligan. New York: De Capo Press. 1970. Pp. 475. \$17.50.

- MODERN POLITICAL ANALYSIS.** By Robert A. Dahl. The book seeks to equip the student of politics with some of the basic concepts needed for analyzing and understanding politics, and for answering some basic questions about political systems. Englewood Cliffs, N.J.: Prentice-Hall, Inc. 1970. Pp. viii, 118. \$4.95.
- THE MORALITY OF ABORTION: LEGAL AND HISTORICAL PERSPECTIVES.** Edited by John T. Noonan, Jr. The articles presented provide facts, reasons, and perspectives for reassessing the present movement to accept abortion. Cambridge: Harvard University Press. 1970. Pp. xviii, 276. \$8.95.
- NEW YORK SURROGATE'S COURT PROCEDURE.** A text of the Surrogate's Court Procedure Act. Jamaica, New York: Gould Publications. 1970. Pp. 200. \$4.75 (paperbound).
- NOW IS THE TIME.** By Neil V. Sullivan with Evelyn S. Stewart. The story of Berkeley's commitment to integrate its schools and the progress which has resulted. Bloomington: Indiana University Press. 1969. Pp. xvii, 205. \$5.95.
- PENAL LAW OF NEW YORK.** Edited by Irving Shapiro. A text of the revised penal law of New York including 1970 enactments. Jamaica, New York: Gould Publications. 1970. Pp. ii, 128. \$3.50 (paperbound).
- PERCEPTION.** By Julian Hochberg. An analysis of perception emphasizing scientific findings and experimentation concerning visual perception, including an analysis of Gestalt theory and social perception. Englewood Cliffs: Prentice-Hall. 1964. Pp. 110. \$4.95.
- THE PHILOSOPHY OF LAW.** By J. Kohler, translation by A. Albrecht. An analysis of the development of culture, the law of individual persons, the law of property, state laws, and national law with philosophical emphasis. New York: Augustus Kelley. 1969. Pp. xlii, 390. \$18.00.
- PLATO, THE LAWS.** Translated by Trevor J. Sanders. This dialogue was Plato's last and longest. It was his attempt to describe a practical Utopia. New York: Penguin Classics. 1970. Pp. 551. \$2.95 (paperbound).
- POLITICS AND POLICIES: THE CONTINUING ISSUES.** By Phillip O. Foss and Duane W. Hill. A collection of readings and statements on contemporary political issues. Belmont: Wadsworth Publishing Company, Inc. 1970. Pp. 390. (Price unreported.)
- PORT ADMINISTRATION AND LEGISLATION HANDBOOK.** By U. A. Tarasca for the Department of Economic and Social Affairs of the U. N. The book is a survey of some of the world's oldest and busiest port operations. It is intended to aid underdeveloped countries in developing and administering their port potentials. United Nations Publication, 1969. Pp. vii, 94. \$1.50.

SELF-INCRIMINATION IN JEWISH LAW. By Aaron Kirschenbaum. A comprehensive study of the Jewish law which rejects criminal confessions, pleas of guilty and self-incriminating statements of the accused, which is relevant particularly now, when our constitutional privilege against self-incrimination is under attack. New York: The Burning Bush Press. 1970. Pp. xii, 212. \$6.95.

THE SELF-INFLICTED WOUND. By Fred P. Graham. The Warren Court's revolutionary rulings on criminal law; a story of good intentions betrayed by violent times, and an alert to the crisis the highest court must soon face in the rising public and political pressure. Particular emphasis on *Miranda*. The Macmillan Co. 1970. Pp. x, 371. \$7.95.

SOLEDAD BROTHER, THE PRISON LETTERS OF GEORGE JACKSON. Personal letters of George Jackson from 1964 through 1970. Jackson was in jail on a number of charges. Included are letters to Angela Davis and Jackson's brother Jonathan (member of the abortive San Raphael court raid). New York: Coward-McCann, Inc. 1970. Pp. xii, 330. \$5.95.

STUDENT PROTEST AND THE LAWYER. Edited by Grace W. Holmes. An edited transcript of a national conference concerning the law's role in matters of student protest held in Ann Arbor, Michigan, in May, 1969. Benton Harbor, Michigan: R. W. Patterson Printing Company. 1969. Pp. 403. (Price unreported.)

WITH ALL DELIBERATE SPEED: CIVIL RIGHTS THEORY AND REALITY. Edited by John H. McCord, Associate Professor of Law, University of Illinois. A collection of essays focusing on the role of legal institutions in securing civil rights. Urbana: University of Illinois Press. 1969. Pp. vii, 205. \$7.50.