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## **BRAZILIAN CULTURE. By Fernando de Azevedo. New York: The Macmillan Company, 1950.**

Hugh L. Sowards

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trines announced . . ." (p. 324).<sup>5</sup> Put your trust in the "Facts," he opines.<sup>6</sup> Nor is he averse to attempts to psychoanalyze the court (pp. 345, 367).<sup>7</sup>

In books, as in law and matrimony, *De gustibus non disputandum*, and the least that can be said is that in this instance ". . . the aim of the publishers . . . to publish books . . ." (Publisher's Note) has been achieved.

JOSEPH A. WANICK

MIAMI BEACH BAR ASSOCIATION

**BRAZILIAN CULTURÉ.** By Fernando de Azevedo. New York: The Macmillan Company, 1950. Pp. xxix, 562. \$12.50.

OF late increased emphasis has been placed in the curricula of graduate and undergraduate schools on Inter-American affairs. Such attention is especially noteworthy in the law school programs.<sup>1</sup> And this is only natural. For today, perhaps more than ever before, the "Good Neighbor" Policy assumes an importance of immense proportions, especially with respect to the countries of North, Central, and South America. Every day both government policy and private planning recognize more clearly the vital necessity for a meeting of the Americas on common ground.<sup>2</sup> As Dean Russell A. Rasco has observed: "The core of any 'good neighbor' relationship lies within—in the hearts and minds of the neighbors themselves. These neighbors are no more or no less than the people of the countries of North and South America. And of these people no one is more important to the success of the Good Neighbor Policy than the lawyer. For the lawyer is the regulator of the affairs of governments and men. He is the inter-nation draftsman of treaties, pacts, and protocols. He is the intra-nation leader in political, economic, and social matters. He is truly the policy maker of the Good Neighbor Policy."<sup>3</sup>

The present volume for my money is an excellent vehicle for training

5. His sagacity is prescient. In *Dade County v. Brigham*, 47 So.2d 602 (Fla. 1950), the Court guilelessly observes: "To recite and approve a general rule in one case is not the equivalent of establishing it as an unyielding, inflexible guide in every case."

6. Cf. Judge Frank's footnote in *Magnetic Engineering & Mfg. Co. v. Dings Mfg. Co.*, 178 F.2d 866, 871 (1950): ". . . Chancellor Kent said . . . when deciding a case, he first made himself 'master of the facts.'" Then, he continued, "I saw where justice lay, and the moral sense decided the court half the time; I then sat down to search the authorities . . . I might once in a while be embarrassed by a technical rule, but I almost always found principles suited to my view of the case."

7. Cf. FRANK, *LAW AND THE MODERN MIND*, pp. 111-115 (1936).

1. See Rasco, *Legal Education: The Latin American Program in Plan and Retrospect*, 3 *MIAMI L. Q.* 491 (1949); Lorenzen, *Foreword*, 4 *MIAMI L. Q.* 423 (1950).

2. Recently formulated plans for a gigantic Inter-American Trade and Cultural Center, to be located in Miami, Florida, furnish an example of such recognition. The establishment of the Organization of American States and the Inter-American Treaty of Reciprocal Assistance are further signs of progress towards Inter-American solidarity.

3. Rasco, *supra* note 1 at 491.

4. See, e.g., *Latin American Symposium*, 4 *MIAMI L. Q.* (1950).

5. There are very few complete modern treaties. For example, Obregon's book, *LATIN AMERICAN COMMERCIAL LAW*, is over twenty-five years old.

the lawyer, and, more particularly, for the teaching of Latin American law in a North American law school. It contains a comprehensive, and I suspect, an almost exhaustive, treatment of Brazilian culture and mores.

But why, if the book is concerned with culture and mores, does it make a good teaching tool in *law* school? The question is a logical one, and it brings me to my point. There is a distinct lack of material on Latin America, in *English*, available to the student. Furthermore, only a handful of law students have that command of Spanish or Portuguese sufficient to enable them to read and understand books or articles emanating from the Latin American countries. Speaking as one who has taught Latin American law, I can well appreciate the problem facing the instructor of what to use. Aside from a relatively few law review articles,<sup>4</sup> and treatises,<sup>5</sup> there is very little of value in the field. Coupled with this dearth of material is the plain fact that the North American student sorely needs background information on Latin American countries to supplement his study of their laws. As far as his study of North American law is concerned, that background is supplied through the medium of his undergraduate study of political science, history and related subjects, as well as through his own environment and experiences. But to him the countries of Latin America are something new, strange and different. Their various forms of government, customs, and heritages all make for different laws tailored to fit their own special frameworks of Society. It is imperative, then, that these background factors be examined from time to time throughout any course in Latin American law that is not mere curricular window dressing.

It is significant that five of the fifteen chapters in this work are devoted to education. With regard to legal education in particular, the author does not hesitate to point with pride to the fact that Brazil has over twenty established law schools.<sup>6</sup> Or to add that, "the governing classes of the country are made up for the most part of graduates of law school." Other forms of higher education, as well as elementary and secondary training, are discussed exhaustively.

Religion, science, art and industry are all given treatment with a thoroughness characteristic of the author's earlier works. It would be probably both unnecessary and unwise to delve at length into Azevedo's portrayal of progress in these various fields. I think, however, that it would be less than fair if I did not state that I was left with the feeling of having read about the United States seventy-five years ago. But this statement is certainly not meant to carry with it any derogatory undertones. The simple fact is that Brazil, like the United States at an earlier date, is a sleeping giant. Enormous resources lie there in the ground untouched and unex-

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6. It is worthy of note here that Dean Claude Horack, in a recent comprehensive survey, found these law schools to be of high calibre. See Reports of Dr. Claude Horack, *Survey of Latin American Law Schools*, conducted for the Inter-American Bar Association (June 20, 1948-April 20, 1949).

ploited. Just now Brazil and its Latin American neighbors are obtaining the know how and the financial aid necessary to get this stuff from the land and put it to work. Progress and increased national strength as well as increased international bargaining power will soon follow. Nowhere could this point be brought home more clearly than in the pages of the present volume. There are over 500 big pages printed in rather small type. The book took most of the summer to read. But it was well worth the effort. In a nutshell, *Brazilian Culture* is what John Gunther's *Inside Latin America* could have been.

HUGH L. SOWARDS

PROFESSOR OF LAW  
UNIVERSITY OF MIAMI

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FEDERAL TAX REFORM. By Henry C. Simons. Chicago: University of Chicago Press, 1950. Pp. x, 161. \$3.50.

PUBLICATION of this posthumous volume of the late Professor Henry C. Simons' mature judgments on the contemporary federal tax structure completes his distinguished work in bringing to legal education an integrated theory of political economy. Simons sought to bridge the gap that seems to exist at times between the vital and common matter of tax law and the fundamental principles of economics—two studies which must not be allowed to develop in their own little bailiwicks.

Nearly all varieties of social reformers have made common resort to taxation, and have attempted to present their own idea of utopia in a nutshell. In Simons we find a distinguished economist who was well aware that many reforms, however necessary, are often carried to an excess that in turn will need reforming. He is not offering a ready-made scheme for immediate political action, but rather a set of integrated ideas which will inform action, to some extent soon and perhaps to a larger extent as time passes. His incisive essay constitutes a long-run fiscal program.

Although the essay which is now published was prepared in 1943, revised in 1944, and rearranged in a subsequent year, the chapters have been combined into a thoroughly consistent, unified whole. The book is something far better than a mere collection of ideas or essays, for due to the achievement of literary thrift in unifying his studies, he has left for us little, if any, of the difficulties which collections frequently present. Little attempt has been made in the text to eliminate the characteristics which date its compositions; the result is that the essay appears in atmosphere in which Simons wrote—a period that invited bold project for economic policy.

Simons was of the opinion that the proper purpose in designing a tax