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ment that the shipping industry requires some form of regulation. Consequently, Chapter VII is a study of United States' regulation with its limitations and successes.

The organization, procedures, and geographical distribution of conferences in the United States foreign trade are considered in Chapters VIII and IX. Various tying arrangements employed by shipping lines and conferences to secure the loyal patronage of shippers are examined in Chapter X. The effect of tramp-liner competition on steamship conferences is analyzed in Chapter XI. The broad subject of the economics of shipping conferences is attacked in Chapter XII and in the author's own words "suffers from the lack of precise data on profits and freight rates." Nevertheless, Mr. Marx is able to demonstrate that liner trades are governed by two conflicting tendencies; they tend either to develop a monopolistic position or to suffer from the wastes of competition. Chapter XII reviews the nature of prewar international shipping agencies and then evaluates the proposed Intergovernmental Maritime Consultative Organization.

Chapter XIV presents the author's summary and conclusions in which he gives explicit replies to the questions he has propounded and examined in the preceding chapters. The author's conclusions are three: (1) self-regulation is necessary and advisable among the steamship companies; (2) unilateral regulation, aided by an international investigative and consultative body, is needed to prevent undue discrimination and other monopolistic abuses; and (3) competition is required to provide incentives for efficient operation and to prevent excessive profits from being earned for an overly long period.

This reviewer is particularly happy to have "International Shipping Cartels" at his disposal, since current books in the field of ocean transportation are sadly lacking. Mr. Marx's admirable book helps to fill this vacuum in an objective and careful analysis of a segment of our national economy which is too often swayed by emotional critiques rather than by common sense.

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HEBREW CRIMINAL LAW AND PROCEDURE. BY HYMEN E. GOLDFIN. NEW YORK: Twayne Publishers, Inc. 1952. PP. 308. $4.75.

This new work by Hymen E. Goldin presents a well written and skillfully arranged treatise designed to give the reader "an insight into the social life of the ancient Hebrews through an understanding of their criminal law and procedure... and to disabuse those who have totally misunderstood the nature of Jewish criminal law and procedure." Although the work is entitled
"Hebrew Criminal Law," Mr. Goldin proceeds at the very outset to draw attention to the "strange fact" that nowhere does the Jewish system of jurisprudence contain the legal terms "crime" and "criminal law," nor any equivalent language for those terms.

The book is a systematically arranged presentation of the law as written by the great teachers of antiquity—the scribes to whom the earlier interpretations of the law were traceable. They were followed by the "greater" Sanhedrin, consisting of seventy-one members, and the "smaller" of twenty-three, citing (Num. X:16) "Gather unto Me seventy men of the elders of Israel." ** ** "And this assembly, edah, shall judge, and the assembly, edah, shall deliver" (p. 78). Two assemblies are thus signified, one to incriminate the culprit and the other to defend him, each consisting of not less than ten persons. Three more persons were added inferentially, from what is written in Ex. XXIII:2, "Thou shall not follow the multitude to do evil"—the underlying motive of the "majority theory" being that in the end good be done. It was an essential doctrine that every protection be afforded the accused. With the presumption of innocence we have a forerunner of the public defender concept; there is available to the accused the force and dignity of a defensive body equal to the prosecution. Furthermore, since "a court must not be evenly balanced, we must add one more number," making twenty-three.

Mr. Goldin has succeeded in presenting in admirable form a most important period in the history and development of Jewish law and in demonstrating the part it played in the unification of ideas and ideals. These include the concepts of "reasoned and rational basis of individual liability" of transgressors, and the bequeathing of those doctrines to succeeding generations, many of which doctrines form the basis of laws which guide us today.

The concept of "fines" instead of imprisonment was resorted to, not as a vindictive act, but to impress upon the thief that a heavy fine would be levied upon him in addition to making restitution. The sacredness of property rights and the sanctity of private property were so highly regarded that the illegal taking, even to the value of a "perutah" (the smallest coin in circulation), was considered as though the thief had "taken a life." The protection and preservation of property rights today form the backbone of our legal system as evidenced by the mass of reported decisions, both civil and criminal.

The crime of seduction imposed upon the man the duty of marrying the woman he wronged (p. 57). The doctrine that the "king can do no wrong" finds sanction in Jewish law (Mishnah II). Today, too, the sovereign power may not be sued without its consent (p. 83). The principle of modern arbitration is a replica of the rule anciently applied in Jewish law. "Civil cases are tried by a court of three; each litigant chooses a judge, and . . . the judges choose yet another" (p. 89).
Legally qualified witnesses, otherwise competent, were not disqualified because of relationship or interest; the question of weight and sufficiency being for the judges. This was enlightened advance over later medieval disqualifications imposed upon witnesses whereby justice was frequently frustrated and defeated (p. 91). Men of ill-repute could not act as judges, the disqualification applying to "gamblers, dice players and usurers." Relationship of judges to litigants was a disqualification then, as it is today.

Even the doctrines of appeals and applications for new trials received recognition and, as in modern law, the burden of diligence was imposed upon the appellant to make his application for the new trial "within thirty days" if a reversal were sought. Thus, there was the jealous regard for justice with a conscious appreciation of a public policy which demands that litigation end sometime (p. 104). Today's court of record had its forerunner in trials before the judges constituting the Sanhedrin. "Before them stood two clerks of the court, one on the right and one on the left, and they recorded the opinion" of the arguments before the court.

The great modern weapon of cross-examination was not only recognized, but encouraged; "the more cross-examination the more deserving of praise" (p. 121). Judges were required to understand the language of witnesses. Thus, we have the precursor of the court interpreter.

Death by misadventure was not punishable if unaccompanied by negligence; nor was "a court officer, while administering the punishment of flagellation pursuant to the order of the court" punishable for the death of the culprit—just as today the police officer is absolved for injury to a culprit in the course of law enforcement.

This book is a valuable contribution by an eminent authority in the field of Hebraic research. It should prove of great value to the student and teacher alike, as well as to all interested in gaining an appreciation of the earlier sources of the law. The author has performed a distinguished task in the publication of this book. It is a comprehensive yet compact reference work which affords enjoyable reading as well. The volume is well annotated and contains a bibliography, a glossary and an excellent index.

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