

6-1-1947

AN INTRODUCTORY SURVEY OF THE
PLACE OF LAW IN OUR CIVILIZATION, by
Kenneth Redden. Charlottesville, Va. Vichie
Company, 1946.

Ralph C. Binford

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

Recommended Citation

Ralph C. Binford, *AN INTRODUCTORY SURVEY OF THE PLACE OF LAW IN OUR CIVILIZATION*, by Kenneth Redden.
Charlottesville, Va. Vichie Company, 1946, 1 U. Miami L. Rev. 118 (1947)
Available at: <http://repository.law.miami.edu/umlr/vol1/iss2/8>

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.

REVIEWS

AN INTRODUCTORY SURVEY OF THE PLACE OF LAW IN OUR CIVILIZATION, by Kenneth Redden. Charlottesville, Va. Michie Company, 1946. pp. 270. \$4.50.

In a recent published article, Judge Jerome Frank pointed out at some length what he considered the harmful effects that the work of Sir William Blackstone had brought in the past century upon legal thinking both in this country and in England. He concluded his article, however, with one favorable comment in respect to the author of the famous *Commentaries*. This was directed to Blackstone's plan of educating the laity to some knowledge of the fundamentals of our legal system, and Judge Frank commended to present day attention the thought that "our colleges and universities should give orientation courses for students who have no intention of becoming lawyers, telling them, in laymen's English—or, better, in 'American'—the manner in which our courts actually function. Can our government be controlled democratically until knowledge of that subject becomes widespread?"¹

Mr. Redden's book is designed for such a purpose. It is a compilation of well selected excerpts from articles, treaties and court administrative opinions, ranging in subject matter from the general philosophical bases of law to particular illustrations of the doctrine of *Stare decisis* both as stabilizing influence in the law and as principle subject to modification to meet changing social and economic conditions and changing concepts of human rights. Among illustrations of the fact that the doctrine is not one of immutability, and the ever continuing necessity of reconciling "the conflicting claims of liberty and authority," are the opinions of the Supreme Court in the several "Flag Salute Cases," in which the court first held that compulsory flag saluting for school children could not be considered as violating the constitutional right of freedom of religion,⁷ later indicated its belief that it had been wrong in the first case,³ and finally held that such a rule could not be constitutionally enforced against children whose religious convictions were violated by the requirement.⁴

The author, also, without unduly expanding his book, has skillfully selected material showing the place of the lawyer and the courts in our society, and the general manner in which they operate.

The writer of this review found Mr. Redden's book highly inter-

¹ Frank, "A Sketch of an Influence in 'Interpretations of Modern Legal Philosophies.'" (A collection of legal essays in honor of Roscoe Pound), Oxford University Press, New York City, 1947.

² *Minersville School District v. Gobitis*, 310 U.S. 586, 60 Sup. Ct. 1010, 84 L.Ed. 1375 (1940).

³ *Jones v. Opelika*, 316 U.S. 584, 62 Sup. Ct. 1231, 86 L.Ed. 1691 (1942).

⁴ *West Virginia Board of Education v. Barnette*, 319 U.S. 624, 63 Sup. Ct. 1178, 87 L.Ed. 1628 (1943).

esting, and, although this reviewer, being a lawyer, is possibly not fully qualified to judge, he is of the opinion that the contents of the volume are such that the reader without previous legal background will be able to read the book with understanding and profit, and with real interest. Certainly the student who reads the volume will have a far better understanding of the underlying principles of our legal system than does the average college graduate.

The reviewer cannot refrain from remarking on the attractive format of the book which is well bound, of library rather than law book size, and in marked contrast to the flimsily paper bound case books currently published.

RALPH C. BINFORD*

* Lecturer in Law, University of Miami.

MIAMI, ECONOMIC PATTERN OF A RESORT AREA, by Reinhold Paul Wolff. The University of Miami, Coral Gables, Florida. 1945. pp. 172. \$2.00.

Because the role of the lawyer as a business and civic advisor has grown in importance, the necessity that he keep abreast of the economic facts and trends of his community becomes more and more evident. Doctor Wolff, basing his book upon a series of studies made by him in connection with the work of the Post War Planning Commission at the University of Miami, has compiled an economic analysis of the Miami area, which is amply buttressed by statistical material, but is yet concise and readable. In the preface, Dr. Bowman F. Ashe, President of the University of Miami, says that regional studies of this type have been made by numerous agencies of the national government, especially by the National Resources Planning Board, but that, "few, if any, of these studies have dealt with resort areas and none has attempted a complete analysis of the various phases of economic activities in a resort city." Accordingly, the present volume should be of interest not only to readers directly interested in the economics of south Florida, but also to those interested in similar areas as suggestive of probable analogies and profitable lines of economic analysis in their own regions.

The author begins with a chapter on the resources of south Florida as a whole, which he classifies as essentially a frontier area, rich in climate, water, beaches and ocean, but lacking in population necessary for the full utilization of these natural assets. Against this background of sparsely settled frontier country, the Miami metropolitan area stands in marked contrast. Dade County, a large part of which is included within the metropolitan area, has a population density of some 130.4 persons per square mile as contrasted with 27 persons per square mile in south Florida as a whole. Moreover, the same contrast exists in respect to the growth of the metropolitan area as contrasted with the "back-country". This element of growth in the urban center and the still existing potentialities of expansion of the resort area are factors dealt with more particularly later in the book. Despite agricultural and other opportunities, it seems to be clear that the growth of the metro-