

BOOKS RECEIVED

Housing Crisis U.S.A. JOSEPH P. FRIED. Baltimore: Penguin Books Inc., 1972. Pp. 250. \$1.45 (forward by John V. Lindsay). After nearly two years of exposure to the slum areas of New York as real estate and housing editor for the *New York Times*, Joseph Fried experienced depression and a sense of futility in writing repeated stories of anger and despair in Brownsville and the Bronx. Fried's examination of government reports and academic studies revealed that the same conditions were repeated throughout the country in urban and rural areas as well.

In his detailed and in-depth analysis of the housing crisis in America, the author concludes that much of the blame for the problem can be attributed to local, state, and most significantly, the federal government. Summarizing the efforts of the federal government over the last four decades, Fried observes that Washington's programs have "immeasurably" aided the housing circumstances of middle class America; while in contrast, three decades of federal activity has produced little for the poor and near-poor.

Far from offering an optimistic outlook for the future, Fried asserts that the situation is not likely to improve until the nation's priorities are re-evaluated.

John Marshall. STANLEY I. KUTLER, editor. Englewood Cliffs: Prentice-Hall, Inc., 1972. Pp. xi, 179. \$2.45. This text is one of the *Great Lives Observed* series of autobiographies published by Prentice-Hall. In addition to autobiographical material, the first half of the book contains excerpts from some of Marshall's most famous opinions. From his appointment as Chief Justice in 1801, the book traces Marshall's role in the establishment of a strong, independent national judiciary, with illuminating discussions of *Marbury v. Madison*, *McCulloch v. Maryland* and *Barron v. Baltimore*, among his other famous cases.

The second half of the book consists of a collection of writings by historians and Marshall's contemporaries. Comments by men such as Thomas Jefferson, John Adams and Joseph Story as well as historians Robert Faullener and William Crosskey evaluate Marshall's contributions toward the development of American constitutional law. Mr. Kutler has provided us with an interesting view of a man, who despite his reputation as a "super conservative," molded the judicial power of the United States as an

instrument for the realization of the purposes and potentialities of the American people.

Law in a Changing Society. WOLFGANG FRIEDMANN (2d ed.). Baltimore: Penguin Books Inc., 1972. Pp. 580. \$3.25. This book, whose main theme is the dual function of the legal order as reactor to, and initiator of, social change, is a revised second edition of a work published in 1959. The late Professor Friedmann, in the first edition, demonstrated the interrelationship of legal systems and their social frameworks. The second edition considerably expands this material. The author discusses the law as an agent of social change and as an element in a complex process of systems analysis. He comments on the prevalent tendency to consider the law as a separate function and discipline even in the face of the growing need for closer interaction of technical, economic, social, environmental and legal decisions. Reasons are given as to why the society of the seventies should, in the light of rapid social change, take a somewhat different view of the role of the law and the function of the lawyer. Professor Friedmann envisions the coming role of the lawyer as a more socially vital one—more in line with the concept of “general counsel” of an American corporate structure: someone who looks to the wider social, economic, and political implications of a problem rather than the narrow defense of a specific interest.

The Murle: Red Chiefs and Black Commoners. B.A. Lewis. Oxford: Oxford University Press, 1972. Pp. 166. £3.25. The idea that a society that has a primitive economic base necessarily has a primitive or undeveloped legal system is a very common one amongst those who have not examined the growing literature on primitive legal systems. In his study of the Murle, a Nilo-Hamitic people of the southern Sudan, Lewis demonstrates clearly the remarkable degree of legal sophistication displayed by these herding peoples. Not only have they formal court proceedings, but extensive use is made of precedent in the determination of the results of cases. An American lawyer who was present at the proceedings in an important case would, in fact, have no problem recognizing the legal methodology followed in presentation of evidence and reaching decisions.

The book, which provides a prolegomena to the complete ethnography of the Murle, shows clearly the relationship between

legal and other institutions and provides an excellent introduction to the study of primitive law for the novice in the field.

Wall Street: Security Risk. Hurd Baruch. Baltimore: Penguin Books Inc., 1972. Pp. 356. \$1.50. Mr. Baruch, a senior staff member with the Securities and Exchange Commission, in a review of the events of the turbulent activities on Wall Street, manages an outspoken attack (principally on the exchanges) for coddling their members and for permitting misuse of customers' funds. The author is also critical of the New York Stock Exchange for failing to properly deal with the brokerage firms operating without adequate capitalization.

It is suggested that the consumer ethic be broadly extended to the area of security purchases. Additionally, Mr. Baruch chides Congress for consistently under-funding the Commission, thus preventing it from carrying out its oversight activities on a more significant scale.