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## Book Review

Salvatore J. LoPresti

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the sociopathic personality which emerges out of an inability to relate to people. Other essays deal with the authoritarian personality's attitude toward racism and anti-Semitism, and the psycho-cultural characteristics which tend to persist in a racist culture: religion, caste and heredity.

Part III then examines cultural evil as an interplay between the effects of institutions and knowledge clouded by the dominance of an obsolete ethic. Part IV contains several essays which deal with social-psychological resistance to evil, and the Epilogue provides certain strategies for continued research.

Thus, the document is primarily a research tool, and was, in fact, offered originally as a research symposium. The lawyer tends to seek logical, provable answers to acts of violence, while social research has traditionally had little applicability to courtroom techniques. Acts of violence which are attributed to individual acts of insanity aside, no grand jury, presidential commission, or other investigatory group has been able to explain with any certainty what caused the otherwise isolated acts of destructiveness at Jackson State and Son My. In documenting the conditions for social destruction and societal sanction, the authors have made it quite clear that the future offers more and better opportunities for the process of social destructiveness to re-occur.

*Reviewed by Salvatore J. LoPresti\**

LAW AND THE SCHOOL SUPERINTENDENT, National Organization on Legal Problems of Education (W. H. Anderson Co., Cincinnati, Ohio, 1971), 295 pp.

The dictatorial schoolmaster, whose autonomy and control were sacrosanct in the isolated classroom, has passed into extinction with the red brick schoolhouse. With his passing came the birth of the professional administrator, the school superintendent, whose realm has been extended to many interdisciplinary fields, and whose responsibility has become subordinated to the laws and societal realities outside the ivory tower.

Conscious of increasing interrelations between schools and the law, the writers of *The Law and the School Superintendent* have set forth basic rules of school law for the benefit of school superintendents who may not fully understand the legal ramifications of their work.

Included within the book's scope are lay-oriented explanations and illustrations of the statutory bases of superintendents' offices, the superintendent's concern regarding the church-state relationship, various concepts of school integration and race relations, and problems of collective bargaining and teacher negotiations, along with realistic evaluations of the crises facing contemporary education.

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\*B.A., Kent State University; Fourth-year student, Cleveland State University College of Law; Teacher, Cleveland Public Schools.

The authors, various experts affiliated with the National Organization on Legal Problems of Education, succinctly reduce many of the complex rules of law applicable to school superintendents to comprehensive guidelines for school administration.

In the second of four major sections, for example, the authors introduce the expanding problem of "false de facto" segregation. This is the "author's term for situations where the separation of the races in a public school outside the South was caused or encouraged by direct acts of the board of education at some time".

The leading case in connection with "false de facto" segregation is the district court decision of January, 1961, *Taylor v. Board of Education*, 191 F. Supp. 181 (S.D.N.Y. 1961). Allowing white students to transfer while not permitting blacks to do so, the board created a virtually all-black school. By its failure to take action, the board did not implement the recommendations of a group of psychologists, and participated in a number of acts which were "not the conduct of a public body seeking in good faith to reach a legitimate solution to racial problems".

Perhaps the most interesting section in the book concerns collective negotiations and communications, current problems which seem to greatly trouble superintendents today. This section approaches the growing problem of confrontation with a now more militant and vocal group of teachers. Generally, problems of collective bargaining, strikes, grievances and arbitration are set forth by the authors.

With the advent of the American Federation of Teachers, a division of the AFL-CIO, came the developing philosophy, "professional negotiations". "Some writers give emphasis to the case of *Norwalk Teachers v. Norwalk*, 138 Conn. 269, 83A.2d 482 (1951), as the starting point in the general development of collective bargaining in the schools."

Growing more controversial is the topic of free speech in the school. The authors attempt to clarify many of the emerging complexities which have arisen in this area of the law.

In conclusion, the book treats the legal liability of the superintendent in regard to all areas considered. The authors place him in a position requiring caution, warning him of his duties to the school and the individuals within his control.

This book is an attempt to inform the public school superintendent of the legal problems and consequences governing his position. The authors have done a more than adequate job of informing the reader about these areas. They discuss each area in brief terms aimed at the non-lawyer. A simple explanation of general concepts of law and legal

research, the book is well worth the experience for a short, easily comprehensible introduction to the problems of the school and its superintendent.

*Reviewed by Beverly H. Briggs\**

**BUSINESS IN THE HUMANE SOCIETY**, by John J. Corson, McGraw-Hill Book Company (New York 1971), 314 pp.

On Labor Day, 1969, President Nixon told the nation's governors, "The central race in the world is neither an arms race nor a space race. It is a race between man and change." Thomas Jefferson, a century and a half ago, said, "With the change in circumstances, institutions must advance also to keep pace with the times."

The humane society is the result of evolution of decades of forces of change. A new concept of social structure is growing—the first in history to be based on the demands of the individual to make all the benefits of civilization, in general, available to the entire human race. This is not a welfare state by any means. It is a more ambitious concept than that of the 1940's and 1950's.

Business will have a major role in framing this society which is based on public interest. So, just where do the businessmen stand? Most businessmen think in terms of the welfare of the individual firm—the single enterprise, of making a profit in the enterprise. Now, though, the thinking and acting of businessmen must, and is, slowly changing to encompass the concept of what is in the best interests of all members of society. Spokesmen for business, for labor, for farming, and for medicine will contend that with a myopic concentration on their own interests, they are advocating what is in the public interest.

Public interest is the key to this new horizon for society; but, the public interest has as many definitions as the journalists, educators and politicians can contrive. It can be said that public interest is the reflection of the changing values of the contemporary society, illustrated by the evolution of the industrial society, the post-industrial society, and the now emerging humane society.

Government, the executive and the legislative branches, acting as an impartial determiner of the public interest, is of growing importance in our complex, industrialized society. The president, who has the obligation to serve both private business and the public interest, must perform a monumental balancing act between the two factions. Furthermore, within the structure of a democratic government, he must emerge as a conduit through which policies are brought to the final determining force, that of the power of the people at the

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\*B.B.A., Cleveland State University; Third-year student at Cleveland State University College of Law.