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## Book Review

Robert A. Richardson

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As long as metallism prevailed, nominalism could not come to the front in theory or in practice.

For centuries monarchs and states financed their operations by paying their debts in debased coins. That principle is still operating at the present time. Since the turn of the century, the value of money has constantly changed. The nominalistic principle is followed world wide but is even more strictly adhered to in Anglo-Saxon countries.

The author also explores some alternative approaches, such as the valoristic approach. This modern theory emphasizes the purchasing power of money while disregarding its metallic cover. Another alternative approach is revaluation, primarily an emergency law. It attempts to solve the problem created by the breakdown of nominalism. Mr. Hirschberg spent much time describing the German revaluations that followed the rampant inflation that occurred after World War I. The German revaluation achieved fame as it was the most important deviation from the nominalistic principle in the twentieth century.

Mr. Hirschberg's research monograph has presented an excellent analysis of the monetary problems that have persisted for centuries and that are still with us today.

*Reviewed by Robert A. Richardson\**

THE PROFESSION OF LAW by Patterson & Cheatham, (Foundation Press, Inc. 1971), Mineola, New York, 489 pp.

THE PROFESSION OF LAW, written by Professors L. Ray Patterson and Elliott E. Cheatham, provides a useful resource tool in an area too long neglected in American legal education. For many lawyers, the failure of their law school courses to consider the responsibilities of lawyers as members of their profession may contribute to a failure to give sufficient thought to these responsibilities at any time in their legal careers. The book to be reviewed focuses attention upon these responsibilities, not only in the oft-discussed context of the courtroom, but throughout the broad spectrum of the lawyer's duties.

As the authors state, their work engages in a search for the basic responsibilities and standards of the profession. It inquires as to what standards and what organizations will best enable the profession to carry forward its varied responsibilities. These questions are considered in the context of various roles and situations in which a lawyer may find himself. Topics included are: (1) fundamentals (roles, realities and standards); (2) the lawyer at work (trial, consultation and compromise in the legislative, judicial, private and administrative processes); (3) the judiciary; (4) the lawyer and client; and (5) the structure of the profession.

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In discussing these subjects, the book provides the student with a wide-ranging consideration of issues he will encounter as a practicing lawyer, so that, hopefully, he will recognize and therefore, give adequate consideration to questions of professional responsibility which will arise throughout his career. While a portion of the material of necessity discusses ethical and role problems which are apparent and require no special insight to recognize, many insights to problems which might otherwise be overlooked are also provided. For example, a client will often be punished by sanctions such as reversal of a decision, for the error or misconduct of his lawyer, while the lawyer may suffer no direct adverse consequences.

Also highlighted, is the fact that standards developed for adversary proceedings are often employed in inappropriate contexts. A distinction is drawn between the role of a courtroom lawyer who, when defending a murderer, must avoid imposing his moral judgment in order to defend his client to the best of his ability, and the role of the business attorney serving in an advisory capacity before his client has acted.

The book considers areas of particular contemporary relevance such as representation of the poor, professional opportunities for minorities, the problems inherent in the present system of automobile negligence, insurance and litigation, the effect of specialization and practice in large law firms, and the role of the law in effecting social change.

While the book is successful in bringing the reader's attention to these problems, there is often a lack of depth in the content of the discussions of the issues highlighted. The authors often rely upon unreasoned opinions or moralistic conclusions rather than providing careful analysis of the often complex issues being considered, or logical support for their conclusions. Thus, in discussing the role of a lawyer as advisor, the authors do not discuss the moral issues in depth, but simply state,

The lawyer who advises his client to . . . infringe a copyright because the owner will not be in a position to know or to bring suit *is being cheap and petty*. Decent lawyers would avoid such situations. (Emphasis added.)

Or, in discussing trust among lawyers, a simplistic reason is stated for a complex problem:

A troublesome aspect of the American legal profession is that advocates in the trial of cases do not trust each other. they do not *because* there is *no professional responsibility* for them *to be fair* in their relationship. The cost of this lack of trust in terms of time and effort and energy is incalculable and the cost goes for nothing. (Emphasis added.)

While more detailed and careful analysis might have been desired, the broad coverage of important subjects is to be commended.

For contemporary students must not only be aware of their responsibilities in their roles as lawyers, but must also reach reasoned conclusions concerning the proper limitations of the role of lawyers and the law. In contemporary society, as increasing numbers of young persons turn to careers in the law, as attempts are made to increase the areas of human endeavor to which the law is applied, as society becomes more complex and the law appears more vulnerable and less respected, the subjects covered by this book are of paramount importance.

A qualified professor or other discussion leader can provide the in-depth discussion of the issues raised which they deserve. Used in such a context, *The Profession of Law* will be a valuable learning aid.

*Reviewed by Charles G. Sabo\**

WHAT TO DO WITH YOUR BAD CAR: An Action Manual for Lemon Owners; by Ralph Nader, Lowell Dodge & Ralf Hotchkiss (Bantam Books, Inc., New York, N. Y., 1971) 241 pp.

THE TITLE OF THIS BOOK tells the reader exactly what it is—an action manual. It shows the consumer what strategies he may employ in getting rid of, or getting fixed, his defective car—his *lemon*.

Approximately one half of this book tells what the consumer can do (action) and includes information on complaint procedures, legal remedies, self-help and “last resorts”. Some of the best advice given to the reader informs the frustrated consumer when he will need an attorney, and includes several legal strategies that an attorney may use in curing or remedying a consumer’s frustration. The legal remedies are footnoted, well-explained, and give a good summary of consumer auto remedies cases based on contract and tort law. These remedies reach from stopping of payment of a check to class actions. Special emphasis is made to encourage the reader to contact a young lawyer who will have the conscience to take the case even though no large economic rewards will be reaped in this kind of suit; there is a lesser chance that an established law firm will take the case.

Law professors and students will find this action manual a valuable supplemental source to a course in commercial law or consumer remedies. Any local public action group will discover that this is a worthwhile guide on how to help a consumer at minimum cost and with the least amount of legal action. Since lawyers, law students and law professors are consumers too, the information on how to avoid buying a lemon, how a letter from a lawyer for a client can often have favorable results, and the meaning of the code on a tire, can be used for both consumer and professional advantage.

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