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### Book Review

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ultima thule.<sup>1</sup> One may very well get the impression that a lawyer's task resembles an experienced gambler hoping his number turns up after the die is cast.

"Rules of law don't decide cases" is, according to the author, just a sober recognition that in many cases, rules of law do not present a clear guide; they are equivocal and changeable. Of course they are. But why overly emphasize the pathological in a discipline where the normal case is already pathological? The vast majority of cases are decided without overruling prior decisions. Revisions of casebooks and treatises are mainly reorganizations and substitutions of newer and better cases, not wholesale discarding of rules of law.

No one doubts that a practitioner cannot ignore other factors. Most entering law students mistakenly believe that the law is certain, immutable, and easily determined. Presumably, the practicing attorney knows better. Professor Cooper's book has the merit of dispelling, without ceremony, that student belief. In this way, he does help to bridge the gap between school and practice. This accomplishment alone makes *Living the Law* "must" reading for the student.

<sup>1</sup> It is interesting that of the many books written on the methods of *ultima thule*, the author cites only Cardozo, Frank, and Llewellyn (p. 68, n. 27). Here would have been an opportunity to devote a couple of chapters to the problems of jurisprudence, presenting other views besides legal realism.

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*Reviewed by Anthony R. Fiorette\**

DOUGLAS OF THE SUPREME COURT, A SELECTION OF HIS OPINIONS, by Vern Countryman. Published by Doubleday & Company, Inc., Garden City, N. Y.; 401 pp.; 1959.

The author presents a brief and interesting biographical sketch of Justice Douglas. Then follows a selection of sixty-nine opinions from nearly six hundred written by the Justice in the twenty years he has been a member of the Court.

The author organizes the selected opinions into four categories: (1) Powers of Government; (2) The Economy; (3) Fair Governmental Procedures; and (4) Liberty. This arrangement clearly portrays the Justice's philosophy and thinking on the highly controversial questions confronting our generation. The

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reader, whether he be a lawyer or a layman, will entertain little doubt as to how Justice Douglas stands on these constitutional issues.

For lawyer and layman alike, the author has made reading the material a very simple task. Preceding each opinion is a statement of the background, the constitutional provision involved, and the facts of the case, without tedious or technical discussions or citations. In this manner the reader is eased into reading the opinion with a clear understanding of the nature of the controversy and the issue to be determined.

For the layman, the opinions set forth under the heading of "Liberty", dealing with free speech, free press, freedom of religion, the right of privacy, liberty and security, could well serve as a text book for study and reference.

For the lawyer, the book provides a more comprehensive view of Justice Douglas than could be obtained from reading his opinions as they are made from time to time.

In the opinion of this reviewer, this is the type of book that should be in everyone's home library, as well as in law libraries.

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*Reviewed by Robert L. Lewis\**

MODERN CORPORATION LAW, Vol. 2, *Management of the Corporation*, by Howard L. Oleck. Published by Bobbs-Merrill Co., Inc.; Indianapolis; V and 913 pages (1959). (Second volume of a 5 volume set.)

One of my partners, a man of stature and standing at the Bar, has stated that the most successful corporation lawyer is the one with the "family lawyer" approach. The once narrow field of corporate law has become so broad that the specialist who does not limit himself to a particular narrow phase of it today finds himself considered, again, a general practitioner. The day is past when corporate counsel's services consisted of rendering opinions as to problems of ultra vires (the unfortunate addiction of so many law school professors) or, for example, questions of de facto as opposed to de jure proprieties, on which so much time and space is usually wasted. More frequently he

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\* Of the law firm of Ulmer, Berne, Laronge, Glickman & Curtis of Cleveland, Ohio; specialist in corporation law practice; formerly (for 10 years) law school instructor in corporation law; etc.