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## Book Notes

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# BOOK NOTES

DEBTORS IN COURT: THE CONSUMPTION OF GOVERNMENT SERVICES. By Herbert Jacobs. Chicago: American Politics Research Series, Rand McNally & Co., 1969, Pp. xv, 244.

Herbert Jacobs studies wage garnishment and consumer bankruptcy as a research project in political behavior and compares the use of these remedies with their impact on the courts, the individual, and the political system. As a work of political science rather than a legal treatise, the book focuses on consumption of these government services (*i.e.*, garnishment and bankruptcy) as correlatives of political demand that affects the degree of support or opposition to the administering agency or government. In seeking to establish links between the use of wage garnishment and bankruptcy and the actions of public agencies, the author addresses himself to two major questions: under what circumstances do creditors and debtors use the courts, and what political and social consequences flow from this use of the courts? To answer these questions, Jacobs explores the use of wage garnishment and bankruptcy proceedings, inter-city differences in their use, and the attitudes of those who have used these proceedings towards the administering body. Throughout this brief yet thorough analysis of these two areas of citizen-government contact, the author stresses that future studies of this type are necessary if political scientists are to thoroughly understand the impact of public policy on political attitudes, for, as is demonstrated by this work, political behavior involves consumptive as well as electoral activities.

THE INFAMOUS OF NUREMBERG. By Col. Burton C. Andrus. London: Leslie Frewin, 1969. Pp. 211. \$4.00

This book describes the incarceration, trial and punishment of twenty-one of Nazi Germany's most influential leaders, including Hermann Goering, Joachim von Ribbentrop, and Rudolf Hess; all were defendants at the Nuremberg war crimes trials. The author, former warden of the Nuremberg prison, was in constant personal contact with these men and bases his observations on his extensive memory and over 13,000 documents in his personal files. In addition to recounting the special remodeling of the prisons housing these men, Col. Andrus outlines the extensive security measures taken to prevent suicides by the inmates and invasion by outsiders. The most interesting

parts of this book contain brief physical and mental descriptions of the prisoners, including psychological profiles compiled by attending psychiatrists. The author also notes the inmates' reactions to the Nuremberg trial and the final words and conduct of those subsequently executed. Although this book often is used as a forum to answer the author's critics, it nevertheless provides insight into the personalities of some of recent history's most despised figures.

LABOR AND THE LEGAL PROCESS. By Harry H. Wellington. New Haven: Yale University Press, 1968. Pp. viii, 409. \$10.00.

Beginning with the clash between collective employee actions and common law conspiracy, the author traces the development of collective bargaining to its dominant position in present national labor policy. The emphasis, however, is not historical. Instead, the author seeks to explain how law, through judicial and legislative action, has shaped labor policy. After establishing a theoretical framework, he isolates major problem areas and makes a detailed analysis of the role played by the legal process in dealing with the political, economic, and social forces that have placed collective bargaining at the center of labor policy. Two problems, major strikes and inflationary settlements, receive particular emphasis. Although new methods of legal control are believed necessary to resolve major labor disputes, the author argues that our underlying commitment to collective bargaining should not be ignored in establishing those controls. In the settlement of labor disputes he sees the emergence of a new goal: fairness to the public as well as to the parties in the resolution of economic conflicts. One way to achieve this goal is for government, through control of collective bargaining, to channel the parties into settlements consistent with public fairness and with national economic policy. Other problems analyzed in light of collective bargaining include the duty to bargain, judicial review of arbitration agreements, the no-strike clause, the status of the individual in the collective structure, and the use of political power by unions.

OBSCENITY AND PUBLIC MORALITY. By Harry M. Clor. Chicago: University of Chicago Press, 1969. Pp. xii, 315. \$9.50.

This book by Professor Clor of Kenyon College explores an

enduring and problematic issue confronting citizens in a liberal society. Obscenity and censorship have been matters of particular concern over the past decade as evidenced by a number of major court decisions, the tightening of postal regulations, the clamor for congressional actions, and the proliferation of questionable material for consumer consumption. Allegedly obscene material involving sex, nudity, violence, and related subjects enjoy an ever-expanding market. The author asks whether the prevalence of the interests and attitudes indicated by the popularity of such material poses a social problem to which secular government should address itself. Also raised is the corollary question: what, if anything, should the law undertake to do about the problem if indeed the governmental apparatus is warranted in facing it? From one end of the spectrum to the other, Americans are deeply and passionately divided on the subject. At one extreme are libertarians who regard *any* censorship as totalitarian and violative of the first amendment; on the opposite end are strict moralists who believe that substantial censorship is essential to retard the spiraling moral decay of Americans. Between the extremes are those who, for varying reasons, wish to accommodate the divergent interests and provide a mutually agreeable solution. Unfortunately, no compromise solution seems acceptable to those who are rigidly polarized on the obscenity-censorship issue. This, the author suggests, poses the greatest problem of all, since the divergent groups, unwilling to accept compromise, will continually frustrate and combat private efforts at conciliation, thereby precipitating the dominance of one of the extreme views. Professor Clor's thesis seems to be that this irresolvable conflict presents a rational basis for governmental intervention; censorship by government would both solve private conflicts and prevent extremist tyranny—provided, of course, that the governing agency takes an “enlightened” approach. With this basic thesis as a background, the author examines the obscenity-censorship controversy, explores the legal difficulties involved, and analyzes various allegedly obscene materials which have stirred debate. He proposes a test of obscenity which, in his opinion, demonstrates that *Fanny Hill* is obscene literature while *Lady Chatterley's Lover* is not. This test is an integral part of the author's major purpose: to contribute a philosophy of censorship designed to do justice to the public interests in morality, free expression, and literature.

