

BOOKS RECEIVED

THE MAKING OF THE NEW DEAL. THE INSIDERS SPEAK. Ed. by *Katie Louchheim*. Cambridge, Mass. & London: Harvard University Press, 1983. Pp. xxi, 368, index, biographies of contributors, biographical notes. \$20.00 hardcover.

The functioning of the American government during the New Deal may be viewed from an unusual perspective through this book, which seeks to gather the reflections and recollections of some of the men and women who participated in restructuring American government in the 1930's. Twenty-four separate aspects of the New Deal are viewed and evaluated by those who had firsthand knowledge of the events, programs, and controversies. The reminiscences are personal and amicable, rather than critical. The book obviously seeks not so much to explain, justify or assess the political and economic facets of the New Deal, as to provide insight into the humbler, more human aspects of this period in American history. Brief biographies of the book's numerous contributors are also provided at the end.

STRATEGIES FOR MANAGING NUCLEAR PROLIFERATION. Ed. by *Dagobert L. Brito, Michael D. Intriligator and Adele E. Wick*. Lexington, Mass.: Lexington Books, 1983. Pp. xii, 311, notes, references, comments, figures and tables, index. \$32.95 cloth.

The essays composing this book are the product of a conference held at Tulane University on April 23-25, 1982, where academic and government authorities gathered to consider new approaches to the problem of nuclear weapons proliferation. The themes that emerged at the conference, which the book explores through numerous individual essays, include: (1) an increased emphasis on political and economic determinants of proliferation, rather than merely technological factors; (2) greater reliance on economic and statistical techniques; (3) shifting concern from preventing proliferation to managing the spread of nuclear weapons, with particular emphasis on the relationship between proliferation and stability. The work also devotes special attention to the consequences of nuclear weapons proliferation in the Middle East and South Asia.

LOW TAX, SIMPLE TAX, FLAT TAX. By *Robert E. Hall and Alvin Rabushka*. New York: McGraw-Hill, 1983. Pp. iv, 132, notes, references, index, appendix. \$9.95 paper.

This volume contains one of the more elegant and cogent arguments for major reform of our tax system. The authors' ideological perspective is conservative, evincing an implicit faith in "trickle down" economics. Yet the analysis of our current system's shortcomings and the treatment of the obstacles facing tax reform retain broad appeal. An entire chapter, for example, is devoted to the practical difficulties of making a transition to a flat tax. The authors' point of aim is clearly the layman; an entire chapter follows a question and answer format designed to quell the objections most commonly advanced against a flat-rate tax. The aim is also clearly political: the work is addressed to "The President of the United States and Members of the United States Congress," and contains a comparison of the authors' plan with major tax bills currently before Congress. For those concerned with major tax reform the book is required reading.

MIMICKING SISYPHUS: AMERICA'S COUNTERVAILING NUCLEAR STRATEGY. By *Louis René Beres*. Lexington, Mass.: Lexington Books, 1983. Pp. xiii, 142, notes, index. \$11.95 paper.

Under the Reagan Administration, the author argues, America's defense posture

has shifted from a strategy of minimum deterrence, designed to maintain the smallest nuclear arsenal necessary to deter aggression, to a strategy that emphasizes targeting an enemy's strategic military capability, and maintaining a nuclear arsenal sufficient to fight a war extending over a period of time and involving nuclear exchanges. The author seeks to expose the false assumptions upon which he asserts this strategy resides by critically analyzing American policy on limited nuclear war, nuclear deterrence, and arms control. Beres maintains that nuclear war can never be rational and cannot be survived. The solution begins in a return to the principle of minimum deterrence, and the author's concluding chapter proposes steps whereby a significant reduction in strategic forces could be effected by all sides.

THE ATLANTIC CITY GAMBLE: A TWENTIETH CENTURY FUND REPORT. By *George Sternlieb and James W. Hughes*. Cambridge, Mass. and London: Harvard University Press, 1983. Pp. x, 215, index, tables, notes. \$16.50 hardcover.

A progress report of sorts is provided on New Jersey's attempt to use casino gambling to revitalize the Atlantic City area. While the casinos have proved to be both popular and profitable, the social and economic costs have also been high. The authors focus on these costs, with particular attention to the crime rate, housing situation, and job market as they existed both before and after the advent of the casinos. After weighing these elements the authors conclude that in New Jersey the costs of casino gambling, as a means of economic revitalization, have outweighed the virtues.

BEYOND THE WASTE LAND. *A Democratic Alternative to Economic Decline.* By *Samuel Bowles, David M. Gordon and Thomas E. Weisskopf*. New York: Anchor Press/Doubleday, 1983. Pp. xii, 465, notes, index, appendices. \$17.95 hardcover.

The authors, all economists, put forward this work as an answer to Reaganomics. In the course of their analysis of American economic maladies, the authors reject, among other theories, both zero-sum and supply-side economics. Their own "democratic alternative" reflects the conviction that the American economy falls short of its potential production, wasting both time and resources, due to the costs of supporting unproductive private corporate concerns. The authors maintain that the answer lies in stopping our subsidy of the private corporate waste of valuable resources. In their concluding chapters the authors set forth a variety of programs through which American resources might be turned to more productive use.

THE LITIGIOUS SOCIETY. By *Jethro K. Lieberman*. New York: Basic Books, 1983. Pp. xii, 212, notes, index, index of cases. \$6.95 paper.

When first issued in hardcover in 1981, this work received considerable attention. The paperback edition, released in October, 1983, supplements the text with a four page introduction wherein the author responds to criticism of the book and takes note of an increasing trend toward alternative dispute resolution devices. The text itself is no less pertinent than when originally issued. Our society is portrayed as one fastidiously concerned with the redress of individual wrongs. Lieberman examines in particular detail the explosion in tort litigation, with separate chapters allocated to product liability and medical malpractice. Yet his stance remains not so much that of a social reformer, as an observer. Criticism of our litigious society may be implicit in the author's tone, but his apparent conclusion is acquiescent: at this point in the development of our society litigation is the price we pay in developing a free and just society.

LAND USE ISSUES OF THE 1980s. Ed. by *James H. Carr and Edward E. Duensing*. New Brunswick, N.J.: Center for Urban Policy Research, 1983. Pp. xv, 325, index, bibliography. \$12.95 paper.

Numerous separate readings compose this work, covering a broad range of contemporary land use planning issues. Four main topics are analyzed: factors affecting land use demand; institutional controls on the supply of land; modifying land use regulation; and future land use considerations. Each topic is developed through individual, largely unrelated essays focusing on a particular aspect of the subject. Most essays are reprints from earlier, independent publication; many contain notes and references.

JUSTICE WITHOUT LAW? *Resolving Disputes Without Lawyers*. By *Jerold S. Auerbach*. New York: Oxford University Press, 1983. Pp. xiii, 182, index, notes. \$16.95 hardcover.

Auerbach, having argued in his earlier book, *Unequal Justice*, against the operation of the American legal system, now puts forth something of an alternative. *Justice Without Law?* examines closely the social fabric of early American life in an attempt to show how certain groups succeeded in resolving disputes without resort to the complex legal formalities we now take for granted. Law, the author maintains, has become our national religion; lawyers our priesthood. Only in a return to the values of community life, Auerbach maintains, wherein shared responsibilities are elevated above individual rights, may there be seen a hope of escaping the inevitable rigidity and inequality of the rule of law.

DURKHEIM AND THE LAW. Ed. by *Steven Lukes and Andrew Scull*. New York: St. Martin's Press, 1983. Pp. 241, index, notes. \$29.95 hardcover.

The editors have brought together in a single volume that portion of the writings of Emile Durkheim containing his theories of law, in addition to providing original translations of a number of Durkheim's essays on the sociology of law. In a lengthy introduction the editors attempt to set forth the hypotheses of law that emerge from Durkheim's disparate writings, the criticisms that may be set against his theories, and the ultimate relevance of Durkheim's sociology of law.

HOW COURTS GOVERN AMERICA. By *Richard Neely*. New Haven and London: Yale University Press, 1983. Pp. xvii, 233, index. \$7.95 paper.

This work, issued in hardcover in 1981, has now come out in paperback. The author, although only forty-one years old, is Chief Justice of the West Virginia Supreme Court of Appeals, the state's highest court. He writes with a rather witty, distinctly undeferential air, on the cooperation and competition between the courts, and the legislative and executive branches. His book serves, on the whole, as a defense of the role of courts in American society. The defense, however, is never high-toned or self-serving. With an amusing, anecdotal style, Justice Neely seeks to demonstrate that courts are, at least, no less undemocratic than the legislative and executive branches.

*James C. Murphy**

* B.A., University of Kansas, 1979; J.D. Candidate, Notre Dame Law School, 1984.