

of the magnitude of its job. At the beginning of the present Administration it included 18 men. Today it has approximately 200 (p. 276). (3) Due in large part to the small staff, enforcement was previously left to a great extent in private hands, which was not so good from the public point of view.

The present methods of enforcement include widespread criminal prosecutions aimed at all the restraints in a given industrial situation with a follow-up by one or two men to preserve the gains so made. The civil decree is also utilized to fix the limits beyond which collective action may not go (p. 154).

The author justifies (Ch. XI) the application of antitrust laws to labor organizations when they are acting against the public interest in matters which are not reasonably connected with wages, hours, health, safety or the right of collective bargaining.

The book will be criticized by purists because of its broad generalizations and its frequent quotation of "scare headlines" and other unorthodox devices. To this reviewer it is a most interesting description of the philosophy and work of the present Antitrust Division. It is to be hoped that it accomplished its purpose of enlisting public support for that which can be a most important function of government.

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THE CHANGING AMERICAN LEGAL SYSTEM. *Francis R. Aumann. Columbus: The Ohio State University Press, 1940. Pp. x, 281. \$2.25.*

William Howard Taft, in an address before the American Political Science Association in 1917, said, "The greatest question before the American people is the administration of justice, civil and criminal, both in the matter of its prompt dispatch and the cheapening of its use." The same person also remarked that the "administration of criminal law is a disgrace to our civilization." Obviously, questions of reform of our legal system have been overshadowed by problems arising out of the Great Depression and out of World War II. The administration of justice is still the primary object for which government exists, however, and reform of our legal system is still basic to progress in other fields of governmental action. While it would not be correct to say that judicial reform stands first in public demand today, it is, nevertheless,

correct to say that people are still dissatisfied and the old definition of courts as "places where justice is dispensed with" still prevails in the public mind.

Much of the maladministration of justice in this country arises out of the impact of urbanization. Our legal system was created for a rural way of life and it has not kept pace with the transformation of our civilization from a rural to an urban type of existence. This lag, in both its civil and criminal aspects, is most pronounced in cities. It arises from a failure to adapt our legal system to the underlying facts of the complicated urban commercial and industrial structures and to the crime problem engendered by the peculiar social and economic life of cities.

There are two aspects of the problem. There is, first, the question of the soundness or unsoundness, from the standpoint of public policy, of the legal rights and obligations, which it is the business of government to protect and enforce. Second, there is the question of the efficiency of the processes and agencies by which such rights and obligations are to be effectuated.

Professor Aumann has not undertaken a critical evaluation of our legal system. Rather, he is primarily interested in *understanding* it, and he realizes that the roots of the present lie deep in the past. In this he is quite right; to understand the legal system today, it is necessary to picture its background. Professor Aumann has not undertaken to present a complete history. Dr. George W. Rightmire, President Emeritus of The Ohio State University, in a Foreword to the volume, characterizes it as "a handbook—a mirror—of the development of the legal system of the American states." Professor Aumann makes no pretense at completeness. "It is the purpose of this study," he says, "to consider in brief fashion some selected phases of the development of the American legal system." He is interested in the development of the court system, in the application of the common law, and in law training and the legal profession. The treatment is both chronological and functional. The book is divided into three parts. Part I deals with the Colonial Period to 1776. Part II is what Professor Aumann calls the "Formative Period" and is dated 1776 to 1865. Part III is subdivided into the Period of Maturity (1865-1900) and Recent Trends (1900-1935).

The work is carefully done and is thoroughly and completely documented. A thirty-page bibliography appears at the end of the volume. Professor Aumann has wisely included many important references in the bibliography that are not cited in the footnotes.

Both law students and students of political science will find this volume a useful source of information.

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THE LAW OF THE ORGANIZATION AND OPERATION OF COOPERATIVES. *Israel Packel. Mathew Bender & Co., Albany, N.Y., 1940. pp. 307, xvi. \$5.00.*

This book is designed to meet the need of both the general public and the legal profession for legal material on cooperatives. There has been a deplorable lack of adequate material of this nature. The author, formerly assistant counsel of the Rural Electrification Administration and now a practicing member of the Philadelphia bar, has done a workmanlike job of supplying this deficiency. While the literary style of the book is not noteworthy, the painstaking analysis of some 750 cases from federal, state and English reports and their organization into a coherent and logical system merits the commendation of all who are interested in cooperatives.

The author points out that "much of the law applicable to cooperatives is similar to the law of ordinary business associations." But in order to produce a complete working handbook this book has been written to include not only the law specifically applicable to cooperatives but also the significant portions of the law of ordinary business enterprises. Chapters are included on definitions of cooperative enterprise; the formation of cooperatives; drafting cooperative charters and by-laws; personal ownership in contrast to capital ownership; coordination of cooperative ownership, control and management; the management of cooperatives; conducting the cooperative enterprise; the financing of cooperatives; distribution of benefits and losses; and government and cooperation. Appendices include working forms of articles of incorporation; by-laws; minutes of organization meetings of incorporators, members and directors; membership applications; and membership certificates; a bibliography; a table of cases and a comprehensive index.

All types of cooperatives are considered: consumer cooperatives; marketing cooperatives; business purchasing cooperatives; workers productive societies; financial cooperatives, such as credit unions; insurance cooperatives; labor unions; trade associations and self-help cooperatives. But the main emphasis is placed upon consumer and marketing groups.