

1970

### Books Noted

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#### Recommended Citation

Case Western Reserve University Law Review, *Books Noted*, 22 Case W. Rsrv. L. Rev. 150 (1970)  
Available at: <https://scholarlycommons.law.case.edu/caselrev/vol22/iss1/18>

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## BOOKS NOTED

THE CRIMINAL LAW REVOLUTION. By the Editors of *The Criminal Law Reporter*. Washington, D.C.: The Bureau of National Affairs, Inc. 1969. Pp. xv, 226. Paperbound, \$6.00. No one can doubt the radical impact which the decisions of the Warren Court had upon the administration, enforcement, and practice of criminal law during the last 9 years of its existence. Beginning with its decision in *Mapp v. Ohio*, and concluding with *Chimel v. California*, the Court extended to the states, via the 14th amendment, almost all the constitutional guarantees provided by the fourth, fifth, and sixth amendments. In an aptly titled book, the editors of *The Criminal Law Reporter* have compiled a chronological summary of over 250 significant criminal cases decided by the Supreme Court from 1960 to 1969. This book can be recommended as a valuable reference work. The authors state the precise holding of each case cited and also include short but germane quotations from the majority and dissenting opinions wherever helpful. In addition, the book includes a valuable subject index.

Because this book is primarily designed for quick reference, its format is more conducive to expediency than to in-depth analysis, and it does little to clarify the rationale of any given decision. The authors proceed on a term-by-term, case-by-case review of significant decisions, and this approach is perhaps the weak point of the book. A topic-by-topic approach would have given the reader a clearer picture of the evolution of the law during the 9 years reviewed. Implicit in the term-by-term approach, moreover, is a failure to make clear, by way of historical perspective, the tumultuous times in which these decisions were handed down. The book's title contains the word "revolution," but the authors' approach would lead the reader to believe that it was merely a judicial revolution which took place in a social vacuum. It would also have been helpful if the authors had included references to the numerous articles and comments which these often controversial decisions engendered. Such omissions and organizational shortcomings can perhaps be excused, however, in light of the great wealth of significant cases which are presented. Viewed in its entirety, this quick reference book is recommended to both the student and the practicing attorney who seeks a reminder of the many landmark cases which comprised the criminal law revolution of the last decade.

GI RIGHTS AND ARMY JUSTICE: THE DRAFTEE'S GUIDE TO MILITARY LIFE AND LAW. By Robert S. Rivkin. New York: Grove Press, Inc. 1970. Pp. xxii, 383. Paperbound, \$1.75. In an era when criticism of the military establishment seems all too often to take the form of inane cant rather than constructive critique, it is refreshing to find a relatively objective book like *GI Rights and Army Justice*. The objectivity is supplied by an ex-draftee with legal training who manages to discuss the realities of military life and the ramifications of the Constitution with equal dexterity.

As alluded to by the subtitle, this book is primarily intended to guide today's young man who decides to take "that one step forward . . . [and] to assist him *within the law* to endure his chosen alternative." Any personal vindictiveness which the author might have felt toward the army is vented in the introduction. From that point on the reader is pleasantly surprised, not by the substance of the book, for nothing is pleasant about that, but by reading a totally relevant and chillingly accurate guide to personal rights

as they either do or do not exist in today's army. The tone of military life is starkly illustrated by a forepiece which informs the owner of the book that he has a constitutional right to possess it.

The book is organized in a manner roughly paralleling the draftee's term of enlistment. The first three chapters, entitled "Induction and Reception Stations," "Basic and Advanced Individual Training," and "Life as Permanent Party," contain pragmatic lists of do's and don'ts. The real merit of the book, however, is reached in the subsequent chapters dealing with the soldier's first amendment rights, his right to file complaints and bring charges against his superiors, and his rights if confronted with a court-martial. In regard to asserting rights and filing complaints, the author's advice is appropriately cautious: obey questionable commands first and file a complaint later. In all cases, however, write down names of eye witnesses, dates, and locations, so that a later charge can be adequately substantiated. Of particular importance to the draftee is an awareness of article 138 of the Uniform Code of Military Justice, which gives all members of the armed forces a *right* to file a complaint, and *compels* the superior officer to send copies of the complaint and notice of any follow-up action to the Secretary of the Army. The author aptly calls article 138 the soldier's secret weapon. The author also explains the three types of courts-martial, and advises the draftee to avoid any action which might be interpreted as a court-martial offense because, all too often, a court-martial smacks of command influence, repression, and injustice.

The author has taken on a gigantic task in trying to explain the bewildering world of the military to the young draftee. In this endeavor, he has succeeded. Although this book is primarily directed to the draftee, it can be read profitably by parents of draft age youth, by congressmen, and perhaps most profitably of all, by career non-coms and officers.

**THE COMMUNITY ACTIVIST'S HANDBOOK.** By John Huenefeld. Boston: Beacon Press. 1970. Pp. xi, 160. \$6.00. Comments by various extremist groups to the contrary, most forthcoming changes in the structure, functions, and programs of existing local government will probably result from concerted action by a dedicated group of reform-minded citizens. Moreover, local attorneys are frequently called upon to assume positions of leadership in community activists groups. This book is designed as a general guide for any citizen who is disenchanted with the present form of a particular municipal service or with the unresponsiveness of a local elected official, and who believes that the road to improvement is along a path of concerted civic action. For such people, John Huenefeld's book, *A Community Activist's Handbook*, should be required reading.

The author is a successful activist in his own right. He is a veteran of several intracommunity battles and at least one statewide improvement venture. From this background of experience, the author brings to his book a pragmatic approach designed to achieve changes at the local level — that part of the government with which the average citizen most readily identifies. As the focal point of local insurgency, the author stresses the crucial need for well-organized, persistent, and disciplined citizens groups and knowledgeable leaders.

The author divides the book into the appropriate order of battle. In the first part, devoted to planning the campaign, the author indicates that the key to a successful campaign is through careful planning. In this regard, the author discusses such relevant factors as organization, steering

committees, budgets, and the intricacies of controlling meetings and intra-group hostilities. The second part of the Handbook concerns the public campaign. Here the author discusses such vital areas as publicity and fund raising, as well as the less known but more subtle art of orchestrating those heterogeneous community groups which possess a common interest. The final part of the book is aptly entitled "The Showdown." In it the author emphasizes the importance of having the campaign "peak" in the last few days before the all important vote. The book concludes with an appendix containing sample agenda notes, publicity releases, project timetables, organizational charts, project budgets, and by-laws.

Mr. Huenefeld's *Handbook* can be unequivocally indorsed as an essential primer for anyone who is dissatisfied with the present structure and function of his local government, and who feels that responsible community action is the proper remedy in a democratic system.