

Volume 21 | Issue 3

1970

Books Noted

Case Western Reserve University Law Review

Follow this and additional works at: <https://scholarlycommons.law.case.edu/caselrev>



Part of the [Law Commons](#)

Recommended Citation

Case Western Reserve University Law Review, *Books Noted*, 21 Case W. Res. L. Rev. 599 (1970)

Available at: <https://scholarlycommons.law.case.edu/caselrev/vol21/iss3/12>

This Book Review is brought to you for free and open access by the Student Journals at Case Western Reserve University School of Law Scholarly Commons. It has been accepted for inclusion in Case Western Reserve Law Review by an authorized administrator of Case Western Reserve University School of Law Scholarly Commons.

BOOKS NOTED

AMERICA THE RAPED. By Gene Marine. New York: Simon and Schuster. 1969. Pp. 312. \$5.95. The environment has become a subject of national concern, and with this concern has come a profusion of books lamenting the destruction of our habitat. *America The Raped* is such a book, but it is one of the better written, better structured, and more informative of the lot. It is also a plea for ecological planning. The author's theme is that in all of our endeavors we must begin to consider the ecological implications of our actions. This is particularly true when planning "development projects," for too often these projects are planned without considering their effects upon the natural environment. When it is found that irreversible harm is engendered by a project, the planners often seek to compensate for the untoward effects by expanding the complexity of a project that should never have been attempted. The engineering mentality which this book damns never considers leaving nature alone or abandoning a project. Growth for the sake of growth is its desire. The prevalence of this attitude is documented with a range of examples drawn from the Ramparts Project in Alaska, the California Redwood fight, and the problem of preventing jet airports in the Everglades and the Great Swamp of New Jersey. Throughout the book the author warns conservationists that they too must do a better job of basing their proposals on the sound foundation of ecosystem protection. The failure to do so will cause their victories to be short lived, for their precious parks and wilderness areas will not be of proper size to prevent their eventual destruction. From a political standpoint the failure to expound ecological protection as the prime reason for leaving areas in pristine condition can only deny conservationists the support of many citizens who are presently ambivalent toward protectionist concepts. The author's examples demonstrate that planning and development are usually for the financial benefit of a small group of people. If we are to protect our world from destruction, these narrowminded promoters must be stopped. While the author is correct and his book is excellent, we could use more information on how to stop them. Perhaps there is no answer, for we tend to get the kind of government we desire. If Americans wish to destroy the natural resources of this country so that future generations have no forests, soil, water, or even air, it is difficult to stop them.

LAW AND TACTICS IN EXCLUSIONARY HEARINGS. By Thomas P. Abbott, *et al.* Washington, D.C.: Coiner Publications, Ltd. 1969. Pp. xvi, 306. \$20.00. If there has ever existed any doubt whether "nonprofessionals" could write "professionally," the question is strongly answered in the affirmative by *Law and Tactics in Exclusionary Hearings*, a composite thesis written by the six Prettyman Fellows at Georgetown Law Center. As various constitutional amendments are interpreted into an ever-widening number of substantive rules of law, the practice of excluding evidence at trial becomes increasingly important. From their vantage point of direct participation in the criminal law process, the six coauthors have provided the practitioner and student with a comprehensive analysis of the rationale behind the exclusionary rule, standing to raise questions of admissibility, and the procedure for raising such issues. The book then details the technical "rules" peculiar to searches and seizures, confessions and statements, identification testimony, and wiretapping and eavesdropping. However, this

volume is neither a hornbook on constitutional law, nor a "how-to-do-it" approach to criminal law; it is, instead, a book which student, scholar, practitioner, and casual reader will find to be both useful and intellectually rewarding.

ZONED AMERICAN. By Seymour I. Toll. New York: Grossman Publishers. 1969. Pp. xii, 370. \$13.95. Realizing that to picture the evolution and development of zoning is to understand the metamorphosis of American political, social, and economic values, Seymour Toll has written an enlightening and thoroughly readable book about zoning and the economic-political-social system that produced it. From its beginnings in 1913 to its projected use in the future, the concept of zoning is displayed against a well-rounded backdrop of contemporary philosophies. Specifically, the author starts with the need for zoning at the turn of the century and traces its legal development and constitutional validation through the landmark decision, *Village of Euclid v. Ambler Realty Co.*, 272 U.S. 365 (1926), and the New Deal to its present partial misuse in "snob zoning." In print, Mr. Toll does not have to worry about "sounding like a lawyer," for realizing that he thinks like one, he is satisfied with writing to educate and entertain, rather than to impress. The result is both refreshing and enlightening for lawyer and layman alike.