

# LAW AND CONTEMPORARY PROBLEMS

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## FOREWORD

In publishing this symposium on Housing in January, 1947, *Law and Contemporary Problems* presents various aspects of law bearing on a contemporary problem of crisis proportions. The setting of law, present or potential, adequate or inadequate, against which the problem is posed affords challenging angles for exploration. However, the exploration undertaken in the pages that follow is not limited to the legal phase, for this is but a complement to the economic, sociological, political and technological phases characteristic of the current housing problem.

The first article, by Messrs. Hauser and Jaffe of the Bureau of the Census, on "The Extent of the Housing Shortage," in addition to presenting statistical information, analyzes the population and housing factors and their interrelationship in the housing shortage. The statistical theme is continued and expanded in the closing article entitled "The Housing Crisis in a Free Economy" which, from one point of view of logical sequence, might well be read together with the opening article.

The second article, by Mr. Robert L. Davison of the housing research organization which bears his name, discusses "Technological Potentials in Home Construction"; he reminds us that potentialities in housing technology cannot be realized unless our thinking of "home" undergoes as drastic a reorientation as the change in thinking from animal husbandry to mechanics with the mass utilization of the automobile.

As a preliminary to the subsequent group of articles tinged with legal content, a short comment by Mr. Miles L. Colean on "Changing Attitudes Toward Property Ownership and Mortgage Finance" carries implications which may well be reflected in legislation of the future.

The fourth article, by Shirley Adelson Siegel shows some of the actual results of the changing attitudes observed by Mr. Colean; her article on "Real Property Law and Mass Housing Needs" depicts the evolution in judicial decision and legislation that accompanied changing views on the role of the State and describes some of the legal problems in redevelopment projects.

The title of the fifth article, "Handicraft and Handcuffs—The Anatomy of An Industry," by Lee Loevinger, gives a clue to his analysis of the factors that make for prohibitive housing costs—particularly, restrictive practices by labor, industry and finance. He points out the legal doctrines bearing on these practices, including anti-trust law. Continuing the exploration of restrictive practices outlined generally in

the above article, the sixth article, by Professor Corwin D. Edwards, puts the spotlight on the specific operation of one statute-based device: in "Legal Requirements that Building Contractors Be Licensed," he shows the uses and abuses of which some pressure-sponsored legislation is susceptible.

An admixture of legal, technological and political considerations is the ensuing article, "The Problem of Building Code Improvement," by George N. Thompson of the National Bureau of Standards. The author surveys the efforts, too frequently belittled, that constantly seek modernization and standardization of municipal building codes.

The following article, entitled "Administration—Legal Methodologies in Elimination of Sub-Standard Housing," by Professor Spencer Parratt, serves as a constant reminder that as increasing social demands enlarge governmental activity, ever greater is the role of those rules of law that seek a proper balance between effective governmental power and fair play; the practical lessons from those rules provide Professor Parratt's subject.

Of particular value to the lawyer who may be consulted by aspirants planning co-operative apartment ownership is the ninth article, "Some Legal Aspects of Co-operative Apartments," in which Mr. Edwin Yourman compares various forms of organization available in our legal system, with their advantages and drawbacks, including the taxation angle.

The tenth article, by Mr. William Remington, economist, is devoted to an analysis of the aims, techniques and operation of the Government's "Veterans Emergency Housing Program." While the swift march of events since galley-proof has materially affected a good deal of Mr. Remington's discussion, value still remains in his exposition of the problems and characteristics of the Government's housing program.

"Legislative Proposals," by Mr. Philip H. Hill presents a study of the movement in Congressional circles to meet the challenge of present-day housing needs, with particular reference to the provisions of the Wagner-Ellender-Taft Bill.

The concluding article, by Messrs. Newcomb and Kyle of the Federal Housing Agency, under the title "The Housing Crisis in a Free Economy," is a careful statistical study of the probable demands upon the construction industry under alternative assumptions of price and income levels. The market potential envisaged by the authors merits careful attention from the building industry.

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