

The author believes, and regrets, that resort has been had to the impartial chairman for the decision of many questions which might have been solved by negotiation. This would not seem to me to be a substantial evil. The impartial chairman can probably decide most questions more wisely and fairly than the parties would decide them by negotiation, and the parties probably get plenty of practice in collective bargaining in making their periodic contracts and in negotiating the many grievances which, no doubt, are settled without reaching the impartial chairman.

The author regrets the decline in the effectiveness of the impartial chairman as a mediator. In the early years of the system many cases, though brought to the impartial chairman, did not have to be decided by him, because he could induce the parties to settle them. Beginning in 1933, the proportion of such settlements began to decline, and now practically no cases are settled that way. I think it is natural that in any field of controversy there should be, in the beginning, many cases brought into litigation which are really not very difficult to decide, and which are, in effect, withdrawn upon the suggestion of the judge. After the system has become more mature, such cases are not brought; those that are brought are harder to decide and are more worthy of litigation, and the parties are more insistent upon having them decided. Perhaps, also, when the parties have gotten used to appearing before the impartial chairman they are less affected by his obvious wish that they settle their differences and, rather than settle them just to please him, they leave them with him to decide.

Professor Kennedy has given us a clear, well-written description and analysis of the operation of the impartial chairmanship in one important industry. One of our great problems is how to make collectively bargained contracts operate smoothly and economically. Studies like this should be of great help in determining whether the impartial chairmanship system is a good way to do this.

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MAN, NATURE AND TIME: AN INTRODUCTION TO WORLD STUDY. By William Alexander Gauld. London: G. Bell & Sons, Ltd., 1946. Pp. x, 291, maps. \$3.25.

This book on world study is most timely. The author has based it upon the conviction that "the elements of world unity are deeply set in the living experience of mankind, as it develops through the ages, and that however conflicting the divisions, and however contrasted their lives, always and everywhere there are welding forces of world community at work."<sup>1</sup> He accomplishes his aim to prove the truth of his conviction not so much with the fervor of an apostle who defends his creed as with the painstaking labor of the scientist who exposes the facts.

In this process he covers world relations from all angles. The physical elements in their global interrelations, the bio-geographical factors, and economic resources are considered. The human aspects are treated under the viewpoints of race and culture, of economic and social orders, of movement and settlement, and of state formation and relations between independent states and between advanced and dependent peoples. Finally, the planned attempts of world organization are described.

The author believes that in the interdependence of the elements of Man, Nature and Time, "Man rather than Nature gives direction and purpose in history."<sup>2</sup> He sees this clearly, for instance, in the experience that geographical influences, though they are historical facts, vary greatly, at different times, under the impact of human minds. They may separate peoples, and then again unite them as did the Alps in Europe.

<sup>1</sup> P. 283.

<sup>2</sup> P. vi.

Because, on the one hand, man has the prevailing role in the play of Man, Nature and Time, and, on the other, world consciousness is not nature-given, but rather "an acquired characteristic"<sup>3</sup> of man, the lack of world study in formal education should be remedied. Perhaps it was due to this deficiency that older diplomacy assumed that "the interests of nations are necessarily antagonistic, and that state sovereignty is the final word in national and social evolution."<sup>4</sup>

Among the experiments of world organization which aim at overcoming those faulty concepts the author mentions as quite recent forms those of internationalism and cosmopolitanism. In the first he sees an attempt to form "an organized super-national society, built out of independently functioning constituent national societies."<sup>5</sup> The other he considers "more hypothetical as it takes the unity of mankind for its starting point rather than its goal and would ignore the present structure of world states altogether."<sup>6</sup>

The author thinks that very few persons believe in either of these ways toward world organization. When the book was written, two years ago, he could not yet realize that sovereignty would again develop as a formidable obstacle to international understanding. Thus he could hardly know that the longing for it would induce more and more people to set their hope in world organization by any of the means mentioned or by any other means, the youngest of which is perhaps the striving movement of world federation.

One owes the author hearty thanks for the many and thorough ways in which he exposes the fact of the basic unity of this world.

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THE JURISPRUDENCE OF INTERESTS. Translated and edited by M. Magdalena Schoch. The Twentieth Century Legal Philosophy Series. Cambridge: Harvard University Press, 1948. Pp. xv, 230. \$5.00.

This is the second volume in the new series edited by the Association of American Law Schools. The first volume was Kelsen's writings; and the third volume is *Latin-American Legal Philosophy*, containing representative authors in translation. Perhaps the legal philosophical world has most wanted the projected volume of Petrazycki's writings. It seems the original plan was to make Petrazycki's writings the second volume in the series. Certainly in importance his work is of the very first rank. The fact that much of it is now inaccessible to most readers, since it is found only in the Polish and Russian languages, makes a comprehensive translation all the more important. We may judge in part of Petrazycki's true stature from the fact that his influence is so great in the English-speaking world, although he is known to this world almost solely in second-hand ways, through the heterogeneous comments of others. Whatever has caused the delay in the Petrazycki volume, certainly the general interest would seem to require that it be published next.

The volume under review is somewhat deceptive. It consists of shrewdly selected excerpts from the writings of Rümelin, Heck, Oertmann, Stoll, Binder, and Isay. These represent writings from the German which have hitherto not appeared in English. The translation and all the editorial work have been done by Dr. Schoch, and are of the very highest character. The entire legal profession is greatly in debt to her for the sacrifice in time and effort that she has so generously given to this work. The volume begins with an excellent introduction by Lon L. Fuller, commenting on the scope and position of these writings in the present state of scholarly development of the concept of legal interests. But the title and the scope of the book remain somewhat confusing. It is not

<sup>3</sup> P. 285.

<sup>4</sup> P. 270.

<sup>5</sup> P. 265.

<sup>6</sup> *Ibid.*