

BOOKS RECEIVED

LAW, COURTS AND POLICY. By Mitchell S.G. Klein. Englewood Cliffs: Prentice-Hall, Inc. 1984. Pp. viii, 326. Mr. Klein's work, which is directed at the non-legal community, examines the various roles which the law occupies in our society. The first part of the book consists of detailed analyses of the characters involved in the legal process: police, lawyers, judges, and the public—as well as the law itself—are profiled in terms of background, attitudes, and functions in the legal process. Klein then examines civil, criminal, and constitutional law, providing the reader with an overview of each area of the law and the fundamental substantive principles. The focus of these chapters is the interface between law and society—specifically, how the law is used to regulate behavior, resolve disputes, effect social change, and arbitrate values.

INSIDE THE WARREN COURT. By Bernard Schwartz with Stephan Leshner. New York: Doubleday. 1983. Pp. 299. \$17.95. This behind-the-scenes account of the Supreme Court reveals many of the intangible factors that influenced the Court's decisions during the Warren years. Author Bernard Schwartz had access to and extensively researched the previously unpublished private notes of twelve Justices. Additionally, he interviewed most of the living members of the Warren Court, and thirty former law clerks. The result is a detailed and thoughtful biography of each Justice—including descriptions of their personalities, educational and professional backgrounds, political leanings, and judicial strengths and shortcomings. Coauthor Stephan Leshner adds material concerning contemporaneous events to aid the reader in placing the Court's decisions in their historical perspectives. Perhaps the most enlightening parts of the book are those that explore the relationships among the Justices, revealing the brilliance, compromises, friendships, and animosities that were a part of the Court in a period when it handed down controversial decisions on many issues of pressing national importance, including school desegregation, civil rights, criminal law, school prayer, and reapportionment.

CONTROLLING UNLAWFUL ORGANIZATIONAL BEHAVIOR. By Diane Vaughan. Chicago: The University of Chicago Press. 1983. Pp. xiv, 136. Vaughan, a professor of sociology at Boston College, provides a multidisciplinary account of social structure and corporate misconduct.

The primary focus of the book is the use of computers to defraud public programs. The author closely examines the medicaid fraud involving Revco, a national pharmaceutical chain that fraudulently obtained over half a million dollars from the Ohio Department of Public Welfare through the use of a computer-generated double-billing scheme. Vaughan presents the facts of the Revco case and then illustrates the functions of the various governmental agencies involved in regulating corporate behavior; detailed accounts are provided of the plea bargaining and subsequent sanctioning of Revco and its officers. The author then places the case in a sociological perspective, discussing the social structure that provides opportunities for unlawful organizational behavior and the reasons why such behavior occurs. Vaughan concludes that a corporation such as Revco may be a victim, as well as a violator, of regulatory systems; thus, she argues, corporate misconduct could be decreased by less, but more sensitive, regulation.

OF MURDER AND MADNESS. By Gerry Spence. Garden City: Doubleday. 1983. Pp. 463. \$17.95. Spence, one of the nation's foremost trial lawyers, provides a first person account of the 1966 murder trial of Joe Esquibel, a Mexican-American from a small Wyoming town. The focus of the case and this book is the insanity defense. Spence virtually ignores the legal questions, however, and instead presents the emotional and dramatic issues of the insanity defense. He describes Esquibel's three jury trials, two of which resulted in findings of insanity at the time of trial, and one which finally acquitted Esquibel, finding him insane at the time of the shooting. Considerable attention is devoted to transcripts of direct and cross examinations of witnesses and the defendant, as well as an inside view of Spence's trial techniques. Throughout the book Spence asks "What is insanity?," and concludes that no adequate legal or practical answer exists.

FAMILY POLITICS: LOVE AND POWER ON AN INTIMATE FRONTIER. By Letty Cottin Pogrebin. New York: McGraw Hill Book Co. 1983. Pp. x, 278. \$14.95. Like many of its successors, *Family Politics* is a discussion of the role of family in contemporary society. Unlike other treatments of this subject, however, this work is written from the perspective of the transitional generation; it is neither a panegyric to traditional values, nor a vehicle for the propagation of alternative family styles. It is rather an examination of the beliefs that form the underpinnings of the family as a unit. The author believes that much of the critical analysis of contemporary family problems centers on external influences, such as television and the movement for sexual equality, which are largely irrelevant to the real issues families face today. Pogrebin claims that

the complex relationships and roles within the family must be reexamined and readjusted in order for the family to continue as a viable societal entity.

AUDITOR RISK AND LEGAL LIABILITY. By Kent E. St. Pierre. Ann Arbor: UMI Research Press. 1983. Pp. 124. This study traces the stages of auditors' decisionmaking processes and pinpoints errors that could result in auditor liability. Auditor risk is defined in terms of costs, benefits, and the probabilities of negative effects on the auditor. According to the author, an error analysis enables auditors to better assess risks "inherent" in assignments. St. Pierre summarizes legal developments in this area, and reviews the legal literature. A significant portion of the book focuses on the methodology of the research that supports the author's conclusions; results of the research are catalogued and followed by recommendations for reducing auditor risk.

WORKING FOR THE SOVEREIGN. By Sar A. Levitan and Alexandra B. Noden. Baltimore: The Johns Hopkins University Press. 1983. Pp. x, 152. \$14.95. This study explores problems of managing a workforce of more than 2 million workers, whose commonality stems primarily from the source of their wages. Managers and administrators within the federal government must cope with political pressures as well as traditional labor issues. This book traces the development of federal labor unions, as well as the emergence of collective bargaining, and shows how the proliferation of both are hampered by the unusual relationship between employer and employees. Wages typically are not negotiable, and bans on strikes may further impair the bargaining ability of federal workers. Since this employment situation is not susceptible to traditional labor analyses, interesting policy questions are raised as the functions and perceptions of federal bureaucrats are explored. Although noting the need for greater change, the authors focus on those modifications most likely to occur.

ANIMAL LAW. By David S. Favre and Murray Loring. Westport, Connecticut: Quorum Books. 1983. Pp. xii, 253. \$35.00. This work, designed for both lawyers and non-lawyers who are actively involved with animal issues, examines divergent statutes and cases dealing with animals. Favre and Loring provide a broad perspective on animal law, including discussions of the responsibilities of animal ownership, liability for the actions of animals, and the problems of cruelty statutes, and explore the legal implications of hypothetical and actual fact patterns. The book is a general reference source: it defines terms, discusses federal wildlife statutes, and notes over five hundred court decisions. The

statutes of eight regionally representative states are examined and compared. The authors demonstrate how animal law includes a variety of legal disciplines, from negligence to trusts and wills, and from U.C.C. warranties to contractual bailment.

THE RISE OF THE COMPUTER STATE. By David Burnham. New York: Random House. 1983. Pp. viii, 273. \$17.95. Burnham presents numerous examples of how computer-generated information can be misused to the detriment of those it was designed to serve. He does not, however, call for an end to the use of computers; indeed, he praises them for the new capabilities they provide. His concerns are with those who are given access to the vast data bases that have been generated. The potential for abuse is alarming, for there are few Americans who do not have personal information of some sort stored in the computers of government bureaucracies such as the Internal Revenue Service, the Census Bureau, the Central Intelligence Agency, the Federal Bureau of Investigation, and the National Security Agency. In addition, computers in the private sector store information on our eating, shopping, banking, travel, and credit habits. Among these is the computer complex of TRW, a company that provides merchants with credit reports used to determine creditworthiness of potential customers. A computer operator who gained access to the data bases of any combination of these institutions would have at his disposal a substantial amount of sensitive information. Burnham's work warns that in addition to its significant benefits computer technology carries numerous risks as well.