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## BOOKS RECEIVED

**The Crisis in Drug Prohibition.** Edited by David Boaz. Washington, D.C.: Cato Institute. 1990. Pp. viii + 148. Paperback. \$8.00.

*The Crisis in Drug Prohibition* is a collection of essays and comments about the war on drugs. The shared thesis of the authors is that the current fight against drugs is simply unwinnable and that our drug policy should be reevaluated. The authors propose various alternatives to solving the problems created by drugs, noting that drug prohibition creates and perpetuates many of the problems, such as increased crime, corruption, and AIDS. At a minimum, the authors argue that the legalization alternative to the drug war warrants debate among the nation's leaders and policymakers.

The book makes several points which are shared generally by all of the authors. First, they argue that drug prohibition results in crime. Drug laws reduce the number of suppliers and the available supply of drugs, driving up their price. Higher prices result in users who are forced to steal to support their habit. Drug prohibition also results in crime among drug suppliers. Since there is no redress in the courts to resolve their disputes, suppliers often resort to armed violence.

Drug prohibition also results in corruption. Because of the extraordinary profits being made by dealers, there is a strong temptation for many government officials to accept large sums of money to help facilitate the drug traffic. In fact, large numbers of officials have been unable to resist this temptation.

The spread of AIDS is another unfortunate consequence of drug prohibition. Infected needles are shared by users because they are illegal and difficult to obtain. Some jurisdictions

have experimented with supplying clean needles to addicts, but there has been a total failure to address the rationality of the overall prohibition policy.

Finally, enforcing the drug laws results in abuses of civil liberties. Such abuses occur because there are no victims to report violations of the law. As a result, the police must engage in heavy-handed investigative practices in order to discover violations. There is no question that the fourth amendment's guarantee against unreasonable searches and seizures has been severely undermined by government attempts to enforce the drug laws.

The authors concede that drug use would probably increase slightly after legalization, but the ultimate effects of a legalization policy are uncertain. The authors point to Prohibition in the 1920's and 30's as a guide to the possibilities. Prohibition is instructive because just as criminalizing alcohol spawned organized crime and corruption, the same results have occurred as a result of the criminalization of other drugs. When people finally realized that the war on alcohol was unwinnable and counterproductive, it was abandoned. The authors of *The Crisis in Drug Prohibition* are simply advocating the end to another unwinnable and counterproductive war.

**Copyright for the Nineties, Third Edition.** By Alan Latman, Robert Gorman and Jane C. Ginsburg. Charlottesville, VA: The Michie Company. 1989. Pp. xxii + 857. Hardcover. \$45.00.

*Copyright for the Nineties* is a casebook that covers all facets of copyright law. The book begins with an overview of copyright law including its historical perspective. The development of the law is traced from colonial times to the present. The book also includes extensive discussion and case material on copyrightable subject matter, copyright duration and renewal, ownership, and rights, limitations and remedies.

There is a section discussing the United States' accession to the Berne Convention for the Protection of Literary and Artistic Works, probably the most important recent development in United States copyright law. The book explores a wide range of issues arising from the increased involvement of the United States in the international market for copyrighted works. There is also a statutory appendix which includes the 1976 Copyright Act and the Berne Convention Implementation Act of 1988.

*Copyright for the Nineties* contains a discussion of all the major copyright issues and the text of the most important cases. It is an excellent resource and should prove to be useful for the student or the practitioner of copyright law.

**Quarrels That Have Shaped the Constitution.** Edited by John A. Garraty. New York, NY: Harper & Row. 1987. Pp. 391. Paperback. \$10.95.

*Quarrels That Have Shaped the Constitution* is a collection of essays on landmark Supreme Court decisions. The authors are twenty leading historians who describe the cases that have fundamentally altered the Constitution. To name just a few, the book includes discussions of such major cases as *Marbury v. Madison*, *Dred Scott*, and *Roe v. Wade*.

The book is unique because it does not simply discuss the legal issues involved in the Supreme Court's decisions; the authors also examine the personal conflicts leading up to each case. The authors focus attention on the actual controversies and the people whose antagonisms gave the Supreme Court justices the opportunity to act. The cast of characters in these conflicts include smugglers and black slaves, bankers and butchers, ferryboat captains and rebels. The focus on the people involved and the circumstances surrounding each case adds richness to the discussion of the legal issues because the decisions can be appreciated in their historical context. The book is highly entertaining and should be read by anyone interested in the development of our Constitution.

**Lawyers and Thieves.** By Roy Grutman and Bill Thomas. New York, NY: Simon and Schuster. 1990. Pp. 224. Hardcover. \$19.95.

*Lawyers and Thieves* is an entertaining account of the author's legal career. He is one of the most visible and sought after trial lawyers in the United States and has represented many celebrity clients such as Jerry Falwell, Bob Guccione, and Jackie Collins.

The author describes some of his biggest trials including Jerry Falwell's battle against *Hustler* magazine. Falwell was seeking revenge against *Hustler* for publishing an uncomplimentary parody of Falwell and his mother. The case ultimately went to the Supreme Court where Falwell lost, but an important precedent was set by the Court in first amendment law.

Another big case the author discusses is the 630 million dollar libel suit brought by the founders of the La Costa Country Club against *Penthouse* magazine. At the time, this was the biggest libel suit ever filed in the United States. The author's account of the La Costa case is particularly interesting because it involved several Mafia figures and a judge on the Mafia payroll. The case also highlights the courtroom shenanigans and the questionable lawyering tactics that frequently occur.

Although these stories are highly entertaining, the author's view of the legal profession is very negative. He attacks many of the profession's frequent excesses from ambulance chasing to the constant search for collectible clients and profitable cases.

*Lawyers and Thieves* is recommended even though the author criticizes the legal profession for its corruption and greed, while not addressing the positive contributions made by many attorneys. However, if the reader can take his criticisms with a sense of humor, the book will be pleasurable reading.