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## Books Received

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## BOOKS RECEIVED

**The Lawful Rights of Mankind.** By Paul Sieghart. New York, NY: Oxford University Press. 1985. Pp. vii + 252. Hard Cover. \$15.95.

International human rights law is currently made up of many international customs and treaties. This book is an attempt to set out an international code of human rights using these customs and treaties. Human rights theory is introduced through the use of an allegory. The allegory is mixed with actual historic events in order to bring the events and theories to life. The author then develops his international code from provisions from the Charter of the United Nations, the United Nations Covenant on Economic, Social and Cultural Rights, the United Nations Covenant on Civil and Political Rights, various American, European, and African charters and conventions on human rights, and the Universal Declaration of Human Rights.

The author analyzes and comments on the various rights established by the aforementioned international documents. The natural rights which these documents grant to all persons include the rights to food, shelter, health, marriage and family, the rights to work, income and property, the rights to just laws and procedures, the freedom of thought, conscience and religion, the freedom to do things together, the right against torture and ill-treatment, and the right of self-determination of public affairs.

The application of these rights are examined, including the operation of the author's code, and the remedies available for violations. While the author acknowledges the weakness of international enforcement procedures, the remedies presented are predominantly limited to administrative procedures available under the various international documents. *The Lawful Rights of Mankind* is a helpful collection of the various international treaty provisions covering human rights law. Unfortunately, it fails to discuss adequately the greatest shortcoming of these treaties: enforcement.

**Moral Issues in Police Work.** Edited by Frederick A. Elliston and Michael Feldberg. Totoway, NJ: Rowman and Allanheld. 1985. Pp. 1 + 309. Hard Cover. \$27.50 (Soft Cover. \$13.95).

This is a compilation of essays which are written by philosophers, sociologists and criminologists. The compilation is an attempt to present various views on important moral and ethical law enforcement issues. The areas discussed in the book are police authority, discretion, the function of police in society, deception, entrapment, privacy, ethics, deadly force, excessive force and corruption.

While the editors purport to let the reader make up his own mind on the issues, the book is decidedly biased in favor of relaxing law enforcement restraints against the criminal defendant. One of the editors goes as far as to approve giving small illegal gratuities to police officers, for "small vices have relatively small effects." (p. 276) Yet this book also advocates giving more discretion to police officers in the execution of their duties. Thus, the book urges that the same officers who are selectively receiving illegal gratuities should be allowed to selectively enforce the law. While this book raises several important issues, the constitutionally suspect nature of several of its proposals undermines its credibility.

**Legal Issues in Special Education.** By Stephen B. Thomas. Topeka, Kansas: National Organization on Legal Problems of Education. 1985. Pp. 1 + 72. Soft Cover. \$12.50 members - \$14.50 non-members.

This short book provides an introduction to the legal issues involved in the education of handicapped children. The book is designed for educators, students and attorneys who seek to acquire general background information. It is not recommended for attorneys engaged in special education litigation. The author starts with a short introduction of the legal foundations for providing equal education to handicapped persons including the Fourteenth Amendment, Section 504 of the Rehabilitation Act of 1973, and the Education of the Handicapped Act. The book examines such issues as free and appropriate public education (including examples of case law), access to students' records, discipline of handicapped students, minimum competency testing, physical education, and sports participation.

**Judges and Cities.** By Gordon L. Clark. Chicago, IL: The University of Chicago Press. 1985. Pp. xi + 247. Hard Cover \$25.00.

This is a highly philosophical and intellectual analysis into the basis of social theory. The author compares the theories of logical positivism and moral pluralism to determine how judicial interpretations and decisions are formed. The analysis is supported by an in-depth comparison of four different court cases with the writings of various social theorists, including Locke, de Tocqueville, Posner, Nozick, Tiebout, Hart, Castells, Poulantzas, Aristotle, Clark, Dworkin, and many others.

This book is not for practitioners, lay-persons, or the average law student. However, academicians will find this reading insightful and provocative.

**Legal Aspects of Plagiarism.** By Ralph D. Mawdsley. Topeka, KS: National Organization on Legal Problems of Education. 1985. Pp. 1 + 58. Soft Cover \$7.95 members - \$9.95 nonmembers.

Plagiarism is an important, but underemphasized problem in education. This publication is an excellent essay on the issues involved in plagiarism. Teachers, administrators and students can use this book to understand the definition, the academic and legal concerns, and the penalization issues. Attorneys and professors can use the book for an understanding and analysis of constitutional considerations, including notice, right to counsel, cross-examination, right to a hearing and the appeal process. Moreover, the author provides a section on preventing copyright problems, including discussions of ownership of student-produced work, fair use, and copyrightability of plagiarized material. Additionally several examples of plagiarism are supplied.

#### *Additional Books Received*

**Crime and Justice: An Annual Review of Research Volume 6.** Edited by Michael Tonry and Norval Morris. Chicago, IL: The University of Chicago Press. 1985. Pp. v + 259. Hard Cover \$25.00.

**Constitutional Torts.** By Kenneth C. Davis. San Diego, CA: K.C. Davis Publishing Co. 1984. Pp. iii + 338. Hard Cover \$32.00.

**Legal Aspects of Employee Assessment and Selection in Public Schools.** By Joseph C. Beckham. Topeka, KS: NOLPE. 1985. Pp. 1 + 24. Soft Cover \$5.95 members - \$6.95 nonmembers.

