

1-1-1978

Books Received

Santa Clara Law Review

Follow this and additional works at: <http://digitalcommons.law.scu.edu/lawreview>



Part of the [Law Commons](#)

Recommended Citation

Santa Clara Law Review, Other, *Books Received*, 18 SANTA CLARA L. REV. 841 (1978).

Available at: <http://digitalcommons.law.scu.edu/lawreview/vol18/iss3/9>

This Other is brought to you for free and open access by the Journals at Santa Clara Law Digital Commons. It has been accepted for inclusion in Santa Clara Law Review by an authorized administrator of Santa Clara Law Digital Commons. For more information, please contact sculawlibrarian@gmail.com.

BOOKS RECEIVED

The Antitrust Penalties: A Study in Law and Economics. By Kenneth G. Elzinga and William Breit. New Haven: Yale University Press. 1976. Pp. xii + 160. Cloth. \$10.00.

This is a very "meaty" book for those interested in the legal and economic aspects of the penalties for violation of the antitrust laws. The first section of the book looks at the historical development of the penalties utilized in antitrust enforcement describing not only those actually selected but also those that were considered and rejected. The second section provides a rigorous economic analysis of the various antitrust penalties—incarceration, fines, and private treble damage actions. Based on this analysis, the authors propose a sweeping reform of the antitrust weapons.

They Call It Justice: Command Influence and the Court-Martial System. By Luther C. West. New York: Viking Press. 1977. Pp. xii + 302. Cloth. \$12.95.

They Call It Justice is a scathing attack on the court-martial system, a system the author contends is based more on the dictates of military necessity than the concept of equal justice under the law. In a very readable style, the author traces the historical development of "controlled" military justice, relating this development to a number of the significant recent cases such as the Calley conviction, the acquittal of Captain Medina and the trials of Colonel Henderson and Michael Daley, a war resister. He ultimately concludes that military justice should be placed in the hands of civilian administrators under the control of the attorney general of the United States.

International Tax Planning Today. By Robert Feinschreiber. Greenvale, N.Y.: Panel Publishers. 1977. Pp. xvii + 389. Soft. \$40.00.

International Tax Planning Today delivers a definitive look at the extensive impact of the Tax Reform Act of 1976 in the area of international tax. It thoroughly examines the provisions affecting individuals such as Americans overseas, nonresident aliens, and Americans attending foreign conventions, and provisions primarily affecting controlled foreign corporations, such as the foreign tax credit and international reorganizations. It is well written and organized and the cross-references

make it a handy reference for anyone who is or could be involved in international tax planning.

Hugo Black and the Bill of Rights; Proceeds of the First Hugo Black Symposium on "The Bill of Rights and American Democracy." Ed. by Virginia Van Der Veer Hamilton. University, Alabama: University of Alabama Press. 1978. Pp. xvii + 104. Cloth. \$8.00.

This little book provides a fitting testimonial to Justice Hugo Black and good reading for those interested in constitutional law. Its pages set out the high points of the Black Symposium, including the reminiscences of Chief Justice Burger's dedication. Among the notable contributors are Leonard Levy, who traces the historical development of the right against self-incrimination both before and after the Fifth Amendment, Donald Meiklejohn, who looks at freedom of speech as dealt with the Supreme Court's decisions under the First Amendment, and Paul Freud, who does the same for freedom of religion.

Freedom vs. National Security: Secrecy and Surveillance. By Morton H. Halperin and Daniel Hoffman. New York: Chelsea House Publishers. 1977. Pp. xvi + 594. Cloth. \$15.00.

This book is a detailed analysis of how the courts have attempted to balance the requirements of national security against the constitutional rights of the people. In addition, the book supplies the unique insight of Morton Halperin, who became personally involved in the controversy when his phone was wiretapped while he was serving as a special assistant to Henry Kissinger on the National Security Council. The book contains cases, statutes, and commentary in the areas of inherent presidential power, control of government information, punishment for the release of government information, and limits on the rights of Americans and special groups.



JAMES MICHAEL TAGGART
1944-1978

