

BOOKS RECEIVED

THE USSR vs. DR. MIKHAIL STERN. Edited by A. Stern. Translated by Marco Carynnyk. New York: Urizen Books, 1977. Pp. 267. \$9.95.

This volume chronicles the trial of Dr. Mikhail Stern, a Soviet endocrinologist and Communist Party member for nearly forty years, which took place in a provincial Ukrainian city during 1974. Stern was charged with bribetaking and swindling under the Ukrainian Criminal Code in connection with his medical practice. The charges were brought, the defendant believes, in retaliation for his refusal to obey an order from a local party organ to forbid his sons to emigrate to Israel. Stern was convicted by a people's court and sentenced to eight years deprivation of freedom in a correctional labor colony of intensified regime. His plight attracted international concern, which led to Stern's early release in March, 1977.

The core of the book is an abridged transcript of a tape recording of the trial proceedings, embellished with excerpts from pretrial and appeal documents. The defendant appears as an exceptionally able and articulate adversary who actively endeavored to contest the evidence presented by the prosecution. Stern treated the entire affair as an exercise in anti-Semitism, to the manifest discomfiture of the court. He was aided in presenting his defense by a vigorous counsel, in a trial proceeding noteworthy for its unusual length and for the detail in which medical practices were discussed.

The legal background and context of the case and a perspective on the proceedings are provided in an introduction by Professor Leon Lipson, of the Yale Law School. The various steps taken by persons in the West to focus attention on the defendant's plight are summarized by W.B. Simons, presently on the staff of the Documentation Office for East European Law, University of Leiden.

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ABORTION IN AMERICA: THE ORIGINS AND EVOLUTION OF NATIONAL POLICY. By James C. Mohr. New York: Oxford University Press, 1978. Pp. xii, 328. \$12.50.

In 1800 abortion was an accepted practice in the United States. By 1900 abortion was legally proscribed in virtually every American jurisdiction. Mohr traces the evolution of anti-abortion policy in 19th century America and describes the factors responsible for the change in public opinion and legislation.

Physicians, seeking to professionalize the practice of medicine in the United States, led the campaign against abortion and were a primary force behind the shift in attitudes. The belief which evolved during this period that abortion was a crime and that its availability should be circumscribed by the states remained the official abortion policy of this country until the Supreme Court's decision in *Roe v. Wade*. In his afterward Mohr portrays *Roe* as a reversion to the earlier abortion policy and suggests that the later, pre-*Roe* period represented a deviation from the norm.

ADLAI STEVENSON AND THE WORLD: THE LIFE OF ADLAI E. STEVENSON. By John Bartlow Martin. Garden City, N.Y.: Doubleday & Co., 1977. Pp. 863. \$15.00.

This volume is the second half of a two-part biography. Adlai Stevenson was both a statesman and a symbol; as a free-thinker during the late 1950's he espoused several policies which were subsequently integrated into the programs of the Kennedy and Johnson administrations. The book opens on November 5, 1952, the day after Stevenson lost the Presidency to Dwight D. Eisenhower. The question facing Stevenson then was what to do next, and the author chronicles Stevenson's response in a vivid account of the closing thirteen years of his life and career. The book provides a valuable record of, and tribute to, nearly a decade and a half of nonelective public service.

ART ON TRIAL: FROM WHISTLER TO ROTHKO. By Laurie Adams. New York: Walker & Co., 1976. Pp. xix, 229. \$9.95.

Written by an art historian, this discussion of six of the major art trials of the past century is of interest to the lawyer who seeks insight into the unique problems which arise when the traditionally incompatible worlds of art and law collide. The issues addressed include the definition of art, its monetary value, the freedom of artistic expression and art's political and emotional impact. The cases discussed involve a wide variety of fact patterns: a painter suing a critic for libel; an artist's challenge to classification by U.S. Customs officials of his abstract sculpture as a kitchen utensil; and flag desecration through anti-war protest art.

CRIMINAL MISCHIEF: A NOVEL. By Paul Chevigny. New York: Pantheon Books, 1977. Pp. iii, 244. \$7.95.

This novel by a leading civil liberties lawyer describes with great realism the corruption within the New York City Police Department and its tolerance of unwarranted brutality. The story, which takes place during the late 1960's, focuses upon a vicious policeman who kills one man and attempts to kill another, without reprisal from his superiors. The matter is pursued by a social worker turned detective and by his radical comrades, who are determined to

avenge the victims. From their action arises a tactical battle between the police and the agitators. Although in fictional form, this novel is informed by the author's extensive experience with law enforcement officials and institutions and presents a true-to-life picture.

FREEDOM TO DIE: MORAL AND LEGAL ASPECTS OF EUTHANASIA. By O. Ruth Russell. New York: Human Sciences Press, 1977. Pp. 396. n.p.

In response to recent developments in the area of euthanasia, Dr. Russell has revised the first edition of *Freedom to Die* by adding an extensive supplement. After the first edition went to the presses in 1974, an international conference on euthanasia was held in Japan, the first "right to die" legislation was enacted in California, and similar bills were introduced in at least 16 state legislatures. The decision of the New Jersey Supreme Court in 1976 in the Karen Quinlan case has paved the way for legal recognition of the right of an individual in certain situations to choose whether to live or die. The revised edition of *Freedom to Die* is a frank and extensive study of the growing controversy surrounding euthanasia. The author analyzes opinion polls, research studies and "mercy-killing" cases, presents divergent views on the euthanasia conflict and includes specific proposals for legislative response to the issue. Dr. Russell compellingly argues for legislation that will safeguard the individual's right to choose to die. She suggests that the enactment of laws permitting a patient to request euthanasia would eliminate needless suffering and litigation.

THE INNOCENCE OF JOAN LITTLE: A SOUTHERN MYSTERY. By James Reston, Jr. New York: Times Books, 1977. Pp. xii, 340. \$12.50.

The author, a journalist, attempts to unravel the Joan Little case by emphasizing the impact of the characters on the event rather than the influence of circumstances on the characters. In this narrative, the main participants, including Little herself, give their own interpretation of the events. As a result, the reader is given a view of the facts more complete than that presented to the jury which acquitted Little. The author's purpose, however, is not to retry Little but rather to present the personalities and their perceptions within a framework of broader philosophical and legal issues.

KAREN ANN: THE QUINLANS TELL THEIR STORY. By Joseph and Julia Quinlan with Phyllis Battelle. Garden City, N.Y.: Doubleday & Co., 1977. Pp. xii, 343. \$10.00.

To the authors' satisfaction, the New Jersey Supreme Court unanimously asserted that extraordinary means need not be used to keep alive those for

whom no possibility of recovery exists. This book presents the Quinlans' version of the events that culminated in both that historic court decision and the subsequent removal of their daughter from a life support system. The interrelated legal, medical, and theological issues are recounted in combination with the Quinlans' personal experience. This style prompts reflection upon the intellectual issues presented, as well as appreciation for the human dimensions of the case.

REFLECTIONS WITHOUT MIRRORS: AN AUTOBIOGRAPHY OF THE MIND. By Louis Nizer. Garden City, N.Y.: Doubleday & Co., 1978. Pp. 448. \$10.95.

Louis Nizer, one of America's most distinguished and colorful trial attorneys, prefaces an account of his career by describing his childhood in Brooklyn and his legal education at Columbia. During the course of his career he became friendly with three Presidents, two mayors of New York and any number of important authors, artists and entertainers. Nizer represented, among others, Elizabeth Taylor, Marlene Dietrich, Jacqueline Susann, and the astronauts, and defended the film *Carnal Knowledge* before the Supreme Court against a charge of obscenity. The book has its sentimental and self-indulgent moments. Nizer waxes lyrical over family and friends and presents his defense of Nixon before an imaginary impeachment trial. But Nizer's book is also one of warmth, wit and charm which instructs and entertains.

TRUMAN AND THE STEEL SEIZURE CASE: THE LIMITS OF PRESIDENTIAL POWER. By Meava Marcus. New York: Columbia University Press, 1977. Pp. xiv, 390. \$14.95.

The author analyzes the events that culminated in President Harry S. Truman's seizure of the steel mills in 1952 and the subsequent Supreme Court decision, *Youngstown Sheet & Tube Co. v. Sawyer (The Steel Seizure Case)*. A product of extensive research, the book examines the problems which Truman faced fighting a limited war in Korea and maintaining economic stability at home. These problems form a backdrop for the ineffectual contract discussions between the steel companies and unions which eventually led to the seizure. Truman's decision is viewed as resulting from three factors: his Administration's unwillingness to endanger economic stability by acceding to a steel price increase as a prerequisite to a wage increase; Truman's view that the Taft-Hartley Act was unfair because it placed the burden of stability entirely on the workers; and his conviction that the President had inherent power to seize any industry, if necessary to carry out the duties of the Executive. The final chapter is devoted to a discussion of the constitutional significance of *The Steel Seizure Case* in light of the Watergate litigations.

VALUES AND SOCIETY: AN INTRODUCTION TO ETHICS AND SOCIAL PHILOSOPHY. By Peter A. Facione, Donald Scherer, and Thomas Atig. Englewood Cliffs, N.J.: Prentice-Hall, 1978. Pp. viii, 287. n.p.

This is an introductory text with exercises and selected answers at the end of each section, or "module." The emphasis is on the contemporary, everyday relevance of such concepts as utility, freedom and law. Brief reference is made to the important philosophers connected with each branch of ethics and social philosophy discussed. The book provides a general overview of ethical thought without detailed theoretical analysis.

WOMEN AND EQUALITY: CHANGING PATTERNS IN AMERICAN CULTURE. By William H. Chafe. New York: Oxford University Press, 1977. Pp. xiii, 200. \$8.95.

The author, an Associate Professor of History at Duke University, has written an account of the American feminist movement with an eye towards both the mechanisms of social control which have kept women "in their place" and the preconditions for social change. Chafe begins with an explanation of his methodology, which establishes an analytical structure within which women can be considered a minority group. He goes on to analogize between gender and race as discriminatory classifications. Despite significant differences in the black and female experiences, Chafe uses the black civil rights movement as a model from which to extract principles which apply to the feminist movement. In the final chapter, the author considers the obstacles which remain on the path to equality. He concludes that chief among them are not only the "masculine mystique," but the American spirit of individualism.

ZONING CONTROL OF SEX BUSINESSES. By Frederic A. Strom. New York: Clark Boardman Co., 1977. Pp. xiii, 139. n.p.

This short book explores the use of zoning laws to control the spread of commercial sex establishments. The author's analysis centers upon the Supreme Court's 5-4 decision in *Young v. American Mini Theatres*, in which Detroit's zoning laws were upheld despite their restrictive effect on first amendment rights. Strom emphasizes that *Young* should not be viewed as an open invitation to legislatures to zone sex establishments out of business. Rather, the Supreme Court precludes adult-use zoning as a method of overt suppression by requiring that zoning ordinances bear a rational relation to valid governmental purposes. The text includes an eighty-six page appendix which sets out the adult-use legislation of several cities, including Detroit, Boston and Chicago. The book thus provides the conscientious zoner with legal analyses which enable him or her to determine the degree of control over sex businesses that is constitutionally permissible.

