origin and growth. Throughout a discussion of these problems, the author keeps a sound course between several extreme theories. He rejects a Marxian as well as a purely formal and idealistic interpretation of law. In a few cutting statements he shows the fallacies of these and other theories of law. According to Pound, law is psychologically generated by two basic drives of human beings, their aggressive or self-assertive and their social instincts. Law's main function is to keep a balance between these forces. Socially "law is experience organized and developed by reason, authoritatively promulgated by the law-making or law-declaring organs of a politically organized society and backed by the force of that society." [1] Within this broad definition he describes the varieties of the lawyers' ideas of law and its characteristics. In his last chapter he pointedly outlines the limitations and imperfections of law-control and the contemporary crisis of law.

Though the reviewer deviates from Professor Pound's views in a number of important points, he finds the volume valuable, essentially sound, and stimulating. Most of Pound's criticism of several extreme theories of law is pointed and valid. Very important is his analysis of what in law is lasting and endures, and what is temporary and passing. Especially refreshing is his opposition to the contemporary disciples of Thrasymachus and Georgias, to the partisans of a replacement of law by a regime of administrative orders, and to an excessive relativization of law values. In his acid criticism of their inadequacies he gives us a wise warning of the dangers they contain for our society and for humanity at large.

PITIRIM A. SOROKIN †

THE INTERNATIONAL ECONOMIC LAW OF BELLIGERANT OCCUPATION. By Ernest H. Feilchenfeld. Washington: Carnegie Endowment for International Peace, 1942. Pp. x, 181. $1.50.

THIS work is a commentary upon Articles 42-56 of the Hague Regulations of 1907, constituting section 3 of the Annex to Convention IV respecting the laws and customs of war on land. These Articles are the basis of such law as we have concerning the powers of the military occupant, and his relations to the local inhabitants, especially in the matter of requisitions and contributions.

It may seem strange that so important a subject should be left to a regulation of such ancient lineage, for Articles 42-56 of the Hague have come almost unaltered from the Brussels Declaration of 1874, which in turn made large use of Liebers' Code, General Orders 100, for the Government of the Armies of the United States in the Field, 1863. These Articles are distinguished by their respect for private property, and their purpose to keep the invader or military occupant from impairing the rights of private property in occupied territory.

1. P. 62.

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The author, one of our leading authorities on state succession, has prepared a useful commentary upon these Articles while under great pressure for speedy production. The extent to which he has analyzed the European literature and practice on the subject and especially on the distinction between public and private property is to be highly commended. He also points out the weaknesses and gaps in Articles 42-56, ambiguities and generalities which expose the victim to serious abuse.[1] Possibly he indicates that some of the distinctions may have outlived their usefulness. If so, this is greatly to be regretted, since the distinctions between private and public property are the very bases of western legal conceptions. He might have emphasized the ambiguity of Article 56, which ostensibly assimilates the property of municipalities to private property in general, whereas it is probable that only municipal public property dedicated to religious, charitable, educational and scientific purposes was to be treated as private property. The author's discussion of occupation during an armistice, as distinguished from active war, is enlightening. He has examined the latest jurisprudence of the Mixed Arbitral Tribunals and other national and international sources.

Military occupation has become one of the most active and debatable subjects in international law. But for the Hague Regulations power politics might have left the occupant without restraint. Hence, it is of special importance that the limitations on the military occupant be studied and analyzed. Dr. Feilchenfeld's contribution is of major importance.

EDWIN BORCHARD †

BUREAURACY, A CHALLENGE TO BETTER MANAGEMENT. A CONSTRUCTIVE ANALYSIS OF MANAGEMENT EFFECTIVENESS IN THE FEDERAL GOVERNMENT. By J. M. Juran. New York: Harper & Bros., 1944. Pp. 138. $2.00.

MR. JURAN'S pamphlet is aimed at improving the organization, procedure and personnel of the national administrative agencies. It has substantial virtues: an urbane temper; an awareness that the problems discussed are common to all large-scale organizations and are not due to a particular party, group, or doctrine; and a recognition of the setting of management problems within the wider scope of public interests and Congressional decisions. Its limitation is self-imposed, and recognized by its author; it is a limitation of scope and depth.

The problems of bureaucracy can be most clearly comprehended when we see them as continuous from the emergence of the modern state out of the King's Household, and as always rooted in political objectives and relationships that take precedence over considerations of effective management. Mr. Juran's account of the "myth of the single central agency" shows that he appreciates the latter point, and can write with good humor.

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1. Pp. 26-29.

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