

of the United States, in connection with vital questions of political science. Accordingly, the work is not limited to an exposition of law. It, also, suggests an appraisal of the possibilities or probabilities of the future.

Other salient features are:

1. A deep comprehension of the philosophy of our political institutions and of its basic tenets, and the courage displayed by the writers in the analysis and discussion of significant problems of constitutional law and decisions rendered in connection therewith.

2. The effective elucidation of the postulates underlying our political system; the factors affecting or impairing the proper application thereof and the need of adhering thereto; and the dangers which departure therefrom may entail to the democratic way of life.

3. The impression it succeeds in giving that the Constitution is not just a machine, but a living organism, which develops and grows, under the impact of changing conditions and the influence of its environment.

Incidentally, Professors Tañada and Fernando have revealed what probably was not intended by them, but which can hardly be avoided in a work of this nature—their own attitude towards the law and society, in general, and towards democracy, in particular. It is obvious that their respect for the law and devotion to the welfare of the community is matched only by their faith in the republican system. Their conviction of its potentialities and inherent soundness is so patent, that the reader can not but feel the contagious effect thereof. In this manner, apart from being extremely useful to the bench and the bar, the book easily pricks the interest of law students. There is every reason, therefore, to believe that it may eventually have an influence comparable to that exerted by Mr. Justice Malcolm's work on the same subject, in the evolution of our political concepts.

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HANDBOOK OF LAW STUDY. By Ferdinand F. Stone. New York: Prentice-Hall, Inc. 1952. Pp. xi, 164. \$2.95.

It is rather obvious from its title that this book is not a law book in the traditional sense. There have been a number of similar books written, *e.g.*, Glanville William's *Learning the Law* and Kenneth Redden's *Career Planning in the Law* and *So You Want to be a Lawyer*, which have attempted to clear up the traditional difficulties encountered in the study of law. The problems of the beginners are many as they are real which have had a great deal to do with unnecessary floundering and failures.

Professor Stone has made it quite clear that there are three kinds of people who need this handbook in their bookshelves: (1) those who are debating whether to take up law, (2) those who have made up their minds and are preparing for the study of law, and (3) those who have entered law school and are

bewildered by the contents of courses, the kind and amount of preparation and the bulk of materials to wade through. I should like to add that this book would also be of invaluable help to guidance counsellors and faculty advisers.

The book is somewhat less than successful in the first objective, mainly because of the incomplete and rather brief attention given by the author to the problems of the prospective law student which are not less real and fewer than those of the law student. It seems that for a person who has been through the beaten path himself the author should have considered more than what he has actually covered and considered more extensively those that he has touched upon. The author has devoted only two short chapters to this problem, although it is to his credit that he has written them in a language the man debating whether to study law can understand. Nevertheless, the prospective law student will find in these chapters much that will clear up his initial problems and help him decide, one way or the other.

The book starts with the question: "Is law the profession for you?" The author gives three good lines of inquiry to help in arriving at a decision: Do I possess the qualities of mind and nature which are generally regarded as necessary and useful in the legal profession? Do I see in the law an opportunity for real service? Do I believe that this service will permit me to use my talents in a way satisfactory to me? Professor Stone devotes several pages to the qualifications a prospective law student should have to become a lawyer; a few paragraphs to the opportunity for real service in the law profession and is most careful to state that the matter of opportunity for real service is actually one which should always be kept in mind all through the period of law study; and a few pages to the third question with an apt warning that not every phase of the legal profession must be satisfying.

The book succeeds admirably in dealing with the problems of the person who has begun the study of law, to which the balance of the work is devoted. The chapter on what law is all about is especially illuminating. It should help the beginner to fix in his mind right away that the law is a noble profession indeed! This is quite important in the study of law. I'm afraid too much emphasis is being placed today in Philippine law schools in the study of the "bread and butter" courses that the study of what *the* law is has almost been completely ignored. Many legal educators have voiced the opinion that this is not a healthy trend, if not a dangerous one, since law students are the future policy makers of a country. Justice Ozaeta, Dean Capistrano and Professor Fernando are some of those who share in this view. This portion of the book, however, is not a study of the nature of *the* law, which is just as well for this is taken up in the first year course in *Introduction to Law* or *Jurisprudence I*, where the student is exposed in a preliminary way to the study of the nature and elements of the law and its essential role and function in the legal ordering. This is rounded up with the third year course in *Jurisprudence II* and, if the student further desires to delve deep into it, by the graduate course in *Legal Philosophy*. These courses undoubtedly make a better lawyer, a better judge, a better policy maker, and a better government functionary.

The existence of the difficulty in the beginner's approach to the study of law is very real for students in Philippine law schools. But certain steps have been undertaken to solve the problem. One of these is by providing courses in the first year of study designed to avoid many of the unnecessary floundering and failures. The course in *Legal Bibliography* is given to acquaint the beginner with important law books and other publications and to familiarize him with the principles of legal research. The 2-semester course in *Forensic*

Literature is devoted to the study of the language of the court, practice and training in effective forensic language and in the techniques of legal study. This reviewer, who has been handling this course at the Lyceum of the Philippines and Arellano University, believes that Professor Stone's work with the exception of the chapters in "Curricula" and "Courts, Judges and Juries"—because they are not adapted to the Philippines—would be of good use in the second semester work in *Forensic Literature*.

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CASES AND MATERIALS ON CORPORATIONS AND PARTNERSHIPS,
by Alexander Hamilton Frey, Little, Brown and Company, pp. 1404, 1951,
\$9.00.

This book combines in one volume cases and materials traditionally presented in separate courses on Private Corporations and on Partnership. The author believes that only by parallel consideration of comparable transactions of various types of business associations can an intelligent appraisal be made of the principles underlying this branch of the law. Of a total of 280 leading cases set forth in this volume, 48 cases or 17 per cent of the cases relate to partnership problems. The cases involving partnership are not segregated into separate sections but are classified together with cases on corporations under the same headings.

The materials in this book are not treated along the customary legal concepts of "de facto," "ultra vires," "powers and authority" or focused on legal relationship of "stockholder," "officers," "directors" and "creditors." The author does not approve of such groupings because they not only fail to stress the importance of primary facts arising from legal controversies but also render it highly difficult to form the necessary background of the problems. Successive cases, under such groupings, are factually isolated and have only a conceptual link. In this book Prof. Frey utilizes the transactions involved in the cases as the principal basis for their classification. In some instances, this kind of arrangement necessitates treatment of certain legal concepts in more than one chapter since cases covering a wide range of transactions cannot be classified under only one heading. Whatever shortcomings this shift in emphasis may entail is more than compensated by its innumerable advantages. A clear understanding, however, of the problems faced by practitioners is achieved by such classification.

This book also presents a substantial revision of materials ordinarily contained in a casebook on business associations. It includes cases and materials on many topics which are neither covered nor dealt with, even summarily, in other casebooks on the same subject. Among these subjects are: administration of the Securities and Exchange Commission and the courts of the Federal Securities Act, transactions involving transfers of shares, statutory developments covering shareholders' derivative or representative suit, reduction of capital stock, alteration of share structure by charter amendments and insolvent partnership "dissolution."