

April 1939

Jurisprudence

Charles P. Wilhelm

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Recommended Citation

Charles P. Wilhelm, *Jurisprudence*, 45 W. Va. L. Rev. (1939).

Available at: <https://researchrepository.wvu.edu/wvlr/vol45/iss3/11>

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mand for academic training; and the movement away from *ad hoc* political boards.

In the chapter on "Present Licensing Provisions" the author discusses the administrative standards which guide the issuance of licenses; reciprocity provisions; and the question of discipline. Placed a bit out of context in the chapter is an analysis of the constitutional issues underlying the problem of licensure, with particular emphasis upon the conflict between the police power and the due process clause. Chapter four deals with the administration of licenses. Of special interest is the analysis of the powers of *ad hoc* boards, and the restraints upon their power in terms of procedural guarantees of notice and hearing, reviewability, *etc.* In this field the reviewability of administrative action by judicial tribunals does not play the important role that it does in the case of rate determination by administrative bodies.³ It is pointed out that uniformity of administrative procedure in licensing professions has been partially achieved by the states in looking to the national associations of the professional groups for guidance.

The concluding chapter describes the trend in professional licensure as being towards the guild theory of control, but as being tempered by current consideration of socialistic ideology. The author, however, believes that the encroachment of socialistic ideology is too weak to offer substantial resistance to the power of the professional associations.

Not to mention the attractive graphs and tables, the author has spared no effort in collecting an extensive bibliography on the subject. It is hoped that Dr. De Laney will continue to develop the implications of the materials she presents, and will be urged on by her remarks in the preface that the "approaching professional guild control may have some significance for the whole field of political science."

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JURISPRUDENCE. By Francis P. LeBuffe and James V. Hayes. New York. Fordham University Press, 1924, 1938. Pp. xxiii, 286.

Essentially a development of one topic,—analytical jurisprudence,—this revision of the work as originally issued covers

³ See, *e. g.*, *Ohio Valley Water Co. v. Ben Avon Borough*, 253 U. S. 287, 40 S. Ct. 527, 64 L. Ed. 908 (1920).

not only jurisprudence as such, but also modern political theory and philosophy in relation thereto. In addition, great stress is laid upon the interrelation of organized religion, analytical jurisprudence and the development of different schools of thought in the general field of jurisprudence. The whole volume forms a sustained defense of Natural Law, defined therein as a rule of action, mandatory in form, which reason itself reveals as established and promulgated by the author of nature and imposed through its very nature upon all men, and, comprehensively, as the sum total of all such rules of action.

It would be difficult to find more matter for thought compressed into such small space. Naturally, this makes necessary a style which must be called "sketchy", for lack of a better description, but after the reader adjusts his mind to this it is not displeasing. The very variety of topics and the number of quotations given in support of the conclusions drawn give a zest to the book which is uncommon in works of this nature, and make it admirably adapted to its main function of classroom instruction, as well also as to use as a reference by students.

Two chapters of more than passing interest to persons, other than law school students, interested in jurisprudence stand out in this work:—the one is Chapter Five, which deals with American Schools of Jurisprudence; the other is Chapter Six, which covers matter embraced under Totalitarian Theories of Law. Chapter Five gives a survey of three schools of jurisprudence in America, Sociological Jurisprudence, Economic Determinism and Realism, with interesting comment and criticism. Chapter Six covers the Fascist, the Nazi, and the Communist concepts of law, all timely subjects in the field of jurisprudence, of interest to the reader whatever his sympathies may be.

A point of interest in the book, not usually found in one upon the subject of Jurisprudence, is frequent reference, with appropriate quotations, to authorities of the Roman Catholic Church including Papal documents as well as works of theologians. Such citations are especially pertinent in a work dealing so largely with Natural Law, and lend added interest to the discussion.

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