

making machinery with a relatively limited capacity. It would seem that the English Parliament is potentially capable of dealing with more of the country's law needs than are our legislatures. If so, the demand for judicial lawmaking in England may be to that extent less. Whether Parliament has found it possible to close the 'law gap' is, I gather, questionable. Perhaps the answer lies in the Law Commission which will assist Parliament to undertake law reform, particularly of private law."¹

CAMERON HARVEY*

THE REAL WORLD OF CITY POLITICS

By James Lorimer; (James Lewis and Samuel, Toronto), 1970; 158 pp.

Occasionally, and too rarely, a book appears which exposes the real world of the urban crisis and the contribution of municipal politicians to that crisis. This is the kind of journalism that has been produced by James Lorimer. It is something far different from much of the bland and irrelevant platitudes written about the cities; it is also unlike the ponderous volumes full of statistics, but equally lacking in relevancy to the day to day frustrations of the ordinary people in the urban jungle. Perhaps this is enough about what this book is not.

For the past number of years the author, a graduate of the University of Manitoba who received his doctorate in economics from the London School of Economics, became involved in the real world of municipal politics as a sociologist-activist in an urban renewal area of Toronto. He joined the people in the neighborhood residents' association. From actual experience with City Hall and from the point of view of the victims of the bureaucracy, he learned of the bungling and of the resistance of the local politicians to permitting the people to have a real voice in the decision-making process. From these experiences of the people vs. City Hall and a rigid School Board Dr. Lorimer wrote a series of articles published in the Toronto Globe and Mail; this book is a reproduction of these articles with an introduction by Jane Jacobs, the eminent authority on urban problems ("The Life and Death of Great American Cities" and other publications). Lorimer's book is a down-to-earth, devastating indictment of the Establishment-elected and of the Administrators. He names specific politicians and cites actual cases where vital urban issues were arrogantly botched: urban renewal, public housing, downtown schools, bull-doing expropriation, and city planning.

It is no wonder that the politicians and officials reacted violently to the author's documentation and exposé. As Lorimer says in the book's introduction:

1. These quotes were taken from pp. 1, 2, 4, 5, 14, 15, 19, 59 and 69.

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“Politicians (and employees of city government too) consider themselves to be rather special. They are the authorities; . . . They objected to these articles because their actions and their public statements were not reported with the usual deference, while at the same time those of ordinary citizens were given at least equal weight.”

What is new and different is that, in the interest of self-protection, citizen groups organized themselves to influence and if necessary to fight City Hall. City Hall reacted predictably: the forked-tongue approach of lip-service to citizens' interest but resenting in practice the proposition that political power should be returned to the people. Lorimer's instructive account of a city government in crisis is of interest and importance far beyond the borders of Toronto. The basic urban problems exist in every Canadian city and so does the alienation and disenchantment of the people. It would be foolish and dangerous to say that it isn't happening in every Canadian city including our own City of Winnipeg. The arrogance of a City Council passing a By-Law giving a policeman the right to censor placards in a parade, the sordid spectacle of the City of Winnipeg bureaucracy at war with bureaucracy of the Metropolitan Corporation of Greater Winnipeg, the bull-dozing way in which people were pushed around in the Burrows-Keewatin and Lord Selkirk urban renewal schemes, the tremendous tax concessions to private developers while the poor are over-taxed — these and other examples can be documented as the Winnipeg counterparts of the experiences in Toronto.

The importance of this timely and aptly named book is underlined by the current and bitter controversy now raging about the re-organization of local government in Greater Winnipeg. In the conclusion to his book the author sums up with considerable pessimism:

“City politicians and bureaucrats are well aware of the threat posed to them by political organizations of people who have until now been completely unorganized and almost totally inactive in politics. They know that success by one or two citizens' organizations might destroy the ‘you can't fight City Hall’ attitude and encouraged other similar groups to spring up and to tackle city government on a host of other issues. So the politicians and bureaucrats are fighting back, and they are doing so very effectively. People are getting nowhere. What looks like small but real successes turn out to be the prelude to complete failure. People find themselves back where they started from, and often worse off than they were. All their letters, protests, petitions, briefs, delegations, representations, meetings, demonstrations and pickets produce nothing.”

This reviewer cannot share the author's pessimism. It is true, as James Lorimer pointed out in a recent visit to Winnipeg that there is the danger that the Manitoba government's plan for Greater Winnipeg could lead to major real estate interests and developers strengthening their control in the restructured government. He also warned that although the Government's White Paper stresses citizen participation the ordinary citizen is in danger of having even less effective influence

at City Hall. Dr. Lorimer's warning is important and these dangers do exist. However, this course is not pre-determined. These possibilities need not happen. A progressive future for the One City will depend on the role and actions of the people, and in the first place, the labor movement in alliance with the poor people's movements and the youth. This valuable book is both a warning and an exciting challenge. After all, the urban crisis cannot be solved by archaic policies and public officials who refuse to change, and urban government is too important to be left any longer as the private preserve of the politicians and the powerful bureaucratic establishment.

JOSEPH ZUKEN*

CASES AND MATERIALS ON CRIMINAL LAW AND PROCEDURE

By M. L. Friedland; (University of Toronto Press: Toronto),
third edition, 1970; 695 pp., Index 6 pp.

Until recently, teachers of criminal law have relied for instructional materials primarily upon casebooks composed of the opinions of appellate courts. Since Langdell popularized the case method at the Harvard Law School a century ago, most North American law schools have resorted to the casebook as the medium to instruct students in a common law system based on precedent and counter-precedent. And since the casebook is problem-oriented, it has been assumed that case analysis was the perfect tool to instill in the student that amorphous talent known as 'legal reasoning' or the 'analytical mind.'

In recent years, many law teachers have come to realize that, while the case method is a necessary tool of legal education, it is not in itself sufficient. This realization is especially evident with respect to criminal law, which simply cannot be comprehended as a social (as well as legal) institution if one simply focuses upon high court decisions. I think this realization has developed in great part as the result of research in two areas of vital concern to the student of criminal justice: (1) the development and operation of the criminal law as a socio-political instrument of social control; and (2) the actual administration of the system of criminal justice with focal concern upon such topics as: police discretion, the criminal court as a bureaucratic system in which the traditional role of the defence counsel as advocate has been supplanted in the plea-bargaining process so that he has been reduced

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