

What training, aside from the legal training, must a lawyer have? "Lawyers must be trained not only in legal techniques, but also in sociological, economic, and political background upon which the law rests."

Judicial procedure is denominated as "the stumbling block in the administration of justice." Of what use is it to a citizen to have rights if he cannot vindicate these rights because of procedural obstacles? Grappling with this question, vigorous and constructive proposals are made for the efficient administration of the courts, and the appointment and tenure of judges.

Although this book relates some specific instances which are not to be found in our legal structure, yet it will be noted that the author sounds the same fundamental notes similarly obtaining in our jurisprudence. Readable to both laymen and members of the bar, the book offers new insights into the evolution of legal methods. The book is also clear in the stress it gives to the new developments in the law that have come as a response to the new demands of the people for social protection. So that after a reading of *MEN AND MEASURES IN THE LAW*, the reader can say with propriety that Justice Vanderbilt's lectures help in an immense way to one's thinking about the functioning of the legal order.

Thus edified, two thoughts would be suggested, as they were suggested to E. Blythe Stason, Dean of the University of Michigan School—The first: "No informed person can help being appalled by the magnitude of the task confronting the legal order in the world today. The growing complexity of human affairs has generated new legal entanglements between man and man—ever increasing in geometrical ratio. At the same time the insistence of economic forces has necessitated vast increase in governmental regulation—regulating almost every man, woman, and child in the country, virtually from the cradle to the grave—and every new regulatory measure adds new controversies between the citizen and his government—all grist to the legal mill." The second: "No human intuition achieves greater stature than the men who participate in it, and the leaders must be great enough to cope successfully with the problems. To this the law is no exception."

And also the question which even as of this time, would not be amiss to ask ourselves:

*Are we going to be able to produce the geniuses to solve the major problems of the future? Or is the profession so utterly inundated by the hosts of workaday details that its members cannot "see the forest for the trees"? Is the profession to give us men of great intellectual stature, with philosophical turn of mind, broad vision, and ability to lead the way? "The high soul climbs the highway, and the low soul gropes the low; and in between on the misty flats the rest drift to and fro."*

*THE TENURE OF OFFICE OF CIVIL SERVICE OFFICERS AND EMPLOYEES.* Abelardo Subido. Editorial Services, 107 Sutor Sta. Ana, Manila, Phil. Pp. 230.

For the countless other civil service officers and employees who may some day be in the same predicament as the author was at one time, this book urgently came into existence. The author joined the City Government of Manila in January 1948, at the invitation of Mayor de la Fuente. Hardly four months after he assumed office, the City Budget for 1948-1949 was taken up for consideration with a proposal to eliminate his item, the councilors' reason was for economy. The true motive, however, was his dismissal of some proteges of some unprincipled city politicians. He was a civil service man, nonetheless, he was dropped from the city roster.

Soon after his excellency, President Elpidio Quirino was proclaimed President on December 13, 1949, an announcement in glaring headlines, appeared in the local newspapers, requiring all presidential appointees to tender their courtesy resignations. This order has no parallel in the political annals of the Philippines. It is the official tradition that only cabinet members are required to tender their resignations upon assumption of office of a new executive. The "Manila Times" editorially remarked that it was a form of a purge of politically "unreliable people. This incident the author covers in full.

While this work has been written for the benefit of subordinate officers and employees in the Civil Service who need protection, the fundamental principles set forth herein are applicable to all civil service officers and employees, because just as the tenure of office of Presidential appointees may be imperiled by dubious measures, so also may the tenure of office of subordinate officials and employees in the civil service be subjected to similar dangers.

It is the purpose of this work to study the tenure of officers and employees with absolute appointment who are not presidential appointees or elected by the people; to search for proper safeguards such as will forestall any violation of the constitutional guarantee that no officer or employee in the civil service shall be removed or suspended except for cause as provided for by law.

This book mentions a brief history of the civil service system in the Philippines starting from President McKinley's investigating commission, later called the Schurman Commission which laid the plan for the introduction of the merit system in the administration of public affairs, down to the present civil service law which had often times been the target of criticism.

In this work special mention has been made as to those persons who are civil service eligibles. Thus, the book reports that it was the intention of the framers of the constitution that the civil service should embrace all the branches and subdivisions of the government. Appointments thereto are to be made according to merit and fitness, to be determined as far as practicable by competitive examination. The only exemptions are appointments to

positions which are "policy-determining, primarily confidential and highly technical in nature."

Other indispensable aspects in the function of the civil service system are given special treatment in this publication such as: the manner of appointments and tenure in other offices; civil service offenses, the power to discipline and preventive suspension, the commencement of action, rules of evidence, hearing, decision, penalties, appeal and judicial intervention, how tenure may be defeated, and the rights to strike.

This last angle of study has been given special emphasis by the author. Thus he says, that while there is no law or executive order or ordinance which prohibits employees from declaring a strike, it is submitted that it is the national policy to prohibit strike by government employees. It follows, that government employees may declare a strike without incurring any criminal responsibility. It is submitted, however, that government employees who declare a strike may be administratively dealt with, either (1) in the interest of the public service, or (2) for violation of reasonable office regulations. That there is an insistent need for Congress to pass a law prohibiting and penalizing strikes by government employees, it being a reasonable exercise of its police power, is obvious.

Undoubtedly this book is a truly great guide for all civil service men, classified or unclassified, calculated to give them a thorough understanding of their rights and obligations and privileges as public servants in the service of the Republic.

---

LECTURES IN REMEDIAL LAW, by Mario Bengzon, First Edition, 1951, Philippine Publishing Company, 642 pp.

To know the law is one thing, to understand it is another; brute memory work is the medium to the former, while thorough analysis brings the later into its fruition. It is not so much the ability, therefore, to quote a legal provision verbatim, but the meticulous application of the same to a given set of facts which matters. Bengzon's LECTURES IN REMEDIAL LAW, precisely has that purpose. This is gathered in the foreword: "to enable the student to understand Remedial Law and to be able to effectively apply it in practice."

To attain such a purpose, the book is practically full with examples whose simplicity, candidness and practicability cannot be overestimated. Along the best lines of imparting knowledge to the curious legal student examples have gained an almost indispensable position. And to give the effect of personal touch, which will put the student at ease, while reading, the author invariably uses the pronoun "I" in his numerous examples. Professor and student are in a "viz-a-viz" position, as it were—the atmosphere of the classroom carried even to the home.

Although not in any manner running counter to the conven-

tional presentation of the law in the codal-form, Professor Bengzon has aptly divided his lecture in five parts: I-Civil Procedure, II-Provisional Remedies, III-Special Proceedings, IV-Criminal Procedure and V-Evidence.

On those points where the law and jurisprudence is not clear, or where there seems to be a conflict or opinion, Professor Bengzon gives an explanation and then a personal opinion, after citing others', notable among whom is Mr. Justice Moran. For the purpose of the bar candidate, it comes as a help to know the different angles to a point of remedial law and to be able to state the sides to a question, choosing either, with reasons to sustain.

Owing to the fact, that volumes upon volumes have been written on the law, to such an extent that reading all is an impossibility, and to minimize the burden upon the student, the author embodies in his lectures only those important decisions and doctrines on same points of law. Anent this end-in-view, some provisions have been purposely omitted in the belief that they are not very important or that they are clear and self-explanatory.

To the candidate of the bar, more than anybody else is this book dedicated. And if these lectures will help produce successful practitioners, we can safely assume that the author's work will have been compensated. For what is the law, without the LAWYER?