



1936

Review

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proved strong enough to wield the power of a mighty people and to maintain the sacred right of the humblest citizen to life, liberty and property.

“To know our fundamental law, and to realize how well it has served its purpose, is to reverence it and to be devoted to its preservation. The lesson should be learned in youth. It is not dull and uninteresting. The story of the Constitution, well told, with simplicity and charm, will appeal to the youthful imagination with no less power than do Concord, the Delaware and Trenton. The difficulties surmounted by those who established the Constitution are no less inspiring than the struggles of those who won independence on the battlefields.”

REVIEW

Gleanings from Bar Briefs of thirteen years ago are interesting reading and may have some application to the situation in which we now find ourselves.

RESPECT FOR LAW

Just a short time prior to his resignation, United States Attorney, General Stone directed attention to the growing and insistent complaint that our system of law enforcement is breaking down in the following language:

“We make a prodigious number of laws. In enacting them we disregard the principles of draftsmanship and leave in uncertainty their true meaning and effect. More and more we take over into the field of positive law that sphere of human action which has been hitherto untrammled by legal restrictions, without thought of the extent to which a wise policy may leave some phase of human activity to the control of moral sanctions or to the restraints of the community sense of what is right conduct.

“We disregard the principle that there is a point beyond which the restraints of positive law cannot be carried without placing too great a strain on the machinery and the agencies of law enforcement. We leave out of account the true relationship of the law to be enforced to the agencies for enforcing it. We build up our administrative machinery with ever-increasing powers and authority in administrative officers at the expense of individual liberty and freedom of the citizen.

“To preserve in our system the principles of individual liberty and to accommodate to them the requirements of an efficient administrative system, to ascertain the principles which govern the relationship of positive law to the machinery and processes of law enforcement, are problems which cannot be solved wholly in the field of politics and of government. To their solution, schools of law and of political science have contributions to make. There must be brought to bear upon them the same thorough-going research, the same analysis carried forward in the spirit of science