Harper: Problems of the Family

Anna M. Kross
utilization of all community resources. Furthermore, there must be more cooperation between social workers and lawyers, because each can learn from the other.

This is a milestone book. Social workers everywhere are indebted to Professor Harper for this outstanding contribution to our knowledge.

Harleigh B. Trecker†

The Yale Law School is to be congratulated in encouraging Professor Fowler Harper to write his new text book, Problems of the Family. As Presiding Judge of the Home Term Court, my daily contact with many families which have been buffeted around from court to court and with the lawyers who represent them, makes me appreciate the unique contribution Professor Harper has made through this book. The volume is timely in view of the increase in divorces, annulments, separations, broken homes, and delinquency—a serious menace today. The confusion, conflicts, and uncertainty of the law—both legislative and judicial—have undermined the confidence of the people in the legal profession and in the judiciary. That something must be done to meet this threat is no longer debatable. Inquiries, commissions, and investigation by legislative bodies and the bench and bar have been undertaken and are continuing. The failure of the legal profession to take the lead has in large measure resulted from the fact that neither lawyers nor judges know what to do. Few are aware of the advances of such sciences as medicine, psychiatry, psychology, sociology, and anthropology. Those lawyers or judges who have some knowledge of these disciplines do not know how to implement or integrate them in the law.

Domestic Relations law until recently was almost unknown as a prescribed course, and lawyers were not required to know anything of these other disciplines. The role of these disciplines when envisaged by the law is usually found to be irrelevant, immaterial, or hearsay. The average jurist is confronted with the dilemma of making decisions without any background of the social forces that brought the matter before the court. Professor Harper's book, however, is a new and welcome tool not only for the teaching of Family Law, but also for helping to clarify the confusion that exists in this entire area; the text not only introduces the reader to an overall picture of the law and its relation to the social sciences, but will also stimulate action to improve our marriage and divorce laws and to help check the growth in broken homes and in delinquency.

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1. The jurisdiction of Home Term Court extends to all offenses and misdemeanors involving members of a family, brought into the Magistrates' Courts (a criminal court) either by arrest or court summons.
Professor Fowler Harper's splendid arrangement of the material and cases gives the student and reader an overall historical grounding in the legal, sociological, and psychological development of Family Law. The use of articles from the social sciences as an introduction to cases is the best preparation for an intelligent understanding of the problem. It is the forerunner of the much needed multi-discipline approach. Students of law and the social sciences, lawyers, legislators, and judges will find it an exciting book and a material aid in dispelling the general public's distrust and lack of interest in lawyers and the law.

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