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The Department of Justice of the United Sates, by Albert Langeluttig

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REVIEWS

THE DEPARTMENT OF JUSTICE OF THE UNITED STATES*

This volume is an addition to the *Studies in Administration* for the Institute for Government Research. It is essentially a statement—the result of much research—of the structural organization of the Department of Justice. It is a descriptive enumeration of the divisions, bureaus, and offices, together with their powers and functions, and it includes the related functions of offices located in other departments of the national government.

The study goes into the technical aspects of the Department in considerable detail, even to a review of the conditions, from an administrative point of view, existing in the federal penal institutions. The technical contacts with the federal court system are likewise covered in some detail—the formal manner in which federal judges, court clerks, district attorneys, and marshals are appointed and paid and their accounts audited. The book impresses the reader with the orderliness of the Department of Justice—a circumstance probably due to the free hand given the Attorney General in its organization. It impresses him also with the lack of foresight exhibited in the scattering of many essentially judicial functions among numerous departments, often with little opportunity for centralized functional oversight of their activities. Some possible remedies are suggested.

There seems to be but slight effort on the part of the author, however, to depict the actual *operating* relationship between the Department of Justice and the related agencies of other departments or branches of the government. The reader might like, for example, not only to learn of the existence and legal functions of the Assistant Attorney General in charge of the Division of Prohibition and Taxation, but also to know something of the working adjustments whereby that Division co-operates with the Prohibition Unit of the Treasury Department and avoids confusion and cross purposes under the double direction. The plan of the book apparently excludes this view.

In the chapter entitled "Litigation," on the other hand, the method of enumeration of the offices of other departments with their functions does not seem to require the filling of the gap of which mention has just been made. Possibly this is due somewhat to the element of discretion in matters of litigation. Where the discretion lies is indicated, and this seems adequate.

**The Department of Justice of the United States* by Albert Langeluttig, pp. 482. Johns Hopkins Press, 1927.

Possibly the most interesting parts of the study are Chapters XI and XII, "The Official Opinions of the Attorney General." and "The Authority of the Opinions of the Attorney General." The reader is led into the law of the Attorney General's practices, which is illustrated with numerous, well selectd cases. The fact that the opinions of the Attorney General are usually complied with by government officials is shown, in Chapter XIII, to have an interesting counterpart in the independence of the Comptroller General and his power to define his own legal position, to render legal advice on many fiscal matters, and to ignore the advice of the Attorney General.

Since the book is intended to be a specialized piece of work largely for the perusal of the specialized reader, it is in many places unrelived by apt illustration. Its copious citations, nevertheless, at every stage, together with over eighty pages of appended material, make it invaluable to the student of administrative law.

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