

RECENT DECISIONS

CONSTITUTIONAL LAW — Judicial Determination of Constitutional Questions — The Necessity of Explicit Authorization of Administrative Officers To Take Actions Which Limit First Amendment Freedoms 638	LABOR LAW — Recognition and Organizational Picketing — Unfair Labor Practice Charge Is a Prerequisite to Initiation of the Expedited Election Procedure of Section 8 (b) (7) (C) of the NLRA	
Corporations - Directors - Validity of By-Law Permitting Removal of Directors Without Cause 640	Taxation – Income Tax – Gross Income From Mining as the Basis for Computing Percentage Depletion Allowances 649	
LABOR LAW Federal Pre-emption — State Power To Exclude Ex-Felons From Union Office 643	TRUSTS — Charitable Trusts — Ascertainment of Dominant Intent in Application of Cy Pres 651	
RECENT BOOKS		
STEIN AND NICHOLSON: AMERICAN ENT MON MARKET: A LEGAL PROFILE. Reviewed by James N. Hyde	ERPRISES IN THE EUROPEAN COM- Vol. I.	
SCHUBERT: CONSTITUTIONAL POLITICS SCHMIDHAUSER: THE SUPREME COURT McCloskey: The American Supreme Reviewed by Paul G. Kauper		
KIMBALL: INSURANCE AND PUBLIC POL		
Reviewed by Albert A. Ehrenzweig		
BOOKS RECEIVED	668	
PERIODICA	L INDEX	
Subject Index of Articles and Comments Appearing in Leading Law Reviews		

MICHIGAN LAW REVIEW

Vol. 59

FEBRUARY 1961

No. 4

CONTENTS

ARTICLES

OF LAW:	
THE RULE OF LAW IN HISTORICAL PER- SPECTIVE	By W. Burnett Harvey 487
THE RULE OF LAW AND THE JUDICIAL PROCESS	By Luke K. Cooperrider . 501
THE EXECUTIVE DEPARTMENT OF GOVERNMENT AND THE RULE OF LAW	By Frank E. Cooper 515
THE SUPREME COURT AND THE RULE OF LAW	By Paul G. Kauper 531
THE INTERNATIONAL RULE OF LAW	By William W. Bishop 553
THE LEGISLATIVE PROCESS AND THE RULE OF LAW: ATTEMPTS TO LEGISLATE TASTE IN MORAL AND POLITICAL BE-	·
LIEFS	By Samuel D. Estep 575
THE CHALLENGE OF THE RULE OF LAW	By W. Burnett Harvey 603

COMMENTS

Copyright -- Notice Requirements -- Pitfalls for the Unwary . . . 616

Copyright 1961, by The Michigan Law Review Association.

Published monthly, November-June at Lansing, Michigan. Second Class Postage Paid at Lansing. Michigan. Editorial Offices at Ann Arbor, Michigan. Printed by Speaker-Hines & Thomas, Inc., 315 North Grand Ave., Lansing, Michigan.

Subscriptions: United States, \$7.50 per year in advance, eight numbers; Foreign, \$8. Single Issues: \$2.00.

Reprints: A few reprint copies of the articles appearing in this issue are available at 50 cents each.

Address all correspondence to:

Michigan Law Review Hutchins Hall Ann Arbor, Michigan

HEMEROTECA

SALA 2
ESTANTE 495

Michigan TABLA Law Review

POST-WAR THINKING ABOUT THE RULE OF LAW

THE RULE OF LAW IN HISTORICAL PERSPECTIVE

W. Burnett Harvey

THE RULE OF LAW AND THE JUDICIAL PROCESS

Luke K. Cooperrider

THE EXECUTIVE DEPARTMENT OF GOVERNMENT AND THE RULE OF LAW

Frank E. Cooper

THE SUPREME COURT AND THE RULE OF LAW

Paul G. Kauper

THE INTERNATIONAL RULE OF LAW
William W. Bishop

THE LEGISLATIVE PROCESS AND THE RULE OF LAW

Samuel D. Estep

THE CHALLENGE OF THE RULE OF LAW
W. Burnett Harvey