porations and the German-American Tax Treaty. Walter also assisted Prof. Grossfeld in preparing the International Encyclopedia of Comparative Law.

Robert C. Wells, J.D. 1969, received a grant from Michigan-Ford funds to enable him to complete his study of the reform of the land tax law in Costa Rica. He has been working on this project with the Agency for International Development on a Fulbright fellowship.

This past summer Steve Goldman, who will graduate next year, received a fellowship from the Hague Academy of International Law to attend their summer course. William Mansfield, a graduate student from New Zealand (from whose Ministry of Foreign Affairs he is on leave) also received such a fellowship. Two other students, Greg Lunt and Sandra Steele, also attended the sessions.

Prof. Sax Writes Book About Environmental Law

Prof. Joseph L. Sax has returned from a year's leave of absence during which he wrote about the role of the courts in resolving disputes in environmental matters. The product is, in the introductory words of Senator George McGovern, a "remarkable book" Defending The Environment: A Strategy For Citizen Action, to be published in December by Alfred A. Knopf, Inc.

The book is for "people" as well as for lawyers. Using several case studies—notably the disputes over the Alaska pipelines, the Hudson River Expressway, the Colorado wilderness, and the Hunting Creek "fiasco"—Sax convincingly demonstrates how the government of the people can be distorted so that it no longer works for the people.

As he puts it, it is a book "about the game of government, and how it is played to the detriment of the ordinary citizen."

"Ultimately the question we must ask ourselves," Sax concludes, "is whether we are prepared to leave the public interest to hired hands." The "hired hands" are the bureaucrats in administrative agencies who purport to make decisions on what is best for the majority but who in fact, as Sax elaborately documents, often are moved by political pressures or are simply limited by the "insider perspective."

One remedy, Sax suggests, is to shift some of the power of decision making from "those who know best" in the administrative and executive agencies to the courts. This will allow ordinary citizens to raise environmental concerns in a forum where they can get a decision (not just a press release) and have some assurance it is based on facts rather than politics—or bureaucratic fears of ever offending anyone.

Much of Sax's book is taken up with careful answers to both the legitimate and the spurious questions raised about referring cases designed to protect the environment to the courts. Why not simply have more "independent" task forces or councils? Why not simply allow more citizen input in the planning and hearing stages? Why must we have more distasteful and polarizing litigation? Sax's conclusions about the effective role the courts can play are based on an exhaustive exploration of several cases where a sensible solution was achieved.

Courts are not a panacea. Sax stresses. The campaign for environmental quality will continue to be waged in state houses, in Congress, in the media—even in administrative processes. "While the theme of this book has been a plea for greater judicial intervention," he writes, "it should be eminently clear that the goal is to create additional leverage for the citizen—to add to, rather than diminish, the opportunities for redress. Our goal, ultimately, is to improve and provoke the democratic process, not to constrain it. Courts are made quite powerful enough if they are enabled to build a common law for the environment, remand to the legislatures, and declare moratoria."

The "remand" and the moratorium are the devices Sax believes the courts asked to decide environmental cases have used most successfully in democratizing the democratic process. By sending a case back for further administrative consideration, or granting a temporary injunction, the courts can provide a critical period for open discussion and weighing of alternatives—and for a decision made in public rather than in the recesses of bureaucracy.

Sax will have an opportunity to see his ideas tested soon. A bill he drafted to provide for increased citizen standing in environmental disputes and for the ability of the courts to begin to formulate a common law of the environment passed the Michigan legislature last June. H.B. 3055, now Public Act No. 127 of 1970, has returned some power to the people, as Sax advocates. Time will show what they do with it.

Dean Emeritus E. Blythe Stason (right) was awarded an honorary Doctor of Laws degree at the University's summer commencement. Following is the text of the citation:
"Edwin Blythe Stason, Juris Doctor in the Class of 1922; former Professor of Law and Dean of the Law School; more recently, Administrator of the American Bar Foundation and Professor of Law at Vanderbilt University.

"As a scholar in pioneer fields of administrative law, local government law, atomic energy law, and the legal issues of current medical science, Dean Stason has established his versatile technical skill and his instinct for that truth which, as it is written, shall make us free. He enhanced the precision and authority of the laws of Michigan through his offices for the State Bar and his expert counsel to successive governors and legislatures. In the nation, he has contributed to just and orderly federal administrative procedures, to the apt regulation of atomic power, and to uniformity among state laws. Finally, through international conferences which he organized as Managing Director of the Fund for Peaceful Atomic Development and as Administrator of the American Bar Foundation, he has served the cause of peace and justice within the total world community.

"The University of Michigan, viewing with gratification and pride the continued distinction of this elder statesman, extends to Dean Emeritus Stason the singularly fitting degree Doctor of Laws."