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Handbook of American Constitutional Law, by Henry Campbell Black (4th ed.)

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Handbook of American Constitutional Law, by Henry Campbell Black. (4th ed.) Hornbook Series. West Publishing Company, St. Paul. 1927. Pages xxi, 753. Price \$4.50.

The author of this Hornbrook has attempted a very difficult thing. Hornbrooks on most phases of the law are very helpful and legal scholars

as well as practitioners are often greatly indebted to them. Possibly constitutional law is the most difficult subject for treatment in this way although it seems that Professor Yentima thinks that conflict of laws is equally unsuited to such treatment (47 Yale Law Jour. 468.) In fairness this must be said: Many phases of constitutional law can be treated adequately and helpfully in this manner and the author in this instance has done so; on the other hand certain of the more difficult phases of the subject which, unfortunately, deal with those questions that involve the greatest amount of litigation, are almost impossible to handle in a brief and dogmatic way. For instance, questions under the constitution of *due process of law* or *equal protection of the laws* or *trial by jury* or *freedom of speech* are several parts of the federal constitution which have given rise to much litigation in recent years. The significant feature about these parts of the constitution is that the expression in the constitution itself is not sufficient explanation in the least degree. The significance of the constitutional provisions depends entirely upon the way in which it has been interpreted by the courts and the factual and social concepts which may be involved for the future. It will be readily seen that a legal discussion of matter of this kind can hardly be handled adequately unless the different cases or the several factual and theoretical bases are considered in detail. It involves no disrespect for the ability or the accomplishment of the author in this instance, if we say that his book does not treat of these phases of constitutional law in such a manner as to be of real service to the practitioner or the student.

The book itself contains an admirable discussion of the powers of the federal government and an interpretation of the constitution in most of its parts. The foot note references are full and clear. We must surely say on the other hand that no book or no series of articles gives the full consideration which we should like to the subjects that we have indicated this book treats inadequately. These phases of the constitution represent a constantly growing part of the law. It seems that our ablest scholars hesitate to treat of them in a systematic and thorough way. Such books as Cooley on *Constitutional Limitations* and Burdick on *The American Constitution* do deal with the 14th amendment and the Bill of Rights more satisfactorily than this book; but Cooley's book is much longer and a really thorough consideration of these phases of the constitutional law is yet to be written.