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## Book Reviews

William J. Syring

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actionable negligence. The former theories present doctrines of strict liability which doctrines are foreign to the theory of negligences.

Probably, the only theory of recovery which was omitted was the common law doctrine of absolute liability for harm caused by fire.<sup>27</sup>

At first blush, it is apparent that the Indiana Appellate Court has confused the doctrines of strict liability with those of negligence. The author seeks to point out that for greater expediency and more clarity in our jurisprudence these doctrines of negligence and strict liability should be kept separate and recovery should be fixed on one or the other in the principal case, but certainly not on both.

*James H. Neu.*

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## BOOK REVIEWS

AMERICAN STATE GOVERNMENT. By W. Brooke Graves.<sup>1</sup> Revised Edition, pp. 806. D. C. Heath & Co. Boston, Mass. \$4.00.

At a time when nearly every attention of a citizen's daily life tends toward Federal problems it is of paramount importance that students of the Law and others interested in political science should read a pointed, timely book on the status of state government in America. W. B. Graves in revising his first edition has made available to such students this much needed up-to-date work.

The author has his work divided into seven parts: Constitutional Basis of State Government, Political Parties and Popular Control, The Process of Lawmaking, Executive and Administrative Problems, Financial Problems, Judicial and Legal Problems and Intergovernmental Relations. He has retained, expanded and brought down to date the popular selected references at the end of each chapter of his first edition. These proved excellent "finger tip" citations for further reading on particular topics. It is the first time the writer has read a book on political science in which the history of various phases of state government is presented at the beginning sections of the topics discussed. This set-up presents a useful and more sensible method of presentation. Many books detract much topical interest, lose much sectional color, because the entire historical background is presented in one concentrated chapter leaving other chapters with little more than a skeleton with arteries where there should be a well rounded form. Chapter VII, The State Legislature: Organization, is an excellent example

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<sup>27</sup> Harper on Torts (1933), par. 195-197.

<sup>1</sup> Professor of Political Science, Temple University.

of how vivid historical background will create and sustain added interest throughout the rest of the entire chapter. There the author conveys vivid conditions of the state legislatures in their origin and development up to modern times. This leaves the reader with a background with which to compare the organization of modern legislatures described in the remaining part of the chapter. Much of the historical background would have been forgotten or at least would have lost color if it had been printed in a separate chapter in an earlier part of the book.

The ending part, Intergovernmental Relations, serves to tie up and co-relate the state governments with the Federal government and local and municipal governments. In predicting the future of the states the author points out, quoting William B. Belknap, that the states are so independent that they are going to commit suicide independently. Mr. Graves sets out the problems the states have to overcome internally and in relation to other states and the federal government and suggests some ways to overcome general problems of the states.

It is believed everyone interested in the modern political science of the United States will welcome this new edition of American State Government.

*William J. Syring.*

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THE NEW RUSSIAN EMPIRE. By Andrew Efron. Tuttle, Morehouse and Taylor Co. New Haven. 1941. \$2.00.

With legalistic analysis and a barrage of factual situations the author gives the reader a picture of the present Russian state — a frightening one it is. The entire book evidences profound knowledge of the Soviet system, the ideologies from which it uncoiled and the unnatural, inhuman methods which its leaders have many times used to approach an artificial future utopia.

Mr. Efron states the purpose of his study is to examine the legal and political foundations of the new Russian Empire. He points out the new empire is a result of constitutional changes made by Stalin. Through the work he shows how the constitution in form is similar to the democratic constitutions of other countries but how deceptive it is when its substance is exposed. The soviet state is comparable to a huge factory where a small directory body is needed (the directing kernel or the Bolsheviks) and the rest of the people in it are tools of the factory-state, devoid of all personality and valued in importance only to the extent of their unitary value in making the factory efficient. Man under communism is depersonalized and his personality is to be merged into a common substance of generic existence. Ethics, religion and law disappear.

New concepts of the Russian "totum" (the final stage of communism, its goal,) and so called Soviet Democracy are introduced. The final "totum" of totalitarian state is to be a biological entity with a mechanical automatized activity of the organized whole. The present dictator is to lead the state on to the final stage.

Mr. Efron demonstrates how fear is behind the rule of Stalin and points out the "contradictory content of the Soviet constitution" in attempting to merge democratic principles with the principle of party leadership and personal dictatorship. The Soviet democracy is a complete sham — it is not democracy at all. The communist party alone is the political domineering group, superimposed upon the so-called classless society so that the only policy to be voted for is the communist one and the only leader is the dictator himself. This Communist policy is ideology and planned "intentionalization" which takes the place of social equilibrium and justice. Whenever a phase of this ideologized plan fails there is immediately noted a persecution of exponents of the theory.

Some similarities and dissimilarities of the Marxian pseudo-philosophy with the Nazi theories are pointed out. "Marxism in its original concept of 'proletarian origin' comes close to the biological 'substantialism' of the German exponents of race philosophy." A few dissimilarities of the two systems is that private capitalism is presumed under regulation in Nazi Germany while totally abolished in the Soviet. The Nazi system is based on a hierarchy of many denominations while the soviet state is composed of a so-called classless society.

On page thirteen the author scoffs the reality of "Original Sin" calling it a myth revived in our age because of the fear and pessimism in the present period of transition through which the entire world is going. "Original Sin" is not of necessity the forerunner or a fellow traveler of pessimism, in reality.

As the author states, his purpose is to examine the legal and political foundations of the new Russian state. His main purpose is not to compare his discoveries with findings based on other philosophies. The work of the author is narrowed in not developing the scholastic philosophy of St. Thomas Aquinas, or the natural law philosophy as mentioned on page ten, so that these might be compared with, and refute the Soviet "intentionalized" unnaturalness. Apart from philosophical comparisons the American purpose of government, namely to preserve the God-given rights of man, might have been incorporated to contrast the beauty and perfection of purpose inherent in our government with the godlessness and destructive force of the Soviet.

By and large the work is short enough in length to give many read-on-the-run political theorists a pointed insight into the inhumanism of the present Russian atheist government. One of the author's conclusions to be praised can be best given by a quotation, "Russia has long

enough exported communism to the United States. Now it may become possible for this country to export democratic wisdom to Russia. The United States is becoming the policy making center of the earth. American suggestions and American issues have lost their purely local character. The Federal Government is facing an unprecedented task. May it be successful in its initiatives and even more so in its achievements."

*William J. Syring.*

