

Throughout the three volumes the documentation is extensive and thorough on all subjects covered. There can be no doubt but that this work represents a real and valuable contribution in the field of history of law, bringing into one convenient collection, with judicious selection and convenient grouping, the wealth of detail which will now facilitate tremendously the work of the researcher and others interested in this field.

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Argentine Constitutional Law. By SANTOS P. AMADEO. Foreword by L. S. ROWE. [Number IV of the Columbia Legal Studies, edited under the auspices of the Faculty of Law of Columbia University, Edwin W. Patterson, editor.] (New York: Columbia University Press, 1943. Pp. 243. \$3.00.)

The author of this volume is Professor of Political Science and Law at the University of Puerto Rico. This study had its origin in work done by the author while studying comparative constitutional law at Columbia under Professors Deák, Dowling, and Rogers. The many similarities between the constitutional law of the United States and of the Argentine system led the author to a further and intensive study of the federal systems of the two countries with special reference to the rôle of the judicial department in them. The analysis, therefore, centers about the judicial function in the maintenance of the federal system and the preservation of individual rights.

Many of the provisions of the Argentine constitution of 1853 were modeled on similar provisions of the constitution of the United States. With this inter-relationship in mind, Dr. Amadeo describes in his first three chapters the evolution of the constitutional process and the judicial function in constitutional cases. Here he traces with clarity the factors in favor of the federal principle over the unitary. Nevertheless he insists—and no doubt he is very right—that it was not a one-sided struggle. However the influence of the American constitution was great enough to influence the choice of federalism. The third chapter is an excellent comparison of the organization, structure, and functioning of the judicial systems of Argentina and of the United States.

The second part of the study is devoted to an analysis of the division of powers in the federal system. Here the federal-provincial and the inter-provincial relationships are examined. Dr. Amadeo then proceeds to summarize the powers of the national government with a study of inter-provincial and foreign commerce, civil, com-

mercial, penal and mining codes, fiscal powers, treaties, military powers, bankruptcy, and postal powers. The second part of this study is concluded with a statement of the important powers of local self-government which are reserved in the Argentine constitution.

An outstanding feature of the constitutional development of Argentina is that each of its constitutions has contained a bill of rights for the protection of the individual against government action. The striking differences between the bill of rights of Argentina and our own constitution are clearly described. The marked contrasts found in the use of such constitutional protections as *habeas corpus*, bail, search and seizure, *ex post facto* laws, and due process illustrate not only the extent to which Argentine constitutional law has followed its northern counterpart in practice and theory, but also how far local circumstances have produced variations from the American example. The third part of the study is concluded with an examination of the place of personal freedom, liberty of mind, and economic interests with reference to the constitutional protection of the individual.

No specialist of South American politics could disagree with any of the eight general conclusions drawn by the author from his study. One of the many contributions which this study makes to our understanding of Argentine law is the manner in which the United States Supreme Court has served as a moderating force in the institutional life of Argentina. Again our author makes very explicit the provisions of the Argentine constitution which have sources other than the American constitution.

The volume contains a selected bibliography, a table of Argentine and American cases, and a general index. Although the author does quote freely and accurately many parts of both the Argentine and United States constitutions in the text, the entire Argentine constitution should have been placed in the appendix. Nevertheless this study is an important contribution to a more scientific understanding of Argentine constitutional law. Perhaps the author might add to his published work by completing similar studies on the judicial system, the executive, and the legislative bodies of the Argentine Republic.

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