transformed by the development of individual ownership, the competitive régime, the manorial system, and militarism. Popular sovereignty was superseded by the absolutism that reached its height under Henry II. In modern times the old family too has been undermined.

The old principles are as valid as ever—unity, spontaneous service, co-operation. The guiding ideals must be found in the philosophy of Christianity. What means to use at the present time, the author confesses he does not know. In his statement on the success of the old German tribal states he has a suggestion: "Here was directness of action; here was unity, consummate realization of popular government; here, as result, was little waste of time upon sessions and assizes; here . . . was efficiency according to the times. . . . I venture to affirm that a better mode of bringing the collective will of a people into operation has not been found, and, assuming a single-handed administrative capacity for carrying it out, could not be desired."

The first three essays of the volume complete the exposition of the author's thesis. The two others furnish further descriptive details on the governments which are used as the bases for the facts supporting the thesis in the earlier essays. The whole volume is marked by excellent clarity and logic. The formidable title of the book leads the reader to expect considerably more than the essays contain. Primarily in this is the volume disappointing. The reader will regret also that the author has regarded it as beyond his purpose to dwell more on constructive suggestions for the actual realization of the present time of the principles dealt with.

ARNOLD J. LIEN.¹

THE SENATE AND TREATIES: THE DEVELOPMENT OF THE TREATY-MAKING FUNCTIONS OF THE UNITED STATES SENATE DURING THE FORMATIVE PERIOD. Ralston Hayden, Ph.D., Assistant Professor of Political Science, University of Michigan. New York: The Macmillan Company, 1920. Pp. 237, xvi. University of Michigan Publications.

If any reader turns to this book to know how the fathers would have met the present situation, when one party holds the presidency and the other the senate majority, he will be doomed to disappointment. The fathers did not have to

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meet such a stalemate. The President and the Senate frequently differed in the interpretation of powers and policies during the formative period, but they were never of different political parties. They developed their relations without the handicap of partisan rivalry. The author of this monograph has undertaken to give an exhaustive historical narrative where others have been content to give a summary. His main conclusions may be stated in the following manner: the Senate has always maintained that it is as much within its constitutional powers to suggest the initiation of a negotiation as to pass upon a treaty already consummated by the executive; it seems to have been the purpose of the framers of the constitution to make the President and the Senate stand on a perfect equality in making treaties; President Washington started with the policy of treating the Senate as a Council of Advice in foreign affairs, consulted it in advance of negotiations, and laid the results before them again for ratification; when the plan proved unworkable in practice, Washington adopted the practice of consulting influential members of the Senate during the earlier processes of treaty-making, and seeking its formal approval of treaties only at the time of the ratification, rather than prior to and during the period of negotiation; little by little the consultations between the President and the Senate became an irregular and unimportant part in the negotiations even; and in the end the principle became fixed that the Senate should not attempt to participate formally in treaty-making until after the process of negotiation had been completed.

These conclusions can hardly be called original. The contribution such as there is lies in the elaborate marshalling of evidence. The most distinctive portion of the book is the chapter upon the "Genesis of the Senate Committee on Foreign Relations." The student of constitutional history will find the treatment exhaustive as the author intended it to be. The only fault the reviewer finds with it is a lack of coherence. Its critical bibliography and excellent index add much to its value.

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PRISON METHODS IN NEW YORK STATE: A Contribution to the Study of the Theory and Practice of Correctional Institutions in New York State. By Philip Klein, Ph.D. Colum-

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