

Goodnow, Frank J. *Social Reform and the Constitution.* Pp. xxi, 365. Price, \$1.50. New York: Macmillan Company, 1911.

This volume, the Kennedy Lectures for 1911 in the New York School of Philanthropy, is the seventh in the American Social Progress Series. Its primary purpose is to state the principles applied by our state and federal courts to current social reforms and to ascertain to what extent the Constitution of the United States, and, more important, the decisions reached thereunder, are a bar to the adoption of modern methods of coping with economic, social and political problems.

The author discusses, with astuteness and incisiveness, and with the care of a constitutional lawyer, the judicial precedents and the resulting judicial avenues and bars to social progress. The more important problems thus discussed include government ownership, regulation and aid; the power of Congress to regulate navigation, transportation and other commerce, or to prohibit commerce save when conducted under congressional regulations; the power of Congress to charter interstate corporations and its possible power over the private law of the United States; the constitutionality of other political and social reforms.

One of his most interesting conclusions is that, by passing a factory or labor code, whose observance would be necessary by all manufacturers desirous of engaging in interstate commerce, Congress could practically banish the worst of labor conditions. He shows that Congress has full constitutional power to create a system of interstate commerce under complete federal control, banish all distinctions between inter- and intra-state commerce, include within the federal system the manufacture or other production of goods to be passed in interstate or foreign commerce, and protect this system in all its details from any species of state interference. He finds that many political and social measures which many now believe to be absolutely necessary to a permanent solution of our social and economic problems are probably precluded from adoption because of the attitude taken by our courts. Among these measures are old age and workingmen's insurance when the recipient is not actually a pauper; the regulation of hours of adult male labor in any but the most utterly harmful trades; and the effective regulation of the use of urban land.

The book cannot but make one ponder over the problem as to why our courts, whose decisions have been passed on a study of precedents and not sufficiently upon a study of economic and social conditions, whose decisions have usually lagged at least a quarter of a century and often two centuries behind economic needs, should be allowed to close to the American people the avenues open to other peoples or avenues Americans may themselves devise, to meet changing economic and social conditions with progressive and efficient means. Why should social legislation for the twentieth century be limited by judicial norms propounded in the eighteenth century? The book points to the need of socializing and modernizing our courts, constitutions, and juridical conceptions to the end that the courts may not forever take unto themselves undue sovereign powers, thereby thwarting the will of the modern state. There is eminent need for making our courts as well as our legislatures and administrators responsive

to the sovereign will of the people. Parliamentary government to that extent we must have.

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Goodrich, J. K. *The Coming China.* Pp. xx, 298. Price, \$1.50. Chicago: A. C. McClurg Company, 1911.

The rapidity with which literature is being produced in order to record the changes now taking place in China is probably only exceeded by the changes themselves. Among the informed no one speaks to-day of China as the great static nation. No one charges the Chinese with being non-progressive. Changes have been taking place so rapidly as almost to threaten the solidarity of the Celestial Empire. The task that now confronts the educated group of Chinese is not one of instituting new movements but of giving intelligent direction to the modernism that is sweeping the country like a contagion.

The present volume throws a flood of historic light upon the situation. The author has sought diligently to explain the course of events. Beginning, in the introduction, with a narration of the changes which he has observed since first he went, forty-five years ago, to reside in Swatow, "one of the smallest, most conservative of the treaty-ports," he describes the attitude of the West toward a people whose ideas and institutions were not understood and the consequent creation of the hostile attitude of China toward the "Foreign Devils." The internal history is narrated from the origin of the people in the highlands of Western Asia, through their subjugation of aboriginal populations, the dynastic regimes, the rule of the Mongol and the Manchu to the present possibilities of dynastic change, which, in view of present hostilities, is an exceedingly significant prophecy. "China has now thrown off so much of her ten thousand years' accumulated stagnation and lethargy as to entitle her name to be coupled with the active, progressive, 'hustling' America; the unchangeable has been transformed into the changing; it is no longer military effort to force open doors that the keepers would still bar and bolt—or punitive missions of allies to extort compensation for alleged outrage; but the conquest is now to be one in which the Chinese themselves are to be as active in overthrowing their own obsolescent institutions as are the one time 'outer barbarians.' Furthermore, the radical changes of the past ten years which have almost startled the western world, the author regards as merely suggestions or prophecies of stupendous, almost cataclysmic changes that are soon to follow.

The "Yellow Peril" the author regards merely as a bogey of "Undeveloped China." The coming China with a completely reformed government, system of education, commerce, industry and army will have likewise a transformed national conscience which will make for international peace and stability rather than war. "If China is to be like America in certain ways, how can she avoid approximating us in all? If there are to be railways, inland navigation, post offices, factories, and all the concomitants of advanced life, the blessings must be paid for; the standards of living must be raised, so that the dreaded com-