

**Democracy or Anarchy? A Study of Proportional Representation.** By F. A. Hermens.\* Notre Dame: Review of Politics, University of Notre Dame, 1941. Pp. xxxi, 447.

This book presents a continuation of the arguments which Walter Bagehot brought against proportional representation some seventy-five years ago. One of the premises on which the argument is based is that parliaments should get things done and should not merely represent. He argues that the "majority system" does help to provide a government which can act whereas proportional representation works in the opposite direction. To use Hermens' words, "If we only think of what separates us and not of what united us, and proceed on that basis in elections, then we are courting the danger of anarchy. And since anarchy is not a workable state of society, conditions would be ideal for dictatorship."

The reader who is looking for an objective analysis of systems of representation will not find it in this book. The weaknesses of the "majority" system are not pointed out, and all the possible arguments against proportional representation are used regardless of their contradictory character. Proportional representation is ethically bad, but the author contends that "there is nothing morally objectionable to the plurality system." So concerned is the author with proving his point that he overstates his case. Proportional representation is blamed for all of the political calamities and woes which have come upon countries which have dared to try it. It is contended that without the aid of this nefarious scheme, neither Mussolini nor Hitler would have come to power. This thesis leaves the reviewer cold. Proportional representation is not that important.

There is no denying that the author has brought a wealth of material together on the operation of representative institutions in Europe and America. He has not weighed all of his evidence nor has he indicated clearly its implications. The extreme case that he makes against proportional representation might be turned against the democratic process itself. In any case, the book is a challenging one and raises some fundamental issues regarding representative government.

HAROLD F. GOSNELL†

## BOOKS RECEIVED

**Arbitration in Action: A Code for Civil, Commercial and Industrial Arbitrations.** By Frances Kellor. New York and London: Harper & Bros., Publishers, 1941. Pp. x, 412. \$3.50.

**Article XIX of the Covenant of the League of Nations.** By Pitman B. Potter. Geneva: Geneva Research Centre, 1941. Pp. 98. \$0.40.

**Backbone of the Herring.** By Curtis Bok. New York: Alfred A. Knopf, 1941. Pp. xi, 302. \$3.00.

**British Constitution, The.** By W. Ivor Jennings. Cambridge: at The University Press; New York: The Macmillan Co., 1941. Pp. xiv, 232. \$2.50.

**Cases and Materials on Conflict of Laws.** By E. E. Cheatham, N. T. Dowling, H. F. Goodrich, and E. N. Griswold. 2d ed. Chicago: The Foundation Press, Inc., 1941. Pp. lxiii, 1158. \$7.00.

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- Cases and Materials on the Law of Bills and Notes. By Howard L. Smith and Underhill Moore. 4th ed. St. Paul: West Publishing Co., 1941. Pp. lxiv, 1070. \$6.00.
- Cases and Materials on the Law of Conveyances. By Marion Rice Kirkwood. 2d ed. Chicago: The Foundation Press, Inc., 1941. Pp. xviii, 765. \$6.00.
- Cases on Constitutional Law. By Noel T. Dowling. 2d ed. Chicago: The Foundation Press, Inc., 1941. Pp. 1, 1248. \$6.50.
- Cases on Contracts. By Edwin W. Patterson and George W. Goble. 2d ed. Chicago: The Foundation Press, Inc., 1941. Pp. xiii, 1285. \$6.50.
- Cases on the Law of Torts. By Francis H. Bohlen. 4th ed. by Fowler V. Harper. Indianapolis: The Bobbs-Merrill Co., 1941. Pp. xvii, 1189.
- Cheyenne Way, The. By Karl N. Llewellyn and E. Adamson Hoebel. Norman, Oklahoma: University of Oklahoma Press, 1941. Pp. ix, 360. \$3.00.
- Declaratory Judgments. By Edwin Borchard. 2d ed. Cleveland: Banks-Baldwin Law Publishing Co., 1941. Pp. xxxvii, 1152. \$22.50.
- Democracy in American Life. By Avery Craven. Chicago: University of Chicago Press, 1941. Pp. xi, 150. \$1.00.
- Democracy or Anarchy? A Study of Proportional Representation. By F. A. Hermens. Notre Dame: Review of Politics, University of Notre Dame, 1941. Pp. xxxi, 447.
- Die Einwirkung des Krieges auf Verträge. By Dr. Gerhard Kegel, Dr. Hans Rupp, and Konrad Zweigert. Berlin: Walter de Gruyter & Co., 1941. Pp. x, 453.
- Dutch East Indies, The. By Avery Vandenbosch. Berkeley: University of California Press, 1941. Pp. xii, 446. \$4.00.
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- Federal Administrative Proceedings. By Walter Gellhorn. Baltimore: Johns Hopkins Press, 1941. Pp. 150. \$2.00.
- Federal Taxation for the Lawyer. By Houstin Shockey. New York: Prentice-Hall, Inc., 1941. Pp. xiv, 408. \$5.00.
- Fiscal Policy and Business Cycles. By Alvin H. Hansen. New York: W. W. Norton & Co., Inc., 1941. Pp. ix, 462.
- Free Speech in the United States. By Zechariah Chafee, Jr. Cambridge: Harvard University Press, 1941. Pp. xiv, 634. \$4.00.
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- Kaleidoscope of Justice, A. By John H. Wigmore. Washington: Washington Law Book Co., 1941. Pp. xxx, 751. \$5.00.
- Labor Cases and Materials. By Carl Raushenbush and Emanuel Stein. New York: F. S. Crofts & Co., 1941. Pp. xvi, 674. \$4.00.
- Legal Status of Women in the United States of America, The. By Sara Louise Buchanan. Washington: United States Government Printing Office, 1941. Pp. xiii, 89. \$0.15.
- Military Law and Defense Legislation. By A. Arthur Schiller. St. Paul: West Publishing Co., 1941. Pp. xxxiv, 647. \$5.00.
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- What is Democracy? By Charles E. Merriam. Chicago: University of Chicago Press, 1941. Pp. xi, 115. \$1.00.
- William M. Everts—Lawyer, Diplomat, Statesman. By Chester L. Barrows. Chapel Hill: University of North Carolina Press, 1941. Pp. x, 587. \$4.00.
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