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BOOK REVIEW

States' Rights—The Law of the Land. By Charles J. Bloch. Atlanta: The Harrison Company, 1958. Pp. xi, 381. \$10.00.

The Honorable Charles J. Bloch, of Macon, Georgia, has written a notable history of *States' Rights—The Law of the Land*. The book is in no sense an unwarranted attack on recent decisions of the Supreme Court of the United States, but is a scholarly and well documented history of the doctrine of states' rights.

Mr. Bloch clearly points out that our system of dual government was created by able lawyers and statesmen who envisioned a central government with definitely limited powers—powers which would not encroach upon the internal affairs of the states. But in order to make certain that this view would be held inviolate, when the proposed Constitution of the United States was submitted to the states for ratification, a number of the states refused to ratify it until assured that the Bill of Rights, consisting of ten amendments, would be adopted as a part of the Constitution. These amendments were adopted to assure the states and the people that the central government would not be permitted to exercise powers reserved to the states or to the people.

Until approximately twenty years ago, the author points out, the Supreme Court of the United States upheld the doctrine of states' rights as it had been interpreted by that Court since the adoption of the Constitution. Decisions of the courts of last resort in the several states were upheld whenever they were in accord with the well established decisions of the Supreme Court of the United States bearing on the subject.

A substantial portion of this book deals with the fourteenth amendment and the cases which have held that state action, recently declared to be unconstitutional, formerly did not violate the provisions of the amendment.

Every judge, lawyer, and layman, who believes in a government of laws and not of men, should carefully study this book. It points out the unorthodox manner in which the Supreme Court of the United States has arrived at many of its far-reaching opinions in recent years. In fact, the record supports the view that well considered precedents established by our Supreme Court through the years, when its members consisted of some of the ablest judges in the nation's history, are no longer considered but, in fact, are completely ignored.

In light of the facts pointed out in this book, if we expect to preserve our dual system of constitutional government, as envisioned and provided for in the Constitution of the United States, we must insist that the members of the United States Senate make certain that no man is confirmed as a member of the Supreme Court, who has not clearly demonstrated his ability to ignore his personal notion as to what the law ought to be, and base his decision on well established legal precedents and rules of construction, rather than upon psychological and social reasons.

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