

things, and looks for progress in the colored races only as they follow in the trail of the white man, overlooking the great achievements of the colored races in the progress of the world.

Fifty-nine papers were submitted to the congress and all of them are comparatively free from racial bitterness or prejudice. The many and difficult racial problems were presented from many different points of view by representative men and women from all parts of the world, representing many of the races of mankind. Religion, language, intermarriage, and commerce were all discussed from many different points of view as being the means by which the races of mankind may come to a better understanding of each other through mutual respect and co-operation. Commerce and a common language, however, were most emphasized as agencies in the accomplishment of international peace and racial harmony.

To the student of Political Science the papers showing the progress of the colored races in self-government are of special interest and tend to dispel the common notion that the white race, and the Anglo-Saxon in particular, only understand the fundamental principles of self-government. Papers on the government of colonies and the treatment of dependent peoples are also of interest. A number of papers dealing with primitive peoples are of special interest to the students of Sociology and Anthropology. The race problem in the United States was presented in a very carefully prepared paper by Dr. W. F. B. Du Bois, and the tribal life of the North American Indians was interestingly depicted by Dr. Charles A. Eastman (Ohiyesa).

At the last session of the congress a permanent international committee was established with headquarters in London to carry on the propaganda through affiliated committees in all parts of the world and to convene future congresses. The volume of papers contains an excellent bibliography covering the subjects of Anthropology, Ethnography, and Race Contact. A fair index adds to the usefulness of the volume.

FRANK EDWARD HORACK.

*Eléments du droit public et administratif, à l'usage des étudiants en droit (capacité).* By GASTON JÈZE, professeur agrégé à la faculté de droit de Paris. (Paris: V. Giard et Brière, 1910 Pp. 315).

The basis of this little book, we are told, were the notes of a course on the elements of public law given by Professor Jèze in 1909 and 1910.

No attempt has been made to treat the subject comprehensively, but rather to give a summary of the general ideas which dominate the public and administrative law of France. At the same time, the author endeavors to present a work of a scientific character, and in this respect he has succeeded. There is no other book where one can find in so few pages the general principles of French constitutional and administrative law so clearly presented and so logically arranged. He discusses in turn the general theories of constitutional law, the organization of the public powers, the theory of the public function, elections, suffrage, functionaries, the organization of the administration, administrative jurisdiction and administrative courts, local administration, the public domain and public finances, special attention being given to the theory of the public function and the administration of the national domain. He bestows deserved praise upon the Council of State, the most respected of all the French political institutions, and declares, what must be the opinion of every careful student of French administrative law, that it is an admirable and impartial tribunal above all suspicion and that there is no other tribunal in the world that administers better justice (p. 116). He dwells upon the new and liberal jurisprudence which it has developed in the interest of individual rights, and shows that it is more favorable to liberty than is the Court of Cassation (pp. 103, 111, 116). No one has stated more clearly than he the principles which underly the separation of justice and administration in France and the reasons for confiding to special tribunals the determination of administrative controversies. Rarely expressing his own opinion on controverted points, he occasionally indulges in criticism where it is clearly justifiable. Thus he says of the subprefects that they are useless for purposes of administration and that their principal preoccupation is that of political agents (p. 138). His dislike of prefects is even more pronounced. They exercise an ownership over the functionaries from the point of view of politics and make it their chief duty to see that the electors vote for the candidates favored by the government. This is regrettable, he adds, since it completely "denatures" the legal character of prefectural functionaries. This is the reason for the widespread demand for the suppression of prefects as the first step in the direction of administrative reform (p. 141). The control which they exercise over the Communal authorities, he remarks, is very objectionable and is often in the interest of national politics. In regard to municipalities which are favorable to the government the prefects close their eyes to all illegalities and

neglect their power of control, leaving injured individuals to address their complaints to the Council of State in the form of recourse for excess of power. This is why many persons insist that there can be no thorough going decentralization as long as the prefectural office is maintained (p. 160).

J. W. GARNER.

*Traité du Pouvoir Judiciaire, De Son Rôle Constitutionnel et De Sa Réforme Organique.* Deuxième Edition. By JULES COUMAIL. (Paris: Larose et Tenin. 1911. Pp. 500).

The first edition of this book appeared in 1895. The new revision brings the subject matter up to date and puts it abreast the recent literature relating to the Judiciary in France. The work is divided into two parts, the first of which deals with the general principles of the judicial power and the causes which, according to the author, have prevented the French judiciary from fulfilling its true mission. The second part treats of needed reforms in the organization, jurisdiction, and procedure of the courts, and contains a discussion of the various solutions which, it is claimed, are necessary to enable the judiciary to occupy its proper place in the constitutional system of France. The author deplores the fact that the judiciary in France is wholly ignored by the constitutional laws of the Republic and that its dependence on the executive power has reduced it to a position of inferiority. He is an outspoken adversary of the administrative jurisdiction which has constantly been extended by the decisions of the tribunal of Conflicts and to a less degree by the Council of State. Contrary to the opinions of most French writers, he maintains that the administrative jurisprudence is less liberal and less favorable to individual rights than that of the judicial tribunals, that its aim is to enlarge the power of the state, and that the judicial tribunals alone should be the guardians of individual liberty. Indeed, he argues, the penal code, as well as various provisions of the civil code, to say nothing of the most ancient traditions, show conclusively that individual rights were placed under the protection of the judicial power but that it has been deprived of this protection by an unwarranted extension of administrative jurisprudence. Thus the tribunal of conflicts has, not only by its decisions handed over to the administrative courts, a large class of cases involving controversies between individuals and the state, but also between