venture. Books had been written on the history of Roman Law in Europe, on the history of feudalism, canon or ecclesiastical law, and commercial law, or on the history of the law of individual countries, but no one had attempted to show the development of European law as a whole. All of this vast material Munroe Smith has compressed within the brief compass of 292 pages. Approximately one-fourth of this space (Book I) is devoted to an exposition of the early Germanic law. Munroe Smith gave lectures on Roman Law in a separate course, and these are not included in the present volume. Book II is entitled “The Interpretation of Roman and Germanic Laws,” the first part of which covers the same material that Vinogradoff discussed in his first lecture, on “The Decay of Roman Law.” Munroe Smith, however, deals with the development and codification of Germanic, as well as Roman Law. What the author has to say about the rules developed in the Frank Empire applicable to the relationship between the Roman and German inhabitants, or members of the different German tribes, is of especial interest to students of the Conflict of Laws, for according to Munroe Smith they were the starting point of modern European international private law. It should be noticed, however, that the rules applied only to men living under the Frank rule, men living outside the Frank Empire having no rights in that empire. As there was no complete territorial separation between the Romans and Germans and the different German tribes, the law of a man’s birth was generally restored.

In Book III, entitled “Disintegration and Reintegration,” the story of European law from 887-1500 is set forth. We find here an account of feudalism with its disintegrating influences, of the development of canon or ecclesiastical law, and of the law merchant, of the revival and reception of the Roman Law and of the history of law in France, Spain, Italy and Germany.

As one reads Munroe Smith’s lectures on the Development of European Law, one cannot help feeling grateful for the fact that they were published, albeit after his death. On every page there is revealed the careful scholar, who knows whereof he speaks. The task was one of tremendous difficulty—so complex was the material with which he had to deal—but in the hands of Munroe Smith it has reduced itself to natural order and simplicity. One cannot speak of this little book in terms of too high praise. It can be most earnestly recommended to all interested in the history of law or in Comparative Law.

New Haven, Conn.

Ernest G. Lorenzen.


As may be inferred from the title, this book has been written to urge legislation to encourage sterilization for eugenic reasons. It is a publication of the Human Betterment Foundation, which was organized in 1923 under the laws of California. One of the purposes of the Foundation is to perpetuate the work which is summarized in this volume.

The book is based chiefly upon some six thousand operations for eugenic sterilization of the inmates of California state institutions. These observations form a material contribution to the understanding of many sides of the subject. The first chapter describes vividly yet without exaggeration the huge national problem of dealing with defective and the insane. In subsequent chapters the history, extent, laws, and medical aspects of sterilization are briefly summarized. Considerable space is devoted to the discussion and refutation of arguments against sterilization. It seemed
BOOK REVIEWS

The reviewer that the authors are somewhat too optimistic that sterilization of the insane will shortly prevent insanity in future generations. Heredity unquestionably is more important in some forms of insanity than in others, and it probably acts by making some individuals more susceptible to environmental influences that are the precipitating cause of the mental disorder. The reader of this book unfortunately may draw the false conclusion that the insane are always born to insanity. Sterilization practically is an irreversible operation, but birth control by temporary measures is scarcely mentioned. The laws of many states covering birth control on one hand and sterilization on the other appear inconsistent, and a discussion of them together, at least in their eugenics aspects, would add to the value of the book.

The reviewer does not intend here to take a definite side on this controversial subject. He does plead for an open, fact-finding mind on the whole problem of heredity, birth control, and sterilization as applied to eugenics. One of the dangers and handicaps confronting a movement like this is that it makes an especially strong appeal to those who have a mental bias themselves. Enthusiasts who have a cause to advance may have difficulty in the evaluation of all factors of the problem. Then too often the cause is impeached rather than the evidence. However, the frank propaganda of this book ought not to prevent it from stimulating a great deal of cool, unemotional scientific study of the problems of applied eugenics.

New Haven, Conn.

ARTHUR B. DAYTON.


This volume will interest students of law for a number of reasons. Not the least of these is the fact that it is the first to bear the imprint of the Johns Hopkins Institute of Law. Those who are curious concerning the objectives and the point of view of the originating faculty of this Institute will find at least a partial answer in the perusal of Rueff. For it may safely be said that the stimulus which called forth this publication was the general correspondence between the conception of the "scientific method" held by this French writer and that held by the founders of the Institute.

It will not be possible to give here an adequate picture of Rueff's fresh and stimulating analysis of scientific method. "Setting out the underlying logical method of the social sciences and showing that it must be the same in kind as that of the natural sciences constitute," say the editors, "the great contribution of Mr. Rueff's book." (p. xxiv).

According to Rueff, the "rational ego" is governed by the Law of Identity, which gives rise to the Law of Causality, "a device which we unconsciously require in order to reconcile our sensations with the Law of Identity." (p. 7). The "reasoning machine" employs the "mechanisms" of formal logic and mathematical analysis to formulate "rational structures in accordance with the Law of Non-contradiction." (p. 8). The so-called physical sciences, by observation and experimentation, build up empirical generalizations about the phenomena experienced. The Laws of Identity and Causality require the "creation of causes" (p. 23) to account for the observed phenomena. But "at the beginning of every science, the em-