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## Book Reviews

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## BOOK REVIEW

*Constitution-Making in a Democracy.* By VERNON A. O'ROURKE and DOUGLAS W CAMPBELL. The Johns Hopkins Press, Baltimore, Md. 1943. \$2.75. Pp. v-286.

This book of 286 pages is a functional study of the workings of democracy in one aspect, that of constitution-making, or more accurately perhaps, constitution amending. It is, in fact, however, a detailed study of constitution amending in New York. The constitution of New York requires a resubmission of the matter of amendment to the people every twenty years and the election of members to constitute a constitutional convention. A detailed study is made of the program or lack of it of each party especially for the 1938 convention, of the horse-trading, patronage, etc. It compares constitution amending with statute amending and notes the influence of pressure groups. The conclusion is that the democratic society (p. 271) cannot be regarded as a *tabula rasa* upon which to write new political prescriptions. The process of amendment cannot be taken out of politics yet it is on the whole salutary and in effect is a high quality of supplementary legislation. The author finds difficulty in making clear-cut recommendations for feasible alterations in the operation of the machinery, but those made are worthy of consideration.

The New York procedure is infinitely superior to the method in states like Kentucky where apparently most all wisdom was the possession of the constitution fathers. Hence they made it next to impossible to alter their accomplishment. Here not more than two amendments can be voted upon at one election; a proposed amendment that fails cannot be proposed again for five years. It would take a long time to revise the constitution materially at this rate. If a constitutional convention is desired, it must be approved by two General Assemblies, one immediately succeeding the other, and the proposal is then to be submitted for popular approval. We are distrustful of all efforts to alter the constitution and a large percentage of the proposals fail.