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**STATES' RIGHTS THE LAW OF THE LAND. By Charles J. Block.
Atlanta: Harrison Company, 1958.**

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is justified in using this "shock approach" in order to impress upon the student that the law schools are not attempting to teach rules but rather legal reasoning. This theme of learning (the reason for the rule rather than merely learning the rule) has been vividly developed throughout the book.

The content, manner of presentation, readability, and brevity of this book far outweigh this reviewer's criticisms. It is recommended to freshmen and senior law students and it should be given serious consideration by teachers in Introduction to Law courses.

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STATES' RIGHTS THE LAW OF THE LAND. By Charles J. Block.
Atlanta: Harrison Company, 1958. Pp. 381. \$10.00.

This book, as the title might suggest, presents the reader with the ever present problem of segregation versus integration. How obvious would it be for the reviewer to say that Mr. Block might be somewhat partial in his treatment of this problem; but the reader, depending upon his own "regional attitude" might well draw a different conclusion.

Accepting Mr. Block's "regional attitude" it is nevertheless apparent that the book is predicated upon a serious and critical analysis of the enigma of segregation. The reader is afforded a historical background, beginning during our colonial period in the years 1607-1798. The author prepares the reader for the journey through the "dark ages" of the beginning of the end of segregation which terminated in the famous (considered by some, infamous) decision of *Brown v. Board of Education*.

The author very succinctly draws attention to the fact that when the Declaration of Independence was drafted by our forefathers, they declared that the colonies ought to be *free and independent*. This was the aftermath of the mutual bond of distrust towards the Crown; the idea that tyrannical consequences stem from a strong centralized power. The Bill of Rights dealt only with the limitations upon the federal government; the Tenth Amendment was only declaratory of the relationship between the national and state governments and "was to confirm such in the minds of the people."

The author asserts that the doctrine of separate but equal rights originated not in the South, but rather in Massachusetts. He then proceeds to assail such men as Thaddeus Stevens and Charles Sumner for foisting the Fourteenth Amendment upon the nation. When it was ultimately passed in 1865, it was done in a grandiose carpetbag style. However,

subsequent to the enactment of the Fourteenth Amendment, the state courts were steadfast in avowing that it required only that there be "equality and not identity of privileges and rights." All the cases up to and including *Plessy v. Ferguson* set forth one principal proposition: that "legislation is powerless to eradicate racial instincts or to abolish distinctions based upon physical differences."

The author regards 1936 as the end of an era. When all the cases dealing with police power, education and transportation, are considered, the separate but equal doctrine appeared to be firmly established in our constitutional jurisprudence. The author conducts the reader on a woeful expedition through the dramatic stages of the ever protracting tentacles of the United States Supreme Court, beginning with the case of *Southern Pacific Co. v. State of Arizona* and ending with *Brown v. Board of Education*. It is at this point that the Supreme Court becomes the author's quarry. Here he lambasts the Court for acting as a "super jury" in state court criminal proceedings.

By the time the author is through criticizing the Court, it becomes readily apparent that he is hoarding his strength for the *Brown* onslaught. Here the author bemoans the fact that a firmly embedded rule of law which withstood 105 years of combat in the state and federal courts was finally cast aside and replaced by the "psychological knowledge" of such men as Myrdal and Clark, their philosophy being that even assuming the physical tangibles to be equal, the negro would still be denied equal education. It is the author's belief that the Court's decision was predicated upon our changing political, economic, and social structure; and hence, in effect altered a constitutional amendment which only the legislature has the power to do. Mr. Block maintains that most, if not all, of the appointments to the United States Supreme Court for the last twenty years have been Senators or lesser politicians, without regard for their juridical ability, and not once has the Senate exercised its power to reject a single nominee.

In summary, Mr. Block has exerted a scholarly effort in presenting the view of the segregationist on this most crucial issue. Because of his "regional attitude" he has not exactly portrayed the merits of integration as they really are. The book is very informative and imparts an excellent background on the problems that the leaders of our nation face and which someday must be resolved. One thing is certain—the advocates of segregation are not dead, nor are their ideas standing idle in a stagnant swamp of hopelessness. This is exemplified by Mr. Block's concluding statement, "Congress may resume its position as a law making body through its power over inferior courts and over appellate jurisdiction of the Supreme Court."