Indiana University
Robert H. McKinney School of Law
Indianapolis, IN USA

Constitutions Compared: An introduction to comparative constitutional law, 3rd ed. By Aalt Willem Heringa and Philipp Kiiver. Cambridge: Intersentia Ltd., 2012. Pp. v, 361. ISBN: 978-1-78068-078-1. US$84.00.

Where would it be easier to decrease the number of legislators from the smallest state, in the US or Germany? Can the criticism for an imperfect law be directed at the Queen of the Netherlands, because she is the one who signed an act? Which parliament can veto its own abolition? These questions are answered by the authors of this book who are well known to those who deal with comparative law. In 2007, they published their first comparative analysis of the constitutional provisions of the United States, United Kingdom, Germany, France, and the Netherlands. Since then, their writings have been widely used by students of comparative law. There is little doubt that the recently published third edition of this book will be popular as earlier publications because of its clarity, resourcefulness, simplicity, and comprehensiveness, and for its ability to make difficult concepts understandable to beginners.

The new edition reflects such recently developments as the establishment of a new election system in Germany in 2011, electoral reform in the UK, amendments to the Charter for the Kingdom in the Netherlands, and the start of the operation of the constitutional review process in France. The book also takes into account the impact of the European Union's Treaty of Lisbon and Protocol 14 to the European Convention on Human Rights, which entered into force in 2009 and 2010 respectively.

In the preface, the authors explain their choice of countries selected for comparison. They say that these five constitutional systems "represent generic models of constitutional solutions across the world, and understanding these five systems makes most other systems much easier to understand." The book discusses major principles that define federalism, the role of parliaments in presidential republics and monarchies, election systems, and constitutional jurisprudence, and suggests that these principles can be used in evaluating the legal systems of other countries. All of the selected countries' constitutional systems are analyzed in historical context and their institutional setup is reviewed in great detail. While these five countries remain the main focus of the book, analogies with other states are used when appropriate (e.g., Turkey, Israel, Norway, Russia, Poland, Japan, Brazil, etc.).

Because the book is addressed mainly to students, it has a straightforward structure that combines topical and jurisdictional approaches. The first chapter provides an introduction to the definition of constitution in its narrow as

well as substantive meanings, describes approaches of varied states to chartering their basic laws, and sets the framework for major constitutional law terminology that can have multiple meanings in English. Like all other chapters, this introduction is followed by a list of recommended reading, which includes classic treatises and new monographs. The most difficult questions are highlighted and answered with special thoroughness. These are, for example, questions about constitutional relations between European countries and their overseas territories, the durability of democracy, sovereignty of courts and parliaments, and parliamentary approvals for royal marriages. Sometimes this method is used to introduce a theory, concept, or definition. In this way, the authors compare popular and electoral votes, describe the original system of nominating presidential and vice-presidential candidates in the United States, and explain why the Austrian system of judicial review is called *Kelsenian*.

The remaining five chapters of the book discuss the origins and main features of constitutions; concepts of federalism, unitarism, and decentralization; parliaments and their role in the lawmaking process; the status of heads of states and the place of governments in constitutional systems; and the constitutional bases for judicial review. In each chapter, a concise overview is followed by reading suggestions and five country essays analyzing how a particular institution developed historically and continues to work.

Almost half of the book consists of reference materials. They include the basic constitutional documents of the European Union and the five countries surveyed, a glossary, and a collection of web links that the authors believe to be useful to the reader. While the glossary appears to be innovative and combines features of a dictionary and index, providing page references to the terms discussed, the collection of recommend online resources is limited to web addresses of the countries' legislatures and highest courts. Internet bibliographies and research guides would be a good addition to the list. A comparative chart of main features of five constitutions under review is another research tool provided to readers.

A real novelty of this book is a catalog of model exam questions published at the end of the book and offered as a suggestion for possible exam formats. The authors say that their goal is to "facilitate and encourage self-testing," and I believe that they were able to achieve this goal. Hypothetical situations offered for assessment are often amusing, and I have to recognize that it was not easy to answers all questions correctly.

At the beginning of the book, the authors said that their goal is to "serve the first purpose of comparative constitutional law," which is to assist readers in better understanding of legal and political systems of their own countries. This goal was met by assessing existing constitutional systems, examining controversial issues in contemporary constitutional development, and applying the

"constitutional blueprint" drafted by Heringa and Kiiver to multiple legal issues and systems.

Peter Roudik
Director of Legal Research
Law Library of Congress
Washington, D.C. USA

Living in Infamy: Felon Disfranchisement and the History of American Citizenship. By Pippa Holloway. Oxford, UK; New York, NY: Oxford University Press, 2014. P. xv, 236, USBN 978-0-19-997608-9 US$34.95.

Living in Infamy: Felon Disfranchisement and the History of American Citizenship takes a look at the intersection between felon disfranchisement and the attempts in the post -Civil War period to deny African Americans the right to vote. The book has two central arguments. The first is to demonstrate how the contemporary understanding of "infamy" in the post-Civil War South provided white southerners with a strategy for using infamous crimes to degrade all African-Americans and deny them suffrage. The second argument posits that during the 19th century, states outside the South began to follow the Southern practice of disfranchisement of all convicts, thus spreading a racially motivated practice to a broader section of the population.

Although the book is focused on the period from 1866 through the early 20th century, Professor Holloway begins with an analysis of the understanding of infamy in pre-Civil War America. Infamy had its roots in English common law and on the European continent, but understanding and use of the concept expanded in the post-Civil War United States in many states—not simply the south. In English common law, infamous individuals lost the rights of citizenship, including the right to vote. However, there were in fact two types of infamy: infamy of law and infamy of fact. Infamy of law referred to the type of punishment a convict might undergo—public punishment such as whipping or the stocks degraded an individual and made him infamous. Infamy of fact referred to certain crimes which might undermine the honor of a person. This meant that historically perjury or treason would make one infamous but not murder or assault.

One of the points Professor Holloway makes is that citizenship itself would be degraded in society's eyes if persons who were infamous were allowed the privileges of citizenship such as suffrage. A corollary of this meant that African Americans who were slaves were automatically degraded in status based on their status and treatment. For many, this degraded status also extended to free blacks, who were also seen as being naturally inferior and unworthy of suffrage.