

Editors' Picks August 2008. *Choice*, v.45, no. 12, August 2008

Fritz, Christian G. **American sovereigns: the people and America's constitutional tradition before the Civil War.** Cambridge, 2008. 427p bibl index [ISBN 9780521881883](https://www.amazon.com/dp/9780521881883), \$80.00
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In one of the most significant contributions to rethinking the nature and function of constitutionalism that this reviewer has encountered in many years, promising historian-lawyer Fritz (Univ. of New Mexico) has taken a new look at the role of popular sovereignty in conflicts over the nature of constitutionalism in the US. The author's contention is essentially that historians have extended Gordon Wood's argument (in *The Creation of the American Republic*, CH, Oct'69) about the centrality of popular sovereignty in creating the 1787 Constitution to be reflective of American attitudes about popular sovereignty and constitutional change over the centuries. That is simply not so, Fritz shows through an elegant analysis of constitutional conflicts between the Revolution and the Civil War. His implicit message is that the power of the people to change the terms of the Constitution is always a lively, contested issue. This is a finding of immense importance for understanding the current constitutional impasse in the US over the war power, to cite only one example. A highly accessible, nicely produced, and beautifully researched and written book that is a must read for historians and teachers of public law. **Summing Up:** Essential. Most levels/libraries. -- *S. N. Katz, Princeton University*