

**C Saunders (ed) *Courts of Final Jurisdiction: The Mason Court in Australia*, Sydney: Federation Press, 1996.**

This useful compilation of papers is the product of a popular and successful conference, "The Mason Court and Beyond", held in Melbourne in September 1995. It is a handsome volume of 273 pages, bound in red and complemented by tasteful gold lettering. It serves as a fitting *Festschrift* for the man who served as Chief Justice of the High Court of Australia from 1987 to 1995, during a period of extensive development and readjustment in legal principle in Australia. There can be little doubt upon perusing the contents of this book of the deep respect and abiding affection in which Sir Anthony Mason is held by his colleagues, his profession and the scholarly community.

Whilst it might be thought that laudatory volumes of this kind will have inherent appeal to a limited audience, this volume has a number of attractions. The first of these lies in the range and eminence of the contributors. Prominent members of the Bar and Bench predominate as authors of papers in the first part of the volume, entitled "The Chief Justice and the High Court". However, a media view of the role of the Chief Justice has been included which provides a distinct perspective on the office and the institution of the High Court of Australia. Significant High Court decisions and issues of particular contemporary significance are canvassed in the papers, including citizenship, procedural fairness and the development of equitable principles of fairness and good faith. The papers are characterised by clarity of expression and thorough documentation. A second strength of this volume is utilitarian in that it makes accessible to a wide audience, including students, academics and lay people, valuable reflections and analyses which might otherwise prove unavailable for scrutiny.

The second substantive part of the volume, entitled "The Global Context" is devoted to offerings from a range of international contributors from Europe, Canada, South Africa and the Pacific region. In addition to the variety of foreign offerings, a paper by Melbourne academic (and former associate to Sir Anthony Mason), Kristen Walker on the subject of "Treaties and the Internationalisation of Australian Law" has been included, together with a commentary by Gareth Evans. Some significant themes unite this group of papers, in particular the significant role played by constitutional courts to the maintenance of the rule of law in a variety of jurisdictions, a recognition of the process of internationalisation of law, the influence of "supreme" courts upon one another throughout the common law world, and the interplay of domestic and international law principles. The sheer variety of offerings in this part is highly stimulating, as issues of constitutional significance in the United Germany sit juxtaposed with an assessment of the challenges facing the Supreme Court of Papua

New Guinea and the impact of the European Union upon the English legal system. The volume concludes with a perceptive epilogue written by the current Chief Justice of the High Court, Sir Gerard Brennan. He makes his own position about the role of the Chief Justice and the High Court very clear when he eloquently states, "[t]he function of the Court...is to administer, competently and impartially, the rule of law. It is a function of service to the community, not of the exercise of power over it."

I commend this impressive production to those with an interest in the operation of legal institutions in Australia. All papers have been produced using a clear and readable type face and the volume is not marred by extensive typographical errors, although the occasional misspelling interrupts the flow.

**Katherine Lindsay**