

BOOK REVIEW

"The English Legal System,"

By G. R. Y. RADCLIFFE and GEOFFREY CROSS.

"Lectures on Legal History,"

By W. J. V. WINDEYER.

Both these books are written for the student of legal history, and the respective authors make no claim to originality of material or opinion. In both cases the authors have been faced with the same major problem, that of covering the scope of their chosen subjects within the space of a single volume. This condensation of the history of the law and its institutions is a feat that has been attempted by several different authors within the last thirty years, but has been successfully accomplished by none. It necessarily involves a selection and rejection of topics for consideration and a further exercise of discretion on the author's part in emphasising some matters as important, and according slighter attention to others. Selection and emphasis must depend alike on the personality, views, and interests of the author, and cannot be satisfactory to all readers.

Thus it seems that the authors of Radcliffe and Cross were well advised to confine their book to a study of the origins of the institutions of the law, especially of the courts. It is of course difficult, perhaps impossible, to draw a clear line between institutions and doctrine, and while the authors announce their intention of treating institutions, they are drawn into some consideration of doctrine, which, because it is inevitably brief, is somewhat unsatisfactory. However, if the treatment of doctrine is regarded only as a necessary adjunct to the treatment of institutions, this criticism is disarmed. The book is written in a lucid style that brings out the logical sequence of historical events. The accessibility of its matter could have been increased by the insertion of sub-headings throughout its chapters, but otherwise the book is attractively presented in a manner to hold the reader's attention.

Mr. Windeyer's book does not limit its objectives, but attempts the whole scope of the history of the law, and for this reason it would be as easy to criticise its arrangement and its choice of topics as it would be difficult to suggest satisfactory alternatives. The book is based on lectures delivered at the University of Sydney, and is therefore adapted above all to the use of a student preparing for examination. It is a seriously written, accurate work which gives the reader a feeling of confidence in relying on its statements. The author's prose style is perhaps unattractive, but his book is filled with fact and is not overloaded with the controversy dear to the researching historian and loathed by the examination candidate.

—G. H. LUSH.