

The comparative materials are not limited to the United States and there is a liberal sprinkling of extracts from English cases and statutes. The inclusion of sections of Blackstone's Commentaries do much to set out the pattern of historical development of a topic. One weakness, however, is the frequent failure to follow this up with other milestones in development and concentrate too much on the present state of the law.

The sequence chosen by the editors is to be commended. The chapters range from the rules for issue of warrants through the entire gambit of criminal procedure to decisions on the power to exercise clemency. The inclusion of a number of sections from the American Law Institute's Code of Criminal Procedure and the Federal Rules of Criminal Procedure, add greatly to the value of the work. Copious references to law review articles and additional cases give an easy reference guide to more detailed studies of each topic. It is also pleasing to note that American publishers have not abandoned the practice of giving citations in the table of cases.

ALEX C. CASTLES

Cases and Materials on International Law by LESTER B. ORFIELD and EDWARD D. RE (The Bobbs-Merrill Company Inc., Indianapolis, 1955), pp. i-xvi, 1-781. American price \$12.00. (Our copy from the publishers.)

As in many other fields of knowledge the writer of a book on international law needs to be skilled in sorting the golden from the gilt and to be steeped in the mysteries of political science and philosophy, though these skills are not sufficient in themselves. For it is even more important that he should have the courage to tackle the task successfully, so vast is the field to be covered in one brief volume and so dangerous is reliance solely on the contents of the customarily revered reports of cases.

The editors of this book have tackled their task with skill and courage. Besides extracts from decisions in various international and national courts there are quotations from text-books and magazine reviews and statements from official documents. This material has been sorted into fairly satisfactory compartments, although it is interesting to note that the continental shelf is dealt with under 'The Jurisdiction of States' instead of 'The Territory of States'.

The collection of material from various sources enables some class discussion of different topics without undue strain on library resources. For instance, if we were considering the effect of international treaties on American domestic law under Article 6 (2) of the American Constitution, we would have extracts from the Constitution, reported cases, and the text of the Bricker Amendment, together with references to more detailed material. However there

is sufficient material for an intelligent discussion of the topic to be carried on. Because of this comprehensiveness the book will find its way to many library shelves.

Of course this policy has disadvantages. Reported passages are occasionally very brief and perhaps too brief to enable sophisticated discussion of any particular topic. To a very great extent, the material incorporated in a book such as this depends on personal prejudice. The present reviewer would incorporate some note of Kelsen's views when discussing the nature and sanctions of international law. However, no attempt is made to deal with this topic at length.

The chapter entitled 'Members of the International Community' is to some extent unsatisfactory. In the discussion of territories held under the trusteeship system, only Articles 75-82 are mentioned; the decision of the International Court of Justice on the status of South-West Africa is given but without any note of the reasoning of the Court, and decisions such as those in *Frost v. Stevenson*,¹ *R. v. Ketter*² and *Wong Man On v. Commonwealth*³ which help to throw some light on the operation of the trusteeship system are not referred to. No indication of the problems caused by composite international persons is given.

There is no reference to the *Jaffrate* case,⁴ although it seems directly contrary to the statement given on 'Foreign Confiscations in Anglo-American Law'. It may well be that the earlier law requires modification in the light of increasing world trade and the recognition that the state has a vital interest in the success of its citizens' overseas ventures.

It is unfortunate that there are no references in 'The Pacific Settlement of Disputes' to discussions such as that of Stone in 'Legal Control on International Conflicts' concerning the operation of the relevant Articles in the Charter. It might be considered that the Uniting For Peace Resolution of 1950 would have been a valuable addition to the material given.

The notes accompanying each topic are almost encyclopaedic. Not only is there a danger that a student will fail to search outside the material referred to, but there is a further danger that he will not use the material given to the best advantage. Little indication of the contents and value of books and articles is given, although it is obviously impossible for a student to tackle all the material referred to in this volume in the course of a single year. Still this is a problem which can be overcome with a little guidance from an experienced instructor.

D. J. M.

¹ (1937) 58 C.L.R. 528.

³ (1952) 86 C.L.R. 125.

² [1940] 1 K.B. 787.

⁴ [1953] 1 W.L.R. 246.