

of particular branches of law must be left to works on those branches.<sup>2</sup> The objections to the Author's terminology and classification are too numerous for listing. On both heads the Author seems unaware of contemporary Western philosophy and jurisprudence. The reviewer must also mention that the inaptness or extravagance of his figures of speech do not compensate for this.<sup>3</sup>

The reviewer, in short, regrets to have to say that this new edition of Professor Sethna's *Jurisprudence* falls far short of what its appearance leads us to expect. To be acceptable, the entire range of Western thought which it tries to cover would have to be rechecked from the sources, and much of the contemporary Western jurisprudence not yet examined would have to be measured. The Author still has to make his real case for the distinctiveness and coherence of his "synthetic jurisprudence"; but much more adequate analysis will have to precede this synthesis, as well as a clearer grasp of the principles and methods of synthesis as applied to normative entities.

ILMAR TAMMELO\*

*The Commonwealth Public Service*, by Leo Blair. Melbourne University Press, 1958. vii and 78 pp. (9s./6d. in Australia.)

The war and post-war years have witnessed a great increase in the size and importance of the Commonwealth Public Service. There were 47,043 Commonwealth public servants in June, 1939; by June, 1957, the number had increased to 158,153. The transformation has been qualitative as well as quantitative for, during the same period, the number of departments increased from twelve to twenty-five. At least half of the new departments existed in embryo within the 1939 group. Nevertheless, some of these latter, such as Territories and Social Services, have opened up fresh fields of Commonwealth activity just as much as the entirely new departments like Labour and National Service and Immigration. Even long-standing departments have acquired new functions, as in the case of the Treasury which has taken over State income taxation. Thus the Commonwealth Public Service has twice as many Ministerial departments with more than three times as many employees as it did before the last war.

Despite the increasing importance of the Commonwealth Public Service, comparatively little study has been made of its changing character or activities. There is some valuable discussion in the recent book edited by R. N. Spann, *Public Administration in Australia*<sup>1</sup>. The admirable study of Howard A. Scarrow, *The Higher Public Service of the Commonwealth of Australia*<sup>2</sup> was, however, the only book wholly devoted to this subject that has appeared in the post-war years. The contribution under review is, therefore, a welcome addition to our knowledge of a field in which much exploring is yet to be done.

Mr. Blair's book has a limited object, namely, "to provide some basic data which the student of public administration has hitherto been able to obtain only by reference to a wide range of articles, reports and other documents not always readily available."<sup>3</sup> An account of the historical development of

<sup>2</sup> This criticism relates also to other (and far better) books on jurisprudence which try to handle "universal" jurisprudence and "residuary" jurisprudence within one not too large volume. See, for example, G. W. Paton, *A Text-Book of Jurisprudence* (2 ed. 1951).

<sup>3</sup> See, for example, on p. 1: "Jurisprudence deals with fundamental legal principles; and law deals with rules evolved out of or based on the fundamental general principles given by jurisprudence. Law plays on the strings of those fundamental principles evolved or comprehended by the beautiful harp of jurisprudence. Jurisprudence is the harp that produces the melody of law, for the legislators, judges and lawyers are the musicians who play (and sing) on the strings (the fundamental principles) of this harp."

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<sup>1</sup> Government Printer, Sydney, 1958.

<sup>2</sup> Duke Univ. Press, 1957.

<sup>3</sup> At v.

the civil service is followed by chapters on the functions of departments; the management and control of the civil service; recruitment and promotion of staff and general conditions of service; employer-employee relationships; and conciliation and arbitration. Another chapter discusses briefly "other Commonwealth employment", such as the Australian Broadcasting Commission and the Snowy Mountains Authority. A concluding chapter deals with "The Problem of Bureaucracy".

Mr. Blair's discussion of these topics is somewhat slight, as is inevitable in a book of this size. It is, however, a clear and useful discussion; and the usefulness is increased by inclusion of an index.

It is a pity, in view of the lack of books on the Commonwealth public service, that Mr. Blair did not use his bibliography (of three pages) wholly for listing the more important journal articles and other publications. Instead, he mainly lists works on the British civil service. But this is a minor criticism.

T. H. KEWLEY\*

## BOOKS RECEIVED

Cowen, *Federal Jurisdiction in Australia*, Melbourne, Oxford U.P., 1959, £2/-/-.

Ford, *Unincorporated Non-Profit Associations: Their Property and their Liability*, Oxford, Clarendon Press, 1959. £2/16/-.

Geldart, *Elements of English Law*, (6 ed.) Oxford, Oxford U.P., 1959, 11/3d.

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