

AN INTRODUCTION TO ENGLISH LEGAL HISTORY

By J. H. Baker; (Butterworths, London), 1971; 330 pp. incl. appendices and index.

In the various Canadian common law schools, legal history and particularly English legal history, is currently neither very popular nor, indeed I dare say, regarded as very relevant. A number of the schools, Manitoba, Windsor, Ottawa, McGill, New Brunswick and Dalhousie, appear to continue to give the subject some treatment in compulsory general introductory type courses. In the curricula of several schools, Alberta, Osgoode Hall, Toronto, and Queen's, courses in Canadian and English legal history are offered on an optional basis. At U.B.C., Saskatchewan, and Western Ontario, legal history appears to have been dropped entirely.

Despite waning interest in legal history, and possibly because of this phenomenon, Dr. Baker's¹ book is a welcome addition to the short list of relatively brief general books on the subject which have been the standard fare in Canada.² Dr. Baker fairly accurately describes his book in the Preface:

"The present book is not designed for the student specializing in legal history, but for the student who requires a short history, in brief outline, of the principal English legal institutions and doctrines. Anyone who wishes to understand the history of English law at a deeper level must read Professor Milsom's stimulating *Historical Foundations of the Common Law* (1969)."

The book is, as the author describes, a brief outline;³ this is not to say, however, that the book is shallow in its treatment of the subjects covered. The first third of it deals with the development of institutions and related topics; the remainder of the book is devoted to the development of the major branches of our substantive law. At the end of each chapter there is a list of further readings.

It seems to me that at the very least every law student "requires a short history, in brief outline, of the principle English legal institutions and doctrines". Precisely how this is to be accomplished is another question of not inconsiderable difficulty; however, regardless of the means chosen, Dr. Baker has produced a basic, well proportioned, scholarly, and very readable text.⁴

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1. Dr. Baker is a Fellow of St. Catherine's College and Librarian of the Squire Law Library, Cambridge.
 2. Such as, T. F. T. Plucknett, "A Concise History of the Common Law", H. Potter, "Historical Introduction to English Law", W. J. V. Windeyer, "Lectures on Legal History", and S. F. C. Milsom, "Historical Foundations of the Common Law", together with other supplementary books of a more particular scope.
 3. By comparison in terms of length, it is about one third the size of Plucknett's "A Concise History of the Common Law".
 4. If Dr. Baker were to be asked, "is your textbook really necessary" (see (1970) 11 J. Soc. Pub. T.L. 81), I think that he would be entitled to answer most definitely in the affirmative. The only drawback to this book may be, rather unfortunately, its price at \$13.90.
- * Of the Faculty of Law, University of Manitoba.