

Association of the Seven (Britain, Austria, Portugal, Denmark, Norway, Switzerland and Sweden). At the same time, the Court of Justice is given comprehensive jurisdiction over the other organs of the Community, and member states are under an obligation not to submit any dispute concerning the interpretation or application of the Treaty to any other method of settlement. The Treaty says nothing of the substantive law to be applied, and the Court therefore has wonderful opportunities of developing a "European Law" by extracting principles which are common to the legal systems of the member states. Again, if Britain joins it will be fascinating to watch the European stream of law which will be produced by the flowing together of the waters of the Continental and Common laws. This theme alone could have been developed to most interesting lengths, but the authors are to be commended on adhering to the principle they set out in their preface of resisting "the temptation to warm to any particular theme on these interesting topics." All the way through, the book keeps to its professed course of being a legal commentary only.

The remaining chapters of the first part of the book concentrate on topics of practical commercial interest (for example, company formation within the Market countries, restrictive trade practices and monopolies, patents and trade marks) with a comparative study of the municipal laws of the member or potential member countries. These chapters therefore will not, on the whole, be of such direct interest to the reader on this side of the Atlantic, but they are illustrative of the painstaking research and attention to detail which characterize the whole book.

The second half of the book contains the appendices, the most important of which is that setting out the unofficial English translation of the full text of the Treaty of Rome. The various articles of the Treaty are carefully annotated with a reference to the appropriate paragraphs of the text where they have been treated in detail.

All in all one can certainly re-echo the words of Lord Denning in his preface that, "it is a good thing that Mr. Campbell and Mr. Thompson have produced this book so quickly and so well." If it awakens the legal reader on this side of the Atlantic to some of the problems and potentialities of the Common Market it will have achieved much.

C. H. C. EDWARDS*

THE JUDICIAL PROCESS

By HENRY J. ABRAHAM. Oxford University Press.
1962. Pp. xii, 381.

In this book, a paperback, the author touches on a wide range of topics, starting with the nature of law and proceeding through the function of courts, juries, lesser courts, foreign courts and judicial review. The scope

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of the material precludes a detailed study of these matters. Rather, the book provides a general survey of the factors contributing to the judicial process, particularly as it operates in the United States.

The book is designed primarily for students of Political Science. The bulk of the book describes the American system, but the author introduces comparisons with the legal systems of England, France, and to a lesser extent, other European countries. It therefore affords an informative basis for comparison of the Canadian process with that of the countries dealt with by the author.

Of particular interest is Professor Abraham's discussion of judicial legislating, and the limitations on judicial discretion. The author states the views of several learned and experienced men, including Mr. Justice Cardozo and Mr. Justice Frankfurter, and explains the arguments both for and against stronger judicial power, leaving the reader to determine for himself "the line between judicial will and judicial judgment".

Another section of the book of particular interest to Canadian legal readers is that dealing with the two chief methods of selecting judges—appointment and election—again particularly as applicable to the United States. After discussing the pitfalls and advantages of each of the methods, Professor Abraham discusses the compromise adopted by the States of California, Missouri, Alaska and Kansas. The method used in those states is temporary appointment, subsequently confirmed by election.

The author's task was a difficult one: to explain to laymen the highly complicated system of law under which they live. In this reviewer's opinion, Professor Abraham has most adequately fulfilled this purpose.

KNOX B. FOSTER*

LAUGHTER AT LAW

By STANLEY JACKSON. London: Arthur Barker Limited.
1961. Pp. 171.

Anyone acquainted with lawyers for any length of time has come to realize that the legal anecdote is a timeless form of wit, perpetually retold and distorted to fit different names and situations. What is proffered as a brand new story may have had a life span as long as the common law itself.

In this anthology of amusing stories on the lighter side of law, from the bench, the bar, and the witness box, Stanley Jackson does not pretend to be unveiling a treasurehouse of *new* tales. Many, such as that of the Master of the Rolls who said, despairingly, to counsel:

"Really, Mr. Smith . . . do give this court credit for some little intelligence,"
only to receive the reply:

"That is the mistake I made in the court below, my lord."

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