

not be regarded as a competitor with *Fleming*. It was Professor Heuston's eleventh edition of *Salmond* that was the first English text on the law of torts to make extensive use of Australian authority and it is satisfying to see others following his lead.

Mention of *Fleming* and *Salmond* gives rise to the reflection that there is a veritable glut of tort textbooks on the market at the moment. There is the new seventh edition of *Winfield*,²⁰ the thirteenth edition of *Salmond*,²¹ the twelfth edition of *Clerk and Lindsell*,²² the fifteenth edition of *Pollock*,²³ the second edition of *Fleming*²⁴ and now the third edition of *Street*. This is not the place for any comparative analysis of their respective merits though it must be said that for Australian purposes *Fleming* is the only indispensable one amongst them.

The one serious criticism that can be made of Professor Street's book is the terse staccato style in which it is written. Too often he assumes that the reader is well acquainted with the general outline and background of the rules he is explaining. The consequence is that his writing is stripped of all preliminary and exploratory material and launches straight into the substance of the law. This enables him to compress the whole of the law of torts into 494 pages (as against 813 for *Winfield*, 812 for *Salmond*, 704 for *Fleming*), but it reduces the value of the book for students at whom, as I understand it, it is primarily aimed. It is a very difficult book for anyone to use who does not bring to it a knowledge of the general outlines of the law of torts. After a student has that knowledge he will find this a stimulating book, but it is not one on which to ask him to cut his tort teeth.

Finally, and this follows on from what has just been said, *Street* is a book to work with, not to read. Its style is stark and unattractive. This is further exaggerated by the method in which the book is organized. It is divided into numbered parts, then subdivided into numbered chapters which are further subdivided into numbered sections, and these sections are finally subdivided again into lettered divisions. Now this makes for great clarity of treatment but it makes the book unreadable. In *Street* one will not find the charm and urbane wit which Professor Heuston has brought to *Salmond*, nor the cultivated elegance that was in *Winfield* (but which the latest editor has drastically excised), and nor will one find the magisterial atmosphere of *Fleming*. However what one does find in *Street* is clear if stark, exposition, a host of stimulating ideas, and one of the most accurate statements of the modern English law of torts which is available. It was a good book when it was first published, and it is pleasing to report that this new edition is even better.

CLIFFORD L. PANNAM*

The Constitutions of the Australian States, by R. D. LUMB, LL.M. (Melb.), D.PHIL. (Oxon.), Senior Lecturer in Law, University of Queensland. (University of Queensland Press, 1963), pp. i-viii, 1-96, and Index. Price: £1 9s.

Dr Lumb states in his brief preface to this little book that it was written to fill a gap in the existing literature on Australian constitutional law. I could not say whether in fact this is the only work extant which deals

²⁰ Ed. Jolowicz and Ellis Lewis (1963).

²¹ Ed. Heuston (1961).

²² Ed. Armitage (1961).

²³ Ed. Landon (1951).

²⁴ 1961.

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with the topic, but it is certainly the only one readily available, and it should certainly meet a long standing need.

The author begins by tracing the early constitutional history of New South Wales up to and including the grant of its 1855 Constitution. He then summarizes the development of the other Australian colonies up to a similar point on a comparative basis. This historical discussion forms almost the first half of the book. The second half consists of a discussion of the present States under three headings: an examination of the structure of the Legislature, a discussion of the relation between the Legislature and the Executive, and a discussion of the Legislative powers of the States and the limits thereon. Where appropriate, Dr Lumb takes New South Wales as his prototype, and deals with the other States largely by showing where their constitutional provisions differ from those of the older State.

The book is packed with facts, and they are accurately stated. It deals with a topic on which every Australian lawyer ought to be informed, though it may be conjectured that at present many of them are somewhat deficient in this respect. It is a book which is short and easy to read, and can be put into the hands of a young law student with confidence, as required reading on his part. There are a number of matters on which I would like to have seen a more extended discussion than a brief reference in a footnote, and it would, I think, have been an advantage if Dr Lumb had in his historical outline given some account of the reasons which underlay the divergencies of constitutional development in the various colonies. I should imagine that before long a new edition will be required, and it is hoped that when that occurs Dr Lumb will seize the opportunity to expand his present work, while retaining its essential structure as at present. Perhaps he could also find space for the full text of the standard Governor's Instructions, which is often hard to lay hands on. For the moment, it only remains to welcome the appearance of this book.

PETER BRETT*

An Introduction to International Law, by J. G. STARKE, Q.C., B.C.L. (OXON.), 5th ed. (Butterworth and Co. Ltd, London, 1963), pp. i-xxvi, 1-524, and Index 1-31. Australian price: £3 9s.

'Starke's International Law' does not need any introduction. Its success story, with a fifth edition a mere 16 years after the first one, shows the great popularity of the work. It combines, in very readable form, the aims of a purely introductory book with one in which the author deals briefly yet competently with the most up-to-date problems and crises facing international law. This latest edition covers not only the legal issues of the U-2 flight in 1960 and the limited blockade of Cuba by the U.S. late in 1962. It also incorporates the changes in the law of the sea which the ratification of the Geneva Law of the Sea Conventions will bring about. There are also detailed references to the Vienna Conventions on Diplomatic Relations (1961) and on Consular Relations (1963), which are bound to clarify many of the sometimes vague rules of customary international law. Other parts of the book have been rewritten. One of the most interesting sections is that dealing with economic blockade, where the author has built on the findings of Professor Medlicott in his historical treatise on Economic Blockade in World War II. The Com-

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