

the affairs of particular communities. As Holmes J. has put it: 'The remoter and more general aspects of the law are those which give it universal interest.'

Professor Sykes' book is a welcome addition to Australian legal literature. Hitherto in the field of mortgages it has been necessary to refer to English texts and to supplement this research by looking to local digests and legislation. The new book simplifies the task of the practitioner. The book traces local divagations from English doctrine and practice. It takes in all the relevant legislation of the various States. In so doing it prompts speculation whether the current trend towards unification of law as between the States and Territories will embrace this area of the law. The emergence of new methods of business financing, such as 'factoring' (involving large-scale assignment of claims), will probably prompt a demand for a measure of unification.

All told, the book is the product of sustained scholarly labour. In its field it will not be lightly superseded.

H. A. J. FORD*

The British Cabinet, by JOHN P. MACKINTOSH (Stevens & Sons Ltd, London, 1962), pp. i-xi, 1-546. Australian price £3 10s.

The origin of this substantial work, the author tells us, was a request made to him in 1958 by Professor J. D. B. Mitchell to join in the production of a third edition of A. B. Keith's *British Cabinet System*. After several months' work on this project it was found that so much alteration would have been necessary that the new edition could scarcely bear Keith's name. It was accordingly decided that Keith's book should be left untouched, and the present author was asked to write this book. I would say, in passing, that this was an eminently sensible decision, of a kind which would bear repetition in relation to many of the established standard legal texts.

The book falls into three parts. There is first a fairly brief attempt to trace the origins of the Cabinet system and its developments up to 1832. The treatment is necessarily brief, because the materials for a detailed study are not readily available, if indeed they are available at all. Secondly, there is a detailed tracing of the development of the Cabinet system between 1832 and 1914. Here there is a wealth of sources, some in the form of published work, others in manuscript collections or archives, and every page bears traces of the care with which the author has culled through these materials. And finally, the author deals with the working of the Cabinet system from 1914 to the present day. Here the sources are less readily available, for obvious reasons, but once again it is clear that the author has been tireless in his search.

I have spoken of 'the Cabinet system', but it is only fair to say that the author is at pains to show that this phrase is misleading. What is often presented as 'the Cabinet system' is a picture of a system of government which operated during one fairly recent period of British history, but which has evolved almost to the point of vanishing. True, a body known as the Cabinet still meets; but it no longer exercises the functions and powers that it once had. At the present day, in the United Kingdom, the Cabinet is little more than an administrative clearing-house for decisions already taken, either by a governmental Committee of Ministers,

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or by the Prime Minister. Indeed, one of the fascinating features of the book is the way in which it traces the gradual accumulation of tremendous power into the hands of one man.

Little remains to be said. This is an interesting and scholarly work. It will plainly be of great interest to historians and political scientists. I hope that they will pay heed to the author's criticism, in his closing pages, of the bankruptcy of much contemporary English writing in the field of political theory. The book should also be of much interest to lawyers, for if they are to succeed, they need to understand many things besides the rule of cases and statutes; and among those other things the way in which government works holds an important place.

For these reasons I warmly recommend this book. And I venture the hope that before long we shall have a similar production dealing with the Australian political systems.

P. BRETT*

Cases and Materials on Contract, by R. E. MCGARVIE, LL.B. (Hons) (Melb.) and F. P. DONOVAN, LL.B. (Adel. and Q'ld), B.A. (Oxon.), B.C.L. (Oxon.), LL.M. (Melb.) (Law Book Company of Australasia Pty Ltd, Sydney, 1962), pp. i-xxiv, 1-610. Australian price £4 5s.

One of the most interesting aspects of legal education in Australia and particularly Victoria in recent years has been the trend towards the so-called 'case-book' method of study. The consequence of this development has been the publication of a number of case-books on various branches of the law, and McGarvie and Donovan's first-rate book *Cases and Materials on Contract* is one of the most recent of them. The field of contract is perhaps a good one to study by the case-book method. This method of teaching is supposed to enable the student to discover for himself, with some assistance from his teacher, the basic principles which guide the courts in reaching their decisions. It is intended to give the student practice in analysis and synthesis. In short, it is intended to enable him to learn something of what the law is, and to gain some understanding of the judicial process. He should also acquire practice in applying principles to different fact situations. There are clear principles in the field of contract, and for the most part they combine together to form a coherent body of law dealing with a single subject matter. These principles can be readily discovered by a study and analysis of the cases, and at the same time the student can acquire those skills which the case-book method of study is supposed to give him.

McGarvie and Donovan's work is an admirable example of the modern case-book. As well as reports it contains such things as comments by the authors, extracts from statutes, extracts from articles and books, and problems. The reports themselves are presented in various ways. At times the whole report appears, at other times there is an extract only, or a summary. Counsel's arguments and headnotes are omitted. The whole is presented in an attractive and stimulating way.

It is clear that the authors have devoted a great deal of time to the form of this work, and have taken the moderate view that the merits of the case-book system will not be lost if the student is occasionally given some assistance in comprehending the intricacies of the subject with which he is dealing. One interesting feature of the book is the

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