

cedural rules in the narrow sense of conflict of laws. It also deals with problems of jurisdiction, recognition of the legal effects of foreign procedural rules, including litispence, international arbitration, legal assistance and the extension of jurisdiction to foreign territory.

Perhaps the greatest attraction of the work lies not in its actual content, but in its symbolism. Dare we hope that this is the first of a series of studies which will enable the western lawyer to examine the legal system of the Communist states and perhaps to ascertain that in many ways, certainly in adjective as distinct from substantive law, the legal iron curtain is more penetrable than the political one. If ever there is to be some measure of co-operation between east and west it is essential that there be some depth of trust and understanding of method and rule. It is works like this which will contribute to such an understanding and we can but hope that Messrs. Sijthoff intend *International Civil Procedure* to be merely the first of a series of truly comparative studies which cross the ideological border. Perhaps, too, they will assist in making comparative law a more attractive subject of study in law schools, and will encourage lawyers to be prepared to look outside of their own background and its blinkers.

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**LAW RELATING TO NUCLEAR ENERGY.** By Street and Frame. 1966. London: Butterworth & Co. (Canada) Ltd. Pp. xviii and 320. (\$27.50).

The operation of nuclear installations involves considerable risk and the authors are concerned with the legal redress available to a person or a state injured when this risk materializes. A potential plaintiff may discover that he has insurmountable obstacles in proving a case in one of the recognized forms of tort liability, and this fact may tend to indicate that existing remedies are insufficient.

The first two chapters are primarily concerned with British administrative law, since they deal with the statutory machinery as it now exists in the United Kingdom. Chapters Three and Four deal with the civil liability of the operators of nuclear installations. Much of the common law liability for the escape of ionising radiations has become unimportant in Britain. The reason is that liability has been placed on the operator of a nuclear installation by virtue of the Nuclear Installations (Licensing and Insurance) Act, 1959. The most important question which remains is the scope of the duty in an action for breach of statutory duty. The Nuclear Installations Act, 1965 replaced the previous Act and extended the liability of the operator of a site to all damage caused by "nuclear matter" even though such damage does not result from its radioactive properties only.

International lawyers will be interested in the deviations of the United Kingdom statutes from the Paris Convention and the other Conventions dealing with the civil redress which the subscribing nations should afford to victims of nuclear occurrences. The authors explain the reasons for the departures from the various Conventions and the conflicts prob-

lems involved. The international institutions which govern research, distribution of ore and fuel and security are subjected to a thorough analysis. Canada is a member of the Board of Governors of the International Atomic Energy Agency and so is taking an important role in the attempt to divert nuclear energy into peaceful channels.

Chapter Five is a fascinating chapter devoted to the liability of those who use radioactive material for industrial and medical purposes. Much of the law controlling the circulation of these substances is statutory, and therefore is peculiar to the United Kingdom. The authors do discuss the problems of liability under the general law, however, and their comments will be most useful in all the common law countries. The examples used demonstrate the ubiquity of the chance of harm in a modern society.

This is a most interesting work which not only explains all the law relevant to the production of nuclear energy, but also explains carefully what it is that produces the risk of injury. Some of the book necessarily deals with the English statutes and the European international agreements but the sections dealing with the common law and with the conflicts and public international facets of legal liability should be most rewarding to the reader.

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SOME MAKERS OF ENGLISH LAW. (The Tagore Lectures, 1937-38). By Sir William Holdsworth, K.C., D.C.L., LL.D., F.B.A. Cambridge: Cambridge University Press. 1966. Pp. xi and 308. (\$2.25).

Counsellor Pleydell in Sir Walter Scott's novel, *Guy Mannering*, stated:

"A lawyer without history or literature is a mechanic, a mere working mason; if he possesses some knowledge of these he may venture to call himself an architect."

Sir William Holdsworth might well have added that one cannot appreciate fully legal history by studying only the facts and events of history. History is not made by events alone but also by men who shape or are shaped by the happenings of their day. The rivalries between such men as Coke (Chief Justice of King's Bench) and Bacon (Attorney-General) cannot be ignored when discussing the fact and the implications of the Earl of Oxford's case. It is possible that Equity would not have triumphed at that time if the two key figures had not been bitter rivals in a personal sense as well as in a professional sense. This does not mean that one should ignore the undoubted ability and leadership of Lord Ellesmere who was Chancellor for twenty-one years (1596-1617), and it is probable that the respect felt for him was no small factor in reconciling the professional opinion of the common lawyers to the King's decision in favour of the court of Chancery.

The Tagore Lectures were established through the testamentary generosity of Prasanna Kumar Tagore C.S.I., who died in August, 1868. In his bequest to the University of Calcutta he directed the Senate of the University to appoint a professor who should deliver one complete course