

Courts, making those reports not in any way as officers of the Court, nor for the purposes of the Court, but merely as men supplying for a price an article for which there was a sufficient demand to make the regular production of it sufficiently lucrative" (p. 35). Mr. Bolland had elaborated this theory as far back as 1912 (see *Eyre of Kent of 6 and 7 Edward II*, vol. II, pp. xxxi—xlii, in the publications of the Selden Society); and in his present volume he gives a good summary of it (pp. 35—42). This view of the authorship of the Year Books, supported by Mr. Bolland's cogent reasoning, is one which has much to recommend it. Anyone who has looked into the early Year Books will be easily led by Mr. Bolland's arguments to regard them as commercial productions. But, as remarked by Sir Frederick Pollock in his Introduction (p. xi), "exactly when the production of such books for sale became a business, and whether it was more systematic as time went on, are questions capable of solution only when the later Year Books are critically examined."

Roger North tells us that Serjeant Maynard "had such a relish of the old year books that he carried one in his coach to divert him in travel, and said that he chose it before any comedy." Likewise we are told by Hugh Blair Grigsby, in his *Life and Character of Littleton Waller Tazewell*, that George Wythe, the first law professor in America, the teacher of Thomas Jefferson and John Marshall, "above all early statesmen was deeply learned in the law; had traced all its doctrines to their fountain heads, delighted in the year book, from doomsday down." But those who delight in the Year Books are not confined to serjeants and professors; for we learn from Mr. Bolland's book that at one time a young lady in Massachusetts took out with her in her boat every afternoon a volume of the Selden Society Year Books, and that she was "wholly fascinated" by it. One of the many reasons why the Year Books delight and fascinate is that they picture to us the life of the times. In Mr. Bolland's words, they are "priceless storehouses of many kinds of learning." The law, the social and economic conditions, the language, the humour, the tragedy of the Middle Ages—they are all in the Year Books. Mr. Bolland's enlightening volume gives the reader an excellent introduction to this vast treasury of medieval lore. May it arouse a desire to examine this treasury at first hand.

H. D. HAZELTINE.

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*International Law and the World War.* By JAMES WILFORD GARNER. Longmans, Green & Co. Two vols. pp. xviii and 524; xii and 534. (£3 12s. net.)

PROFESSOR GARNER, of the University of Illinois, whose works on political science are well known, has written an able and a useful book. It may be felt in some quarters that it is still too near the days of the European war for anyone to sum up effectively the alterations which it has wrought in international law as hitherto understood. On the other hand, somebody must make a beginning; and it is all to the good that the earliest attempts in this direction should come from scholarly and well-read authors, as does the present book. There is a note of pathos in the fact that Professor Oppenheim, who had pre-eminently the gift of making,

or of getting others to make, the apposite utterance in the field of international law, died before Professor Garner's work increased the value of his series. It follows the lines of the ordinary treatise upon the laws of war—enemy character, intercourse with the enemy, forbidden weapons and processes of war, treatment of prisoners and wounded, blockade, the authority of Prize Courts, and the like—but the whole is commented upon by one who has made himself at home in every detail of the methods by which the war was waged, the pronouncements of belligerent and of neutral Powers, as well as the treatises of publicists. The text is provided with copious references and a list of authorities is provided at the end. These last alone make the two volumes most valuable. In the next editions—for further editions may be predicted with confidence—it is to be hoped that closer attention may be paid to proof-reading. It is surprising that Messrs. Longmans allow to pass such slips as occur for instance in the second volume on p. 4, line 10, or p. 13, line 3. The British Year Book of International Law for 1920 might, perhaps, have been put to use and quoted in the list of authorities, more particularly in respect of Sir Erle Richards' informing article upon Prize Court decisions: while, in giving an account of moderate pre-war opinion on the Declaration of London, Professor Garner may be glad to have his attention drawn to the *Quarterly Review* for April, 1911, No. 427.

Chapter XXIII, on "Blockades," furnishes an example of the author's method at its best. None the less one rises from it with old doubts unappeased. Even before the war the method of treating the law of nations deductively had worn extremely thin. In practice it had become a fact that writers merely rewrote their predecessors' books with alterations only in detail, adopting an order and arrangement in treating the subject which was fast becoming conventional. To this generalization Westlake and Hall furnished noteworthy exceptions, the former because he was free from the common English inability to see questions from the Continental jurists' point of view; the latter because he combined with the commonsense of an English barrister the courage and industry to think out problems afresh from the beginning. Now the trouble is that international law, as it has survived the war, cannot be made to square with old methods and time-honoured systems of arrangement. Take blockade alone; here, if facts are faced, what was once a single department of warfare, or a particular weapon in the hands of a belligerent, has been so transformed until for any Supreme Command the necessity is not so much to relate it to other operations as to relate other operations to it. It does not meet these facts to attempt to discriminate between so-called "legal blockades," such as the Allied blockade of German East Africa, and "blockades" in inverted commas, such as the Allied "blockade" of Germany. In such wise did military text-books attempt to apply discriminatory inverted commas to the tactics of Napoleon because he did not accommodate himself to the tactical conventions of the eighteenth century. Historians may be able to perform their usual service for lawyers by pointing out that the word "blockade" is no exception to the rule that the same technical term may have a very different meaning for different generations, and that, as it was used in a different sense by Napoleon, Lincoln, and Lord Robert Cecil, so it may undergo fresh changes of connotation in the future. Philosophers may speculate as to whether, when speaking of the employment of economic pressure upon recalcitrant States, the framers of the League of Nations may not be introducing the

world to a conception of international relations in which blockade might form a feature of relationship between sovereign States which is neither peace nor war. In a word, changing circumstances have made the use of the word "blockade" ambiguous. As with many other kindred phrases, there is a need for fresh definition, and to provide such definition students of the law of nations will be compelled to return to first principles and to do some hard thinking about them. The scope of the work under review did not permit of this, but few writers upon the subject can be so well equipped as Professor Garner is, in his own time, to do it.

GEOFFREY BUTLER.

*The Book of Church Law.* By the Rev. J. H. BLUNT, D.D., with a preface by LORD PHILLIMORE; revised by G. EDWARDES JONES, Barrister-at-Law, formerly Fellow of Pembroke College, Cambridge. Eleventh edition. Longmans, Green & Co. (14s. net.)

THIS is a very good book, and should be in the possession of every parish priest, every ecclesiastical official, and many laymen. The sub-title claims that it is "an exposition of the legal rights and duties of the parochial clergy and laity of the Church of England," and this claim is fully made out. For the first six editions Lord Phillimore was, on the legal side, responsible. The present edition, issued in this year, includes the changes made by the Welsh Church Act of 1919 and the Church of England Assembly (Powers) Act of the same year. It contains in an appendix the Canons of 1603, 1865, and 1888, the text of twelve leading ecclesiastical statutes, and a table of ecclesiastical fees. The main body of the book consists of some 400 pages of instruction of the sort indicated in the sub-title, and there are few parish priests who will not increase their knowledge with every page they read. It is safe to say that most parsons are very ill provided with definite knowledge of the special legal relations in which they stand towards their parishioners, and that no surprise need be felt when, as sometimes happens, they find that they have, in the honest intention of doing their duty, placed themselves in a false legal position. Most parish priests, reading this book, will find their hair standing up at legal perils often and carelessly braved, and will from that moment greatly mend their ways. This is most desirable: for inexactitude in the parson means uncertainty and danger for the layman. It is to be hoped, therefore (as the number of parish priests reading this review is likely not to be large, and the number of those who can afford the book still smaller), that every reader will give a copy to his own parson: a better present he could scarcely give.

But it is not only the clergy who will be interested in this book: it is just as greatly needed by the average churchwarden, whose legal position is clearly described. And the layman will find much to interest him. Most people have a very vague idea of the amount of service a parishioner may legally claim from his priest. And it is likely that most laymen will receive with surprise the information that, unless they fall within certain exempted classes, they are liable to be elected to serve as churchwardens.