

Book Reviews

The French Legal System, by C Dadomo and S Farran, Sweet and Maxwell, London, 1993, 240 + xxxii pp (inclusive of index). Price £18.50.

Reviewed by AH Angelo*

The purpose of this book, the authors say in the Preface, is:

to familiarise the reader with sources of French law, the structure of the courts and professions, and the characteristics of the legal process, while at the same time indicating some of the main differences between the English legal system and the French.

Although the book is directed at the non-French reader, French terminology has been retained. Where possible, English translations or conceptual summaries are given, either in the text or by way of a footnote.

This is a useful book even for an antipodian because of its clear presentation of background data necessary properly to understand French legislation, French court decisions, and French legal process.

Lord Slynn, who contributed the Foreword to the book, states that he found "this a highly informative book" and in a useful promotion of comparative legal studies says "Law students and practitioners should certainly read it unless they are absolutely committed to not seeing beyond our shores". The same might well be said for lawyers in New Zealand. Effectively New Zealand's closest foreign neighbour is New Caledonia, and there is significant tourism and trade relations not only with New Caledonia but also with French Polynesia. France is a major political and cultural force in the South Pacific as well as in Europe.

The book which is dated 1 July 1993 contains a useful array of tables and has chapters on the sources of law, the court structures, the legal professions, and judicial proceedings. Further, the book deals with the reforms of criminal procedure that were introduced in 1993 and, by way of Addendum, deals with the important constitutional amendments of mid-1993.

The opening chapter gives an historical background, deals with the French conception of law and with the classification of laws including the distinction between public and private law and its historical background. Under the heading sources of law the modern codes are dealt with as are also the other forms of legislation. The chapter on the court structure deals with all the courts - ordinary, administrative, and specialised courts as well as the Constitutional Council. The full range of law professionals is

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dealt with in chapter four and interestingly that includes, in respect of criminal process, the nature and role of the French Police systems. In the chapter on judicial proceedings a substantial part deals with each of civil procedure, criminal procedure, and administrative procedure.

This book will serve the needs of the novice as well as the professional with some experience of the French legal system. Keeping up with a system of law is never an easy matter. That difficulty is accentuated when accompanied by political and geographical distance and cultural and language differences. It is therefore very helpful to have in an up-to-date compendious form an English statement of the processes and institutions of the French legal system.

Constitutional and Administrative Law in New Zealand By Philip A Joseph, Published by The Law Book Company Limited 1993, 951 + lvi pp, price NZ\$141 (soft cover) and NZ\$211 (hard cover).

Reviewed by AH Angelo*

Some people are known for their little red books, others for big red books, and others still for big blue books. This is a big blue book and it sets out to provide a comprehensive examination of New Zealand's constitutional law and practice.

In the Preface the author states that this book was written as a student text. It is undoubtedly useful for that (though it is perhaps a little expensive for the average student). It is however much more than a student text because it provides an historical conspectus of the New Zealand law on the subject and a great deal of historical, conceptual and practical data which, as the Preface suggests, will serve "to furnish insights and arguments of relevance for legal practitioners".

In some respects the book is reminiscent of the early chapters of Robson's *New Zealand: The Development of Its Laws and Constitutions*.¹ For many, those introductory chapters on historical development and the constitution, or more recently the Yearbooks,² were the points of ready reference for historical and other data on New Zealand's constitution.

Inevitably this book does not cover every matter that might be conceived to be within the range of New Zealand constitutional law. The text limits its discussion to the laws as they relate to metropolitan New Zealand - that is to say it does not deal with constitutional arrangements relating to the Cook Islands, Niue, Tokelau, or the Ross Dependency; it does not develop in a modern constitutional context possible

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1 Published in the Stevens *The British Commonwealth* series - second edition 1967.

2 Eg *New Zealand Official Yearbook 1993* (Department of Statistics, Wellington, 1993).