

intellect that embraced these massive contradictions any extended treatment. Otherwise, Cuthbertson's *Uniacke* is deeply researched, confidently written, elegantly produced, and altogether, one of the finest works of Maritime history to appear in a decade.

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Continuing Constitutional Dilemmas, W. R. Lederman, Toronto: Butterworths 1980. Pp. 442. \$25.95 (paperback)

When an individual begins to study constitutional law, the situation that arises is similar to that of a high school student embarking upon Shakespeare for the first time and anticipating that the subject will be dull, dry and barely comprehensible. Upon further investigation, however, like Shakespeare, the study of constitutional law is interesting and understandable. Certainly Professor Lederman's collection of essays written by him over a quarter of a century are rarely dull.

As we are told in the Preface, "The essays collected in this volume identify and analyse basic themes and problems of the constitutional law of Canada in a broad sense, including (but not confined to) the nature of Canadian Federalism since 1867".¹ In the 28 essays collected in this book, it is this constant referral to "basic themes" that makes this work so valuable to the student. While the themes presented are too numerous to detail in this note, three fairly broad concepts reoccur that deserve elucidation.

The first concept is one in which constitutional law arises out of the history and tradition of the Canadian people as a whole. "One must constantly relate these rules and principles of law and government to the organic ongoing life of our national community from which they derive their validity".² The book is very much an historical account of our constitutional past, an account essential in understanding the very foundation of Canadian federalism.

¹W.R. Lederman, *Continuing Constitutional Dilemmas* (Toronto: Butterworths), 1980, Preface, p.XV.

²*Ibid.*, at 91-92.

Further, upon reading such articles as "The British Parliamentary System and Canadian Federalism",³ the student is not only exposed to Canadian constitutional history but is also presented with the development of the common law within a federation and with fundamental differences between the systems of Canada and the United States. In this fashion, Professor Lederman has used the vehicle of history to convey understanding of a myriad of concepts and points of view.

A second theme which emerges is that one of the pillars of Canadian federalism is the independence of the judiciary. While this may be much narrower than the theme previously mentioned, it is of no less significance. In an essay appropriately entitled "The Independence of the Judiciary"⁴ the author discusses with force and clarity the full import of this concept as it relates to Canadian federalism. One realizes that there is a good deal more to constitutional law than parliamentary supremacy, and the student begins to appreciate the role that our courts play within the constitutional framework of Canada.

Finally, the author states that co-operation tempered with moderation is the basis upon which Canadian federalism was built. Thus, any extreme position taken by either level of government ought to be resisted. A prime example of this thinking is Professor Lederman's argument that the sharing and overlapping of responsibilities between the two levels of government is the major characteristic in Canada today. This should be looked upon as a strength, not a weakness, that should be encouraged and improved by closer consultation between the Government of Canada and the respective Provincial Governments. To dwell in the belief that there must be a single government to deal effectively and thoroughly with any one problem is a dangerous fallacy, in complete disregard of the very essence of Canadian federalism. The water-tight compartments distributing legislative power in Canada is no more than a chimera and should be laid to rest.

If there is a fault in the text it is one of presentation. The essays are not presented in chronological order but according to the subjects, processes or institutions dealt with. While this takes away from the book's cohesiveness it does have the virtue of allowing the student easy access to the topic that he may be interested in. Perhaps this disunity is created as much by the fact that it is a collection of essays as by its arrangement. Fortunately it is of only minor consequence and perhaps one of cosmetics than of substance.

One further criticism is that the book lacks a bibliography. While each article is documented, a valuable collection of materials could have

³*Ibid.*, Chapter 3, at 47.

⁴*Ibid.*, Chapter 7, at 109.

been arranged at the book's end to assist the student. Perhaps the author simply felt that other sources are available to fulfill this need.

To conclude, Professor Lederman has made available to the student of constitutional law a convenient and valuable work that touches most major areas of concern today. While one may, at times, disagree with his conclusions on specific issues, the articles make the reader think. What more can one ask of any book?

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The Cambridge Lectures: Selected Papers Based Upon Lectures Delivered at the Cambridge Conference of the Canadian Institute for Advanced Legal Studies, 1979.
Derek Mendes da Costa, ed. Toronto: Butterworths, 1981.
Pp. xvi, 287, \$40.00 (cloth).

The inaugural session of the *Canadian Institute for Advanced Legal Studies* was held at Queen's College, Cambridge July 8-21, 1979. The Honourable Paul Martin, Q.C., then Canadian High Commissioner to the United Kingdom, can be given a great deal of credit for initiating the concept of the Institute and for fostering its birth. As indicated in the Preface to the book, the decision to publish the Proceedings of the first Conference was made only during the July 1979 event and, as a result, many of the manuscripts of presentations had to be concocted after the event.

The 1979 Conference was one of the most pleasant and rejuvenating of learning experiences. A representative collection of members from the various bars, benches, government legal departments and law faculties across Canada moved to one of the most beautiful and intimate Colleges of the University of Cambridge and, for a fortnight of ideal English summer weather, became students once again. The majority of lectures and seminars were presented by the most respected legal minds in the United Kingdom, and a great deal of English law and opinion was presented to interested Canadian listeners. Now, after the second Sum-