The Law-making Process, third edition - Michael Zander


The third edition of this invaluable student handbook, which first appeared in 1980, is welcome. A central feature of the book is the device of giving extended extracts from case reports and academic writings. This third edition is the longest so far. It does not add any extracts from case reports, though extra-judicial remarks by Lord Donaldson MR on the balance between oral and written argument are quoted. Three extracts from academic writings are added, the authors being Professor Glanville Williams, I M L Turnbull and Peter North.

Two criticisms can be made. Professor Zander continues to tell us that there are three basic rules of statutory interpretation, the literal rule, the golden rule and the mischief rule, despite the fact that in Bennion’s Statutory Interpretation (1984), that author demonstrated that statutory interpretation is a process of weighing and balancing, operated by applying a large number of diverse criteria.

The other criticism relates to the index. Students need to be taught how to use indexes, which are an essential adjunct to scholarship. The index to this complex 450-page book, with its many citations, occupies only three pages.

[Written by FB but published anonymously.]