

The Law of Contract, 11th edition, Treitel

Thomson Sweet & Maxwell

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Sir Guenter Treitel apologises, in the preface to the 11th edition of The Law of Contract, for the increasing complexity of contract law caused by the quantity of legislation and judicial decisions in the four years since his previous edition.

Having not used this book since a student I was curious why it is favoured by academics and students, but less popular with practitioners.

The detailed analysis of contractual intricacies is impressive and the author guides the reader with practical examples to illustrate his reasoning. However, this assistance with difficult concepts is badly let down by the layout.

The typeface is small and the page is cramped. Paragraphs are too long and there is inadequate sub-division, sub-heading and emboldened text. For example, the discussion of electronic signatures on contracts, is a single paragraph, occupying over one and a half pages, in which quotes from statute, the Law Commission, and a European Directive are all melded into the script without distinction.

When the facts of a case have been cited then they are not repeated and the reader, coming across a subsequent reference, is obliged to find a footnote and then go backwards, sometimes by 60 pages, to find out what it was about, and make sense of the passage. This is irritating and happened on four occasions on a single page discussing the Contracts (Rights of Third parties) Act 1999.

Practitioners and students do not read textbooks from start to finish but dip in and out. While the content is excellent, this is a mean book to navigate and leaves the impression that the publishers are trying to cram two volumes into one.

Sir Guetner's apology for complexity is largely self-inflicted and this is an issue the publishers need to tackle when the new editors take over for subsequent editions.

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