

## BOOK REVIEWS

INDEX TO SINGAPORE/MALAYSIA LEGAL PERIODICALS 1932-1984. By MOLLY CHEANG, SNG YOK FONG & CAROLYN WEE. [Singapore: Malayan Law Journal. 1986. xvi + 431 pp. Hardcover: S\$160.00]

THIS Index should be welcomed by both legal academics and practitioners alike, for, prior to its publication, the only Indexes to secondary legal literature that had any claim to comprehensiveness were, by their very terms of reference, less than satisfactory.<sup>1</sup> The present work, however, is extremely comprehensive. I do not propose to conduct, as it were, a technical' review<sup>2</sup> of the book but will, rather, offer general comments, especially with regard to the utility of the work and how it might be further improved as well as updated.

The origins of the Index are best summarized by the editors in the 'Preface' to the book thus:<sup>3</sup>

"The Index arose out of the Periodicals Index (PERIND) Database, a computerisation project undertaken by the National University of Singapore Library. Since this information was available, it was decided to have it published so as to make it available to the local legal community as well."

Indeed, much of the material in the present Index had its origins many years ago in the form of a comprehensive card index located at the Law Library in the Law Faculty of the National University of Singapore — a veritable treasure trove of information for the legal researcher but, because of its very nature and location, relatively inaccessible to the legal community in general (especially legal practitioners who are located, in the main, further downtown in the Central Business District). The publication of the present work is therefore, as mentioned above, to be commended, though some may carp *vis-a-vis* the *utility* of the work from a practical point of view — an argument that I will consider below.

<sup>1</sup> See, generally, Siti Hanifah Mustapha, *A Guide to Malaysian & Singapore Legal Periodicals* (1982) and *Malaya Law Review — Index to volumes 1-21* (Compiled by Sng Yok Fong, 1981). The former indexed articles published in the Malayan Law Journal, Malaya Law Review and the Journal of Malaysian and Comparative Law, published from the first volumes to 1979 (see p.iv). It is now, of course, outdated, and has subject headings that do not enable the researcher to focus immediately on the specific topic at hand. The latter is also outdated, covering, as the title of the Index suggests, all material published in the Malaya Law Review from its inception right up to 1979 (excluding book reviews). The coverage is also restricted to one journal.

<sup>2</sup> *I.e.*, spotting omissions and typographical errors. To indulge in the former would, for reasons of practicality, be nigh on impossible, whilst to indulge in the latter would be carping indeed.

<sup>3</sup> *Index to Singapore/Malaysia Legal Periodicals 1932-1984*. (Edited by Molly Cheang, Sng Yok Fong and Carolyn Wee, 1986) (hereinafter referred to as *Index*), p.iii.

The 'Preface' of the Index continues:<sup>4</sup>

"The Index covers all materials appearing in legal periodicals published in Singapore and Malaysia, irrespective of topic or geographical area, from the first volume of *the Malayan Law Journal* (i.e. 1932) to December 1984. Legal articles on Singapore and Malaysia appearing in foreign periodicals are also included."

A few comments on the scope of coverage as delineated above are in order.

First, though this is a minor point, at least one significant legal periodical is missing, though, admittedly, the periodical itself was not *published* as such in Singapore or Malaysia. This was the (unfortunately) shortlived journal of the Malaysian and Singapore Law Students' Society in the United Kingdom entitled *Fiat Justitia* that nevertheless contained a fair number of interesting articles written by students, academics as well as members of the local judiciary. The scope of coverage is otherwise very comprehensive and runs the gamut, ranging from students' publications to publications of professional bodies and, of course, faculty journals.<sup>5</sup>

Secondly, and this is a related point, because the Index covers such a wide range of local legal periodicals, the reader is left to distinguish the quality of the various works, which may not be an easy task. One cannot, for example, assume that articles in students' publications are less important; this would be a very rough guideline at best. Yet, this is a problem with *any* Index that attempts to be exhaustive. To require a short synopsis and/or evaluation would be time-consuming, to say the least. What the Index does is to give the legal researcher an opportunity to examine and read the articles in his area of interest.

Thirdly, and as quoted above, the Index includes "[l]egal articles on Singapore and Malaysia appearing in foreign periodicals".<sup>6</sup> While not strictly within the scope of the title of the Index and not likely to be numerous, this little 'extra' is welcomed — for the sake of completeness, if nothing else. According to one of the editors,<sup>7</sup> these articles were gleaned, in the main, from the *Index to Foreign Legal Periodicals* as well as data in the 'Staff Profile' of the Faculty of Law, National University of Singapore. What, then, about the writings of *Malaysian* academics published in foreign periodicals? One solution might be to write to the various Malaysian universities for the necessary information.

<sup>4</sup> *Ibid.*

<sup>5</sup> Nine journals are indexed: see the list in *Index*, p.vi. For ease of reference, they are reproduced in this note as follows:

1. INSAF: Journal of the Malaysian Bar
2. *Jermal Undang-undang* (Journal of Malaysian and Comparative Law)
3. Law Times
4. Malaya Law Review
5. Malayan Law Journal
6. Malaysian Current Law Journal
7. Me Judice
8. S.A.W.L. News (Singapore Association of Women Lawyers)
9. Singapore Law Review

<sup>6</sup> See *Index*, at p.iii.

<sup>7</sup> Ms. Carolyn Wee, of the Law Library, National University of Singapore.

Fourthly, there are, in fact, many articles on Singapore and Malaysia that appear in various books, notably in collections of essays.<sup>8</sup> Whilst not coming strictly within the purview of the Index itself, it is submitted that these articles and essays ought to be included in subsequent editions of the Index for they constitute a valuable contribution to the local legal literature indeed.<sup>9</sup>

Turning, then, to the structure of the Index itself, the book is divided into two parts — a ‘Subject Index’ and an ‘Author/Title Index’ respectively.

The ‘Subject Headings’ are very comprehensive, the list itself (in dictionary form) covering some ten pages,<sup>10</sup> and “[t]he most specific subject heading is used whenever possible”.<sup>11</sup> Further, ““See” references are made from various forms of subject headings to the most accepted forms”.<sup>12</sup> The ‘Subject Headings’ themselves are based on the Library of Congress Subject Headings.<sup>13</sup>

Whilst the Index would be of undoubted utility to the legal community, it is my contention that the degree of utility will vary with each ‘sector’, so to speak.

Insofar as the academic community is concerned, the work will obviously be a tremendous aid in legal research, and will, in fact, also point the way to *further unexplored* areas of local legal research.<sup>14</sup> The index would also, as a result, aid (hopefully, immeasurably) in the ‘output’ of local legal literature, whether in the form of books or articles.

Students would also benefit, especially with regard to research for assignments, though one hopes that the diligent student would also find the Index a source for further general reading.

Practitioners would, hopefully, also find the Index of some utility. I am less optimistic simply because, apart from pieces that are purely descriptive and would thus aid in giving a general overview of the area of law in question,<sup>15</sup> practitioners would, I suspect, have relatively less time for close

<sup>8</sup> See, e.g., *Malaya Law Review Legal Essays* (Edited by G.W. Bartholomew, 1975); *The Common Law in Singapore and Malaysia* (Edited by A.J. Harding, 1985); and *Malaysian Legal Essays* (Edited by M.B. Hooker, 1986).

<sup>9</sup> It is, however, acknowledged that one has to draw the line somewhere, otherwise unpublished conference papers, theses and dissertations would also have to be included. It is suggested that the all-important criterion should be *published articles*, whether in local legal periodicals or collections of essays. Insofar as books and monographs on local law are concerned, they can be listed with relative ease in the local journals from time to time. Indeed, for a fairly recent list of holdings of local legal materials (including books and monographs), see, Sng Yok Fong, “Statement of Recommended Holdings of Singapore Legal Materials”, (1983) 25 Mal. L.R. 225; and Shaikha Zakaria, “Statement of Recommended Holdings of Malaysian Legal Materials”, (1983) 25 Mal. L.R. 238.

<sup>10</sup> See *Index*, at pp. vii to xvi.

<sup>11</sup> *Ibid.*, at p.v.

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.* And see, generally, *Library of Congress, Subject Headings* (10th Edn., 1986).

<sup>14</sup> For recent surveys of the state of local legal research, see K.L. Koh, “Current Legal Research in Singapore”, (1979) 21 Mal. L.R. 69; and P.N. Pillai, “Legal Research in Singapore: A Conspectus and Development Proposal”, (1979) 21 Mal. L.R. 88.

<sup>15</sup> And these pieces would have to be fairly recent, in which case textbooks might well be more suitable.

scrutiny of a particular area of the law, given, especially, the constraints of practice. Further, many articles deal with relatively esoteric areas of the law that might not be relevant to practice, although it should be pointed out that labels such as 'esoteric' ought not to be utilized indiscriminately in order to obviate the need for creative thinking, even in the realm of legal practice.

The Index would also be of obvious utility for comparatists who want to know more about the various aspects of the Malaysian and Singapore legal systems.

In summary, therefore, the publication of the Index is, on the whole, to be welcomed, and enthusiastically at that. One main problem, however, remains and this relates to the *updating* of the Index which is complete up to December 1984. Some form of updating or noting-up is essential if the work is not to become obsolete. At present, computer printouts in the Law Library of the Faculty of Law, National University of Singapore, are available, but, these are clearly inadequate in view of their relative inaccessibility. The obvious answer to this problem is the publication of cumulative supplements, but, even this solution poses problems. There are, in the first place, relatively few local periodicals (and hence articles), thus making publication of a supplement impractical. And this brings us to a related point that also centres around practicality — but from an economic point of view. If, indeed, there are very few subsequent entries, as mentioned above, it might not be economical to actually publish a supplement, unless one were published a few years hence, in which case the problem of obsolescence would rear its ugly head yet again. One solution might be for the Law Library to arrange to publish and distribute, on an annual basis, lists of local materials either free of charge or at a nominal charge. Whatever be the ideal solution, if some form of updating is unavailable, the utility of the Index will be put seriously at risk with the passage of time.

Finally — and this is a problem really beyond the control of both editors as well as publishers, especially in these days of escalating production costs and expected sales — the Index itself is rather expensive. This might be less of a problem for universities (whether foreign or local) and law firms, but poses problems for individuals who are especially interested in local legal research.