

no economic or war-effort²⁰ considerations interfered with the killing of the Jews: even when trains were needed for the soldiers fighting on the front the continuing deportations were more important. Dawidowicz presents the argument that the killing of all Jews was the ideological heart of Nazism.²¹ The murder of the Jews was, said Himmler, “a page of glory in our history”.²² The destruction of the Jews was National Socialism’s “gift to the world”. Hitler in the last days of the Reich, and indeed of his life in his last message, his testament to his people, used the words of “historic mission” concerning the Jews.²³ Considering Auschwitz as the paradigmatic expression of Nazi criminality, Habermas stresses specificity and incommensurability:

Something took place here, [in Auschwitz] which up until that time no one had even thought might be possible ... despite all the natural bestialities of world history ... Auschwitz has altered the conditions of continuity of historical life connections — not only in Germany.²⁴

There is a politeness throughout this book in both pictures and description, as if not to upset the reader. The tame picture of the bench, marked *Not for Jews*, does not betray the quantum leap in terror and torture, which was an integral part of the annihilation drive in the racial-ideological war against the Jews.

The problem with this book is that it ends up distorting and diminishing issues. The quest for a generalised, holistic theory concerning murderous Nazi policies, leads to the very *relativisation* the authors set out to counteract.

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Doyle, M W and Hodge, W C, *Criminal Procedure in New Zealand* (3rd ed), Law Book Company, 1991.

The third edition of Doyle and Hodge, *Criminal Procedure in New Zealand*, is a welcome addition to the extensive bibliography of material concerned with the practice and procedure of the criminal law in New Zealand. It complements the more detailed Adams on Criminal Law and Practice in New Zealand, being a relatively up to date practical ready reckoner of the criminal law in that country as at 1 December 1990.

Although it is a relatively short work providing an overview of the subject matter, it is extensive in its coverage, cram packed with summaries of relevant statutory provisions and case law, dealing with a range of topics from the jurisdictional basis for criminal prosecutions through arrest, charging, pre-trial applications, the trial process, sentencing

20 Military setbacks made the deportations even more frantic. Dawidowicz, L, *The war against the Jews* (1977) at 183; Gilbert, M, *The Holocaust* (1988) at 527.

21 Dawidowicz, above n19.

22 Himmler’s Poznan speech to senior SS officers. Quoted by Martin Gilbert, above n19 at 616.

23 Marrus, M, *The Holocaust in History* (1987) at 38.

24 Above n1 at 163.

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powers and summary of the role of police in the criminal process. The book also has a number of appendices setting out various statutory provisions concerned with matters such as courts' jurisdiction, procedure at trial, admissibility of evidence, sentencing and appeals.

Whilst the work has more practical relevance to those interested in practical aspects of criminal procedure in New Zealand, it will also be of interest to Australian lawyers and students as a basis for making comparisons of developments in common areas of the law between Australia and New Zealand.

The text is written in a clear and simple fashion, following an ordered exposition upon the various stages of criminal prosecution, and showing in short detail the historical development of particular practices and principles, the way in which they operate with useful analysis of both statute and case law. The text is extensively footnoted in a convenient and detailed fashion, the only criticism being the relatively short and generalised index. Nevertheless the logical progression of the text enables the reader to isolate an area of interest relatively easily, particularly having regard to the detail of the Table of Contents. This work is an indispensable first point of reference for any understanding or research of the practical aspects of the criminal law and its operation in New Zealand, helpful to lawyer, student or even layperson alike and is highly recommended. Furthermore it is small enough to carry around in your pocket.

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