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fications, a jury system, are condemned and simultaneously clung to because they permit the discrimination and inconsistencies which are required of the courts while paying ceremonial reverence to a Government of Laws and not of Men.

The author does a fine job, in his discursive and popular way, of analyzing the functional bases of what are regarded as the perversities of our legal system. But our need is no longer for general, impressionistic, popular books, of which we have enough. We need more systematic researches in the concrete operation of our legal system as related to variations in social structure, ideology, political, economic, religious, and ethical interests. Neither the lawyers, the sociologists, nor the political scientists have done much of a scientific nature in this field. We have general books like Jerome Frank's, Thurman Arnold's and Percival Jackson's. We have the compilations of the lawyers and the chronicles of the legal historians. We have the bills of indictment of the social reformers. But we have little research in the extent and the manner of the differential implementation of the law, civil and criminal, for different social groups, little on the role of precedent, technicality, fiction, the jury system and the lawyer's argot in molding the law to conform to social pressures, little on the Bench and the Bar as behavior systems functioning in a context of tradition, interest, and ethical norms. That is what we need more of now.

--Albert K. Cohen.

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1 "From the litigants' point of view it is obvious that anything that makes the court more accessible in distance and cheaper in cost is a distinct gain. The opposition to any such change has come from the judges and the legal profession. The London barristers and solicitors have a strong financial interest in centralized justice." (49) "An undefended divorce suit costs on the average about £100." (52) "The figures for cases tried summarily show that very little use has been made of the Act of 1930. A total of 315 free defences seems oddly low when the number of cases tried summarily was 840-948: it means that only one case out of every 2669 cases was thought worthy of a legal aid certificate. The plain fact is that the magistrates have not done their duty." (125) "Increase in the work of metropolitan police magistrates has led to serious delay. Since a defendant may be in custody, this is a serious matter. In one case in 1935 the preliminary enquiry had seven separate hearings, spread over two months, with the result that the defendant spent three months in custody from the date of his arrest until his trial at the Old Bailey." (126) "Appointments have long been influenced by political considerations." (131) "Appointments are mostly a reward for faithful political service." (132) "When the Lord Chief Justice addressed over 200 magistrates in 1935 he asked those under sixty to hold up their hands, and not a single magistrate did so." (133) "It is also quite common for magistrates to hear as gossip or complaint one side of a pending case, with the result that when the case comes before them in court they have already decided that they know the truth of the matter." (135) "The major trouble of the probation service is perhaps the scale of salaries. Appointments are made from persons between twenty-five and thirty-five years of age.


Mr. Jackson's book is chiefly a description of English legal institutions and their operation. It is addressed to intelligent laymen, including students of law. After a historical introduction, the author deals with Civil Jurisdiction, Criminal Jurisdiction, the Personnel of the Law, Costs including Legal Aid for the poor, Special Tribunals, and Reform. I know of no other book covering the full ground of English Justice in such abundant detail which, at the same time, shows such awareness of basic problems that apparently trouble the English as much as us.

In dealing with Criminal Jurisdiction, the author discusses courts, trial and appellate, procedure, prosecution, defense, juvenile courts, probation, sentencing. It is interesting to note how many problems are common to both countries, how the same forces and difficulties are in full operation. Mr. Jackson is a forthright writer who spares no one. Not often does one encounter such severe criticism of English institutions, practices and officials from so highly competent a source as Mr. Jackson represents. 1 One need not share his views to profit from his cogent, well-informed discussion.

--Jerome Hall.

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