

Editorial

The Society of Public Teachers of Law celebrates its Seventy-fifth Anniversary this year. In 1908 there were only a dozen Law Schools in the United Kingdom and in some of these law teaching was in its infancy. Many of the lecturers of this time were part-time teachers whose primary source of interest and income was their professional practice, but already a number of full-time scholars were establishing high standards of excellence in their work.

We are very grateful to Lord Hailsham, a most distinguished and long serving Lord Chancellor, for finding time to write a Foreword to this number. Professor Pettit, President of the Society of Public Teachers of Law in its Anniversary year, writes of its first 75 years and conveys something of the character of the founding members of the Society and the vision that lay behind their work. Membership has grown beyond anything they would have contemplated and the activities of the Society have widened considerably in the intervening period.

The remaining articles do not seek to develop one single theme. Rather I have tried to bring together a miscellany in which each reader will find at least something to his taste. There are three papers which reflect something of the change and continuity of scholarship in their subject area since 1908 and two others are on subjects which traditional orthodox scholars have tended to overlook for too long. It is time this was corrected and the seventy-fifth year of the Society is not too soon to begin.

At the time our founding fathers were establishing the Society a young Austrian scholar was developing his 'pure theory' of law. *Hauptprobleme der Staatsrechtslehre* was published in 1911. The rise and development of legal formalism from Kelsen to Hart is the subject of a critical commentary by Peter Goodrich.

Of all the subjects studied in United Kingdom Law Schools in 1908, it was international law which was to face the greatest tests and the greatest changes. Challenges to its validity, indeed to the very sense of an international community, were to be made in the two most destructive wars that man has ever known and by such changes in membership of the family nations as would have caused the ethnocentric Western international legal scholars of 1908 to turn in their library chairs. Commercial law by contrast was already a highly developed, technical and indeed sophisticated subject. It is interesting to note the changes and developments of style, substance and function of the law in the intervening period but, as Professor Goode points out, despite vast changes in the conduct of business operations, the principal commercial law statutes remain in substantially the form in which they were enacted in the last century. The most substantial changes have resulted from developments in the law of obligations and in procedure or are associated with international harmonisation. They have not followed any grand design.

There were many areas of law and society relatively untouched by legal scholarship in 1908. Indeed it is still a criticism to be levelled at United Kingdom academics that they have made relatively little contribution in the fields of procedure or to the ethics and practice of law. The complexities, demands, delays and expense of our procedure are not something of which we can be proud and it is a special pleasure to publish a paper by Professor J. A. Jolowicz, who for so many years edited the *Journal of the Society of Public Teachers of Law*. His article may mark the beginning of a new period of co-operation between scholar and practitioner which can give order and expedition to our rules of civil procedure.

Finally in this volume it is pleasing to be able to publish an article which shows how much work is now being done in those fields which are broadly termed 'socio-legal'. No longer an infant science in United Kingdom Law Schools, socio-legal studies is still no more than a teenager, despite the fact that the origins of modern thinking about the relationship between law and the social sciences both in theory and in reality can be traced to the work of continental scholars in the nineteenth and early twentieth centuries. Those who founded the Society of Public Teachers of Law in 1908 had largely avoided the influence of other social sciences. Their dedication to the purity of legal studies was copied by their successors and those of their pupils who went into the practice of law reflected this same insularity. At long last times are changing. Law teachers are developing wider interests and a better understanding of the world in which law operates. It may be that in this way we shall overcome the fears expressed so sincerely by Lord Hailsham in his Foreword to this number that 'the study and practice of law may become too narrowly based and tend to divorce itself from the general culture of which we are all part . . .' It is an important function of the Society of Public Teachers of Law to ensure that law is taught in both a liberal and a scientific manner, that the study of law is an education and not merely a training, and that the practice of law is a contribution to the betterment of mankind not a mere technology providing a good income for those who have mastered it.

J.A.A.