And then there were none...
Agatha Christie

Delivering justice outside the courtroom?

Dr. Bernadette Rainey
Cardiff Law School
The Rule of Law

- the importance of the rule of law in a democratic society

“The clearest way to show what the rule of law means to us in everyday life is to recall what has happened when there is no rule of law”

Dwight D. Eisenhower
Due Process Under the Law

- Human Rights post WWII (post novel)
  - Article 5 and 6 European Convention on Human Rights – freedom from arbitrary detention and fair trial

- UK – common law and Magna Carta 1215
  - Habeas Corpus and Trial by Jury, presumption of innocence
Audience in 1939: idea of presumption of innocence and due process embedded in perceptions of the law.


Where the acts of the “ten” murder? – who decides if codified, defined law not used?
Justice outside the Courtroom

- Perversion of courtroom: no defence, no cross examination, presumption of guilt

- Portrayal of Judge – cold, dispassionate, He perceived himself as dutiful and innocent, doing justice as judge and jury (..unfit to live..)

- Can justice be obtained outside the courtroom? “There are no short cuts” (Justice Wargrave)
“It may be true that the law cannot make a man love me, but it can keep him from lynching me and I think that’s pretty important”

Martin Luther King Jr