Editor's Introduction

Michael Palmer

IALS and SOAS, University of London

CUHK (Chinese Law Programme, HKIAPS)

& HKU (Cheng Yu Tung Visiting Professor), Hong Kong

Welcome to the first issue of the sixth volume of the new series of *Amicus Curiae*. We are grateful to contributors, readers, and others for supporting the progress that the new series of the journal is continuing to make.

In his essay "What Have Introductory Books on Legal Reasoning Ever Done for Us?", Professor Geoffrey Samuel provides a critical examination of contemporary introductory texts on legal reasoning, scrutinizing their methodological, ontological, and epistemological foundations. He concludes that, while the rule model has long dominated legal education and reasoning, it falls short in capturing the full complexity of legal thought and practice. He calls for a more expansive approach that includes insights from social sciences, historical analysis, and a nuanced understanding of legal reasoning, providing a more accurate and comprehensive foundation for legal education and practice. Samuel critically analyses current approaches, particularly within the common law tradition, questioning whether the focus on rules and syllogistic reasoning sufficiently addresses modern legal complexities. He argues for a more holistic approach to legal reasoning, considering broader contexts alongside rules. Samuel argues that many of these texts rely excessively on what he refers to as the "rule model". This perspective reduces legal knowledge to the simple acquisition and application of rules, offering an incomplete and potentially misleading representation of legal reasoning. Samuel characterizes the rule model as being oversimplified in nature, tending to reduce legal reasoning to mere rule application. This model, pervasive in numerous introductory texts, emphasizes the importance of learning and applying legal rules. But it gives insufficient regard to the complexity inherent in legal reasoning, including value judgements and contextual rule interpretation. He cautions that this model tends to promote a narrow, positivist view of law, to the detriment of legal education. The essay contrasts approaches to legal reasoning in common law and French legal traditions, with references to Roman law. Samuel highlights the differences in the manner in which

legal reasoning is taught and perceived across these systems. While the rule model is dominant in common law, French jurists often adopt a more formalistic approach, emphasizing categorization and distinctions. Roman law, by contrast, offered a more flexible approach, prioritizing factual scenarios over rigid rule application. Another concern is "legal singularity and AI", pointing to the ways the rule model appeals to those who develop artificial intelligence (AI) systems for legal decision-making. This approach involves translating legal rules into algorithms to create an orderly system. However, argues Samuel, this vision is flawed because it overlooks the nuanced, interpretative nature of legal reasoning—a nature that cannot be fully encapsulated by rules alone. The essay critically appraises the impact of the rule model on legal education, particularly its promotion of a form of legal knowledge focused on exam success rather than understanding broader legal implications. Samuel suggests this model fails to equip students with critical thinking and legal interpretation skills essential for real-world practice. Instead, argues Professor Samuel, we need to incorporate social science methodologies into legal education, thereby deepening our understanding of legal reasoning. Approaches in social science, including functionalism, structuralism, and hermeneutics, provide insights that can enrich legal reasoning by considering the broader social, economic, and moral contexts of law. Further, the essay explores the historical development of legal reasoning, in particular through the influence of Roman law on modern systems. The historical evolution of legal concepts and methods can provide valuable context and counter the reductionist view of law as merely a system of rules.

In "The Conflicting Categorization of Kings and Chiefs in Ghana: The Status of the Asantehene", Justice Sir Dennis Adjei dissects the system of chieftaincy within Ghana, showing it to be intricate and dynamic, and emphasizing the Asantehene's dual role as both a chief and a king. This article brings to light the unique cultural, political, and legal aspects underpinning the chieftaincy institution, exploring the historical evolution, the hierarchical structure, and the contemporary significance of traditional leadership in Ghana. Through a comprehensive analysis, the author clarifies the categorization of the Asantehene, challenging the colonial and modern perceptions while reaffirming the Asantehene's revered status.

The Asantehene emerges not merely as a traditional leader but as the embodiment of the Asante Kingdom's historical resilience and cultural wealth. From the foundation laid by Osei Tutu I and his advisor Okomfo Anokye, who unified the various Asante states and established the Kingdom's centralized political system, the narrative evolves through the British colonial era, where the Asantehene's status was contested

and redefined by external forces. The article traces the vicissitudes of the Asante Kingdom, highlighting key historical milestones such as the formation of the Asante Confederacy in 1935 and the critical roles of paramount chiefs within this framework.

Moreover, the author examines the Asantehene's contemporary relevance, exploring the constitutional recognition of chieftaincy and the legal nuances surrounding the Asantehene's role. The Chieftaincy Act of 2008 and the 1992 Constitution of Ghana enshrine the Asantehene's position, reflecting a blend of traditional authority with modern legal frameworks. The Asantehene not only presides over the Kumasi Traditional Council and the Asanteman Council but also plays a pivotal role in national governance through institutions like the National House of Chiefs and the Council of State.

The legal structure of the chieftaincy institution is intricately detailed in the Constitution of Ghana, which establishes three levels of chieftaincy courts: the National House of Chiefs; the Regional Houses of Chiefs; and the Traditional Councils. Each level exercises exclusive jurisdiction over chieftaincy matters, ensuring that disputes related to chieftaincy are addressed within a framework deeply informed by customary laws and traditions. The entrenchment of chieftaincy in the legal regime is further exemplified by statutory instruments and the codification of customary laws, which provide a robust legal foundation for the operation and governance of chieftaincy.

This study not only enhances our understanding of Ghanaian traditional governance but also contributes to the broader discourse on indigenous political systems in Africa. By presenting a detailed examination of the dual capacity of the Asantehene—balancing the roles of a local chief within Kumasi and the overarching king of the Asante Kingdom—the article underscores the complex layers of authority and identity within Ghana's chieftaincy system. Justice Sir Dennis Adjei's work is a critical resource for scholars and practitioners interested in the intersection of traditional leadership and contemporary governance in Africa.

The article, entitled "Equity in Tax—All Change after 1873", by Chris Thorpe examines the enduring influence of equitable principles on modern United Kingdom (UK) tax law and courts, highlighting equity's ongoing importance in these areas. Even though procedures have changed over the centuries, the essence of equity still plays a key role in shaping how tax laws are applied. The article traces the roots of today's tax courts back to the medieval English courts of equity, pointing out that equitable principles have always been a part of tax law, even after the Supreme Court of Judicature Act of 1873 merged equity and common law

courts. The article suggests that this fusion brought together the courts and their procedures, rather than merging the distinct bodies of equity and common law, which have always been closely linked. It asserts that equity is crucial in tax law, especially in recognizing beneficial ownership over legal ownership, a fundamental aspect of tax liability. Both courts and legislation give priority to beneficial ownership, an equitable idea, when determining tax obligations. The article also delves into the issue of whether equity and common law were ever really separate or have always been a unified body of law, with equity softening the rigidity of common law. It leans towards the idea that they have always been one, with equity easing common law's strictness. It gives examples from modern tax cases where equitable principles were put to use, acknowledging beneficial ownership and correcting potential injustices from strict legal interpretations. Cases like *Rebecca Vowles v HMRC* and *David Patmore v HMRC* are discussed, showing how tax tribunals applied equity to reach fair outcomes, stepping in when necessary to override strict legal interpretations. The author makes it clear that tax courts are, at their core, courts of equity. The 1873 Act formalized the fusion of procedures and courts but did not change this foundational characteristic. Equitable principles continue to play a significant role in guiding modern tax law, attempting to make sure that justice and fairness prevail in tax matters.

In the section which follows, a discussion is provided of the new and important book by Dr Luca Siliquini-Cinelli entitled *Scientia Iuris: Knowledge and Experience in Legal Education and Practice from the Late Roman Republic to Artificial Intelligence*.[1] Siliquini-Cinelli's study represents a significant contribution to legal philosophy and historical jurisprudence. Its strengths are found in its philosophical analysis, its linkage of historical and contemporary issues, and its challenge to conventional legal thought. This work is particularly pertinent for those interested in the future of legal education and the influence of AI on law and legal reasoning.

Professor Geoffrey Samuel's essay "Can Historical Jurisprudence Inform the Artificial Intelligence and Law Debate?" examines the implications of Dr Luca Siliquini-Cinelli's work for the historical evolution of legal knowledge and its future with AI. Samuel highlights the crisis in legal education and practice that has resulted from the separation of knowledge from human experience, exacerbated by AI's growing role in legal decision-making. He discusses the challenge of law becoming detached from human input and the potential risks of AI replacing human judges. Samuel questions the transformation of legal knowledge

[1] In the series *Ius Gentium: Comparative Perspectives on Law and Justice*, Cham, Switzerland: Springer, 2024.

into models independent of human input, addressing the "map and territory" debate. He critiques the idea of "legal singularity" and the growing dependence on AI for legal reasoning. While acknowledging the value of Siliquini-Cinelli's critique, Samuel raises concerns about implementing an experience-based epistemology in legal reasoning, calling for more clarity on this approach.

In his essay, "The (In)efficiency and (Un)certainty of Non-propositional Structures of Reality … or, Adventures in Philosophy of Understanding", Dr Robert Herian examines the impact of certainty and efficiency on legal understanding within legal and jurisprudential contexts and explores the implications of Luca Siliquini-Cinelli's book, *Scientia Iuris*, for the concept of "understanding", distinguishing that concept from knowledge and suggesting that contemporary law has become overly focused on knowledge, to the detriment of experience. Herian engages with Siliquini-Cinelli's thesis that the regulatory function of law has expanded in recent decades to encompass and embody knowledge while neglecting the crucial dimension of experience. Understanding is posited not merely as an adjunct to knowledge but as a distinct cognitive state. It involves comprehending the structures of reality, both propositional and non-propositional, as distinct from the mere possession of factual knowledge. He emphasizes that understanding is a crucial yet undertheorized cognitive function in law, offering more than just factual knowledge. Herian observes that understanding, as a cognitive function, has been undertheorized and not given the attention it deserves, despite its significance. He argues that understanding serves as an intermediary between knowledge and experience and requires greater recognition and exploration. He advocates educational approaches that prioritize understanding, suggesting it is essential for achieving true legal certainty and efficiency.

The essay "Law without Lawyers, Lawyers without Law" by Dr Joshua Neoh explores the relationship between law and lawyers by examining two contrasting viewpoints. First, Luca Siliquini-Cinelli's argument that law can exist without lawyers because law transforms subjective human experience into standardized, rational conduct, which can exist without the need for individual lawyers—law is primarily about knowledge rather than experience. Secondly, the perspective of American legal realism (particularly that of Felix S Cohen), which suggests that lawyers can operate without the necessity of law as an independent entity—what is called "law" is essentially what lawyers, including judges, do in practice. Neoh suggests that both positions hold partial truths. He explores the idea that law can be both Procrustean (rigid and categorical) and Protean (flexible and adaptable), implying that law and lawyers are

interdependent in complex ways. The essay concludes by proposing that law is multifaceted, potentially embodying both the structured logic that Siliquini-Cinelli champions and the experiential, practice-oriented approach of American legal realism.

The essay entitled "Symposium on *Scientia Iuris*: A Reply" contributed by Dr Luca Siliquini-Cinelli provides a reflective and critical engagement with the essays contributed by Geoffrey Samuel, Robert Herian, and Joshua Neoh, and written in response to his new and important book *Scientia Iuris: Knowledge and Experience in Legal Education and Practice from the Late Roman Republic to Artificial Intelligence*. Siliquini-Cinelli argues that legal education and practice are in crisis due to the historical distinction between knowledge and experience. He traces this crisis back to Roman jurists of the Republican era who began to establish law (*ius*) as a body of constructed knowledge (*scientia iuris*) independent of human experience. This shift, according to the author, has led to a legal system increasingly capable of performing its regulatory function without relying on the experiential input of legal experts. The concern is that this trend is exacerbated by the rise of AI in legal decision-making. The book presents a critical analysis of legal knowledge and its detachment from human experience, highlighting the potential challenges posed by this shift, especially in the context of advancements in AI. The book argues that, while the pursuit of knowledge is central to legal education and practice, it is the individual experience that defines who we are as individuals. This distinction between knowledge and experience is critical in understanding the crisis in legal education and practice. The author critiques the traditional focus on knowledge over experience in law, arguing that this imbalance has led to a crisis in legal education and practice. He suggests that law's fixation on knowledge has made the experiential contribution of legal professionals obsolete, which in turn has contributed to the existential crisis in legal education and practice.

The review essay itself is a reflective dialogue between the author and his commentators, engaging with the reflections on his work and reaffirming in particular the importance of distinguishing between knowledge and experience in understanding the current crisis in legal education and practice. The author agrees with Professor Samuel's critique regarding the lack of an index in the book and reflects on the broader implications of Samuel's concerns about a law-world focused solely on experience. He emphasizes that his goal is not to replace knowledge with experience but to highlight their distinction and the consequences of their imbalance in legal education. In response to Herian's essay, which is focused on the neglected topic of "understanding" in legal education, Siliquini-Cinelli acknowledges Herian's observation that legal education has generally

overlooked the distinction between knowledge and experience, a theme central to his book. He agrees with Herian's point that understanding is often neglected in legal education, and that this is indicative of broader issues within the field, and suggests that the prevailing focus on knowledge at the expense of understanding has significant implications for how law is taught and practised. Dr Siliquini-Cinelli acknowledges Herian's analysis and reflects on the importance of addressing understanding as a crucial component of legal education. He concurs with Herian's call for greater pedagogical awareness, emphasizing that teaching should involve more than just imparting knowledge; it should also inspire critical thinking and self-awareness in students and offer a more integrated approach that includes understanding and experience. He also acknowledges Neoh's insights, agreeing that, while experience is crucial in legal education and practice, the intellectual nature of law means that knowledge eventually surpasses experience. He suggests that Neoh's perspective—that law encompasses both knowledge and experience rather than one over the other—presents a valuable avenue for further exploration. Siliquini-Cinelli notes that this aligns with the broader aim of his book: to inspire deeper inquiry into the philosophy of legal education and practice, rather than to provide definitive answers.

The section which follows is Part 3 of Maria Federica Moscati's major contribution to the analysis of the rights of children—Children's Rights: Contemporary Issues in Law and Society.[2]

There are two papers. First, Nejla Tugcem Sahin Bayik and Ceyda Durmus's essay, "Children's Rights in the Early Childhood Education Curriculum and Activity Book in Türkiye", explores how children's rights are portrayed within Turkey's Early Childhood Education (ECE) Curriculum and Activity Book. The study underscores the critical role of ECE in childhood development, emphasizing it as a strategic phase for instilling core virtues such as tolerance, appreciation for diversity, and an understanding of human rights. However, the curriculum lacks explicit outcomes related to children's rights, offering only indirect references through social-emotional development. While there are mentions of non-discrimination and freedom of expression, essential rights like healthcare and protection from violence are significantly underrepresented. Additionally, there is a pressing need for incorporating age-appropriate teaching methods. The research work shows the need for a comprehensive integration of children's rights into the curriculum and suggests revising the programme so as to include teaching strategies that

[2] For Part 1, see *Amicus Curiae* Series 2 5(2) and, for Part 2, see *Amicus Curiae* Series 2 5(3).

effectively communicate these rights to young children. Methodologically, a content analysis of the ECE Curriculum and Activity Book reveals sparse representation of fundamental rights, such as healthcare, shelter, and protection from violence, despite references to non-discrimination and freedom of expression. The essay concludes that children's rights are currently addressed in an indirect and fragmented manner within Turkey's ECE curriculum, calling for a more coherent and explicit approach to embedding these rights across all developmental domains to ensure they are central to early childhood education.

Secondly, the essay "What's in a Name? Children's Rights and Legal Voice within Administrative and Juridical Procedures of Recognition of Same-Sex Filiation" by Alice Sophie Sarcinelli and Monika Weissensteiner is a contribution to both the collection of essays edited by Dr Moscati, and "Visual Law". It delves into the role of children's voices in legal processes related to same-sex parenting. Employing a novel methodology that blends long-term ethnographic observations, biographical interviews, and visual methods, the essay examines how children's perspectives are considered in court proceedings concerning same-sex filiation. By merging qualitative research with performative text and visualizations, it enriches its findings significantly. This research sheds light on the often-overlooked perspectives of children within legal processes involving same-sex parenting, providing a critical analysis of the legal systems in France and Italy, particularly their approach to recognizing children in same-sex families. The essay employs an interdisciplinary approach, with visualizations enhancing understanding and contextual awareness, adding depth to its thematic coherence. It makes a substantial contribution to discussions on children's rights and legal studies related to same-sex parenting, highlighting the gap between legal and practical kinship and emphasizing the symbolic versus substantive recognition of children's voices in legal proceedings. Drawing insights from anthropology, law, and visual studies, the visualizations not only illustrate points but also serve as analytical tools, fostering a unique form of understanding and engagement with the material. This essay is a valuable addition to the fields of children's rights, legal studies, and social anthropology, especially in the context of same-sex parenting and its related legal challenges.

In her article, "The Need to Update the Equality Act 2010: Artificial Intelligence Widens Existing Gaps in Protection from Discrimination", Tetyana Krupiy examines the deficiencies in the UK's Equality Act 2010 in addressing discrimination arising from the use of AI in decision-making processes. This is the final essay in the special sections on

AI and its Regulation.[3] Drawing on Sandra Wachter's scholarship, Krupiy discusses the problem that the employment of AI as part of the decision-making process can give rise to inequalities due to using correlations in the data as a basis for generating a decision. While these correlations may not directly relate to protected characteristics such as race, gender, or disability, they can still lead to biased outcomes.

Krupiy asserts that the current framework of the Equality Act 2010, which assumes a direct and simple relationship between a protected characteristic and discriminatory treatment, is inadequately equipped to address the complexities that the employment of AI as part of the decision-making process introduces. For example, the scholarship of Bart Custers shows that AI systems may rely on attributes, such as shoe size, which do not conform neatly with the Act's definitions of protected characteristics, resulting in discriminatory outcomes that challenge the enforcement of legal protections afforded by the Act.

In order to address these challenges, Krupiy argues for a substantial revision of the Equality Act. Any revisions should include redefining protected characteristics. The definition of a protected characteristic should account for multidimensionality. Krupiy builds on Lily Hu's, Reuben Binns' and Shreya Atrey's scholarship. She argues that the grounds of legal protection should encompass any attribute or combination of attributes that contribute to structural inequality. This approach to defining a protected characteristic allows for a more nuanced understanding of discrimination. Krupiy suggests that the term "group membership" should be understood as having a multidimensional character. It should be redefined as encompassing four elements. Furthermore, Krupiy underscores the importance of reevaluating the relationship between protected characteristics and group membership. She suggests adopting a more flexible and inclusive definition that accounts for the dynamic and complex nature of AI-driven decision-making. Finally, the author recommends that the legislature incorporate multiple legal tests into the Equality Act 2010, defining what constitutes discrimination in the context of AI use. The courts should be able to employ these tests, either individually or collectively, depending on the circumstances, in order to better capture the diverse ways in which the operation of AI decision-making processes can disadvantage individuals. By doing so, the Equality Act 2010 could more effectively protect individuals from the subtle and often complex forms of discrimination that the use of AI decision-making processes may produce.

[3] For Part 1, see *Amicus Curiae* Series 2 4(2) and, for Part 2, see *Amicus Curiae* Series 2 5(1).

The Advocate Lecture delivered by Sir Robin Knowles CBE, entitled "Justice and Access to it", at Lincoln's Inn in March earlier this year, stresses the fundamental role of the justice system in serving the public. By examining the often-challenging experiences that individuals face within the justice system, particularly the numerous barriers to accessing justice—ranging from the prohibitive costs of legal representation to the shortcomings and deficiencies in legal aid—Sir Robin highlights the gap between the justice system and those it aims to serve. This disconnect is especially critical for vulnerable populations who bear the brunt of the problem of limited access to justice. He argues for enhanced integration and coordination across various sectors, including legal aid, *pro bono* initiatives, and government resources, and provides practical reform suggestions. These include more effective utilization of legal expenses insurance, deeper involvement of universities in social welfare law, and the imperative of increasing public understanding of the justice system in order to maintain public trust. The speech places the UK's justice system within a global framework, acknowledging its international standing and the necessity to address emerging challenges such as AI and climate change.

In a memorial honouring Professor Zhang Wanhong, a distinguished Chinese legal scholar who passed away earlier this year at a relatively young age, several of his former colleagues and students highlight and pay tribute to his significant professional achievements. These include his contributions to human rights, legal education, and public interest law in China, as well as the significance of law in the movies. The tribute also emphasizes his pioneering work in disability rights and his participation in substantial national and international projects, highlighting the breadth and depth of his impact. Professor Zhang's personal qualities encompassed not only academic rigour and academic contributions but also empathy, dedication to social justice, and his role as a mentor and educator. The enduring impact of his work will be reflected in his legacy, marked by his influence on human rights law in China, his mentorship, and his involvement in critical rights initiatives. His contributions will continue to resonate long after his passing.

In the reviews section of the journal, Professor Patrick Birkinshaw presents an analysis of *A Research Agenda for Administrative Law*, edited by Carol Harlow. This collection of essays reflects on the future of research in administrative law and, as Birkinshaw notes, it offers a comprehensive view of the field extending beyond judicial review into public administration and its significant changes. It encompasses a wide range of issues such as policy development, rule-making, grievance redress, management efficiency,

accountability, public interest promotion, and transparency. The increasing role of private entities in public administration and the global nature of some administrative powers are also highlighted, particularly in the context of AI and digitization. The review suggests that the volume is full of good ideas and interesting areas for future research in administrative law, encouraging in particular emerging academics to explore the complex, often opaque organizational structures in administrative law and processes.

Birkinshaw observes that several contributing authors investigate different approaches to judicial review, including its impact on public administration and specific groups of litigants, research methods in judicial review (complicated by the fragmented and polarized nature of the field), the effect of judicial review on public administration, as well as the nature of immigration law and the role of tribunals. McClean examines the disaggregation of executive power for accountability, questioning the meaning of the "Crown" in official action and its implications for responsibility and liability. The reviewer addresses further the concept of the Crown, especially its use as a metonym for the state. In English usage, power seldom resides in the Crown in the literal sense of the monarch. When analysing the often-debated distinction between the Crown's personal and political (governance) roles, it becomes evident that political power is not, nor is it intended to be, vested in the Crown itself. Rather, the Crown as an entity of governance is dispersed into a complex network of natural and corporate entities, whose powers collectively constitute the "Crown". Birkinshaw references Stephen Sedley's insight in *Lions under the Throne*, noting that the "Crown" serves as the repository of these powers, not their origin.[4] As Maitland pointed out, it is crucial to precisely identify who holds the Crown's power, and the concept often serves as a convenient cover for ignorance, especially when used to represent the nation and symbolize comforting unity. Birkinshaw's review also comments on contributions examining the role of parliamentary oversight in the legislative process (particularly in the context of Brexit, Covid-19 regulations, and devolution), challenges to the binary existence of public and private law, and the argument that this division is overstated in common law jurisdictions and that public law possesses a more complex history and scope than traditionally acknowledged. It also notes the importance of government contracts in administrative law, the role of regulation, particularly in the post-Brexit context and in response to the Covid-19 pandemic, the impact

[4] Stephen Sedley, *Lions under the Throne*. Cambridge: Cambridge University Press, 2015: 228. See also Professor Birkinshaw's review article "Lions in the Whirligig of Time—Stephen Sedley's Lions under the Throne Essays on the History of English Public Law and Law and the Whirligig of Time." *Amicus Curiae* Series 2, 2(1) (2020).

of AI and digital technologies on administrative law, and the extent to which European Union law, grounded in national systems of liberal constitutionalism, is equipped to address the challenges of multilateral cooperation. Overall, Professor Birkinshaw points to the value of the edited book's comprehensive and forward-looking approach, recognizing it as a significant contribution to the field and an inspiration for future generations of legal scholars.

Emma Cooke's review of the book by Catrina Denvir, Jacqueline Kinghan, Jessica Mant, and Daniel Newman entitled *Legal Aid and the Future of Access to Justice* offers an in-depth analysis of the state of legal aid in England and Wales. Dr Cooke sees the book as a timely exploration of legal aid's critical role in justice, especially after the 2012 LASPO cuts. She points to the fact that the book is structured to be both academic and practical, appealing to a broad audience. Grounded in data from the 2021 Legal Aid Census, the book in her view offers insights into education, training, pay, and barriers in the legal aid sector. It also addresses the impact of austerity, Covid-19, and economic challenges, revealing vulnerabilities and advocating for radical reform to ensure justice access. Cooke praises the book's comprehensive and accessible approach, recommending it as essential reading for those interested in legal aid.

In her review of *Arbitration and Mediation in Nineteenth-Century England* by Francis Calvert Boorman and Rhiannon Markless, Dr Ling Zhou identifies several pivotal insights in the study under review. The book offers a compelling examination of the evolution and significance of arbitration and mediation during this period in England, building on Derek Roebuck's earlier work to enrich our understanding of dispute resolution's development. The authors delve into the roots of arbitration in English law, tracing its origins to the medieval era and highlighting significant legislative milestones, notably the Arbitration Act of 1889. The study explores the changing dynamics between the courts and arbitration, remarking on the judiciary's initial hesitation to relinquish control over legal matters to arbitrators, which gradually shifted towards embracing arbitration as a practical solution to burgeoning caseloads. With industrialization and commercialization, arbitration gained popularity, especially among businesses, due to its efficiency and flexibility compared to traditional litigation. The book also highlights shifts in societal attitudes, noting the growing acceptance of arbitration and mediation as legitimate alternatives to litigation. It discusses the influence of religious communities, particularly Nonconformists, who championed arbitration as a means of conflict resolution aligning with their values of peace and reconciliation. Despite its expansion, arbitration encountered challenges such as procedural complexities, nepotism in appointments, and resistance from

the legal community. The integration of arbitration into the judicial framework also lessened its conciliatory nature. The book comprehensively explores how arbitration and mediation nevertheless became essential components of nineteenth-century England's legal and social landscape. However, Dr Zhou also suggests that the book might have been enhanced by incorporating more comparative analyses and references to other historical studies, particularly Jerold S Auerbach's work on dispute resolution in the United States,[5] and to thereby offer a more robust view of the processes and issues surrounding the integration of legal and non-legal justice methods.

The Editor also thanks Eliza Boudier, Narayana Harave, Patricia Ng, Maria Federica Moscati, Simon Palmer and Marie Selwood, for their kind efforts in making this issue possible. I should add that because of my ill-health, Dr Amy Kellam has in effect been a co-editor of the issue, and so a special note of thanks to her for her kind and most helpful cooperation.

[5] Jerold S Auerbach. *Justice without Law? Resolving Disputes without Lawyers*. New York: Oxford University Press. 1983.