

And then there were none...  
Agatha Christie

Delivering justice outside the  
courtroom?

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# The Rule of Law

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- 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

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- 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

# Justice outside the Courtroom

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- ◉ Audience in 1939 : idea of presumption of innocence and due process embedded in perceptions of the law
- ◉ Portrayal of Killings in novel – just desert? Foreknowledge of death and killing – death penalty – proportionate??
- ◉ Where the acts of the “ten” murder? – who decides if codified, defined law not used?

# Justice outside the Courtroom

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- 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)

# Why is a Courtroom necessary?

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“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