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The Trial: Four Thousand Years Of Courtroom Drama



THE TRIAL



*A History, from
Socrates to O. J. Simpson*



Sadakat Kadri



Synopsis

For as long as accuser and accused have faced each other in public, criminal trials have been establishing far more than who did what to whom “and in this fascinating book, Sadakat Kadri surveys four thousand years of courtroom drama. A brilliantly engaging writer, Kadri journeys from the silence of ancient Egypt’s Hall of the Dead to the clamor of twenty-first-century Hollywood to show how emotion and fear have inspired Western notions of justice “and the extent to which they still riddle its trials today. He explains, for example, how the jury emerged in medieval England from trials by fire and water, in which validations of vengeance were presumed to be divinely supervised, and how delusions identical to those that once sent witches to the stake were revived as accusations of Satanic child abuse during the 1980s. Lifting the lid on a particularly bizarre niche of legal history, Kadri tells how European lawyers once prosecuted animals, objects, and corpses “and argues that the same instinctive urge to punish is still apparent when a child or mentally ill defendant is accused of sufficiently heinous crimes. But Kadri’s history is about aspiration as well as ignorance. He shows how principles such as the right to silence and the right to confront witnesses, hallmarks of due process guaranteed by the U.S. Constitution, were derived from the Bible by twelfth-century monks. He tells of show trials from Tudor England to Stalin’s Soviet Union, but contends that “œno-trials,” in Guantánamo Bay and elsewhere, are just as repugnant to Western traditions of justice and fairness. With governments everywhere eroding legal protections in the name of an indefinite war on terror, Kadri’s analysis could hardly be timelier. At once encyclopedic and entertaining, comprehensive and colorful, *The Trial* rewards curiosity and an appreciation of the absurd but tackles as well questions that are profound. Who has the right to judge, and why? What did past civilizations hope to achieve through scapegoats and sacrifices “and to what extent are defendants still made to bear the sins of society at large? Kadri addresses such themes through scores of meticulously researched stories, all told with the verve and wit that won him one of Britain’s most prestigious travel-writing awards “and in doing so, he has created a masterpiece of popular history. From the Hardcover edition.

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Customer Reviews

How did the jury trial system get started? Surprisingly as a trial attorney, even I didn't know the answer until reading this book. And it turns out the answer starts in ancient Babylon, detours to Mt. Sinai, stops briefly at ancient Athens, has a sojourn in the Roman Empire before finally wending its way through Christendom, the Roman Catholic Church and then ultimately to British common law. In other words we have managed to inherit our legal traditions concerning the treatment of criminal defendants the same way that we've inherited our other traditions...through the accidents and missteps of history itself. And it also turns out that Sadikat Kadri, BOTH London barrister AND member of the New York state bar turns out to be an excellent guide making history about stories and interesting ones at that. Through his eyes we watch as Socrates mounts his suicidal defense in ancient Athens. We're there when Marc Antony gives perhaps the pre eminent lawyer of all time, Cicero, the death sentence that others including Shakespeare later fantasize about giving all lawyers. We join him in marvelling at the unfilled promise of the Justinian law code, buried for ten centuries under the rubble of the dark ages. We see the first -- otherwise forgettable -- jury trial take place in 1220 England. And then we watch the trial evolve from a presumption of guilt to one of innocence, a presumption against Defendants failing to talk to today's privilege against self incrimination, and into being basically the replacement for ancient "gladiator justice" where crowds could thrill at the bloodied hands of the victor to today where crowds watched to see if the bloodied glove actually fits.

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