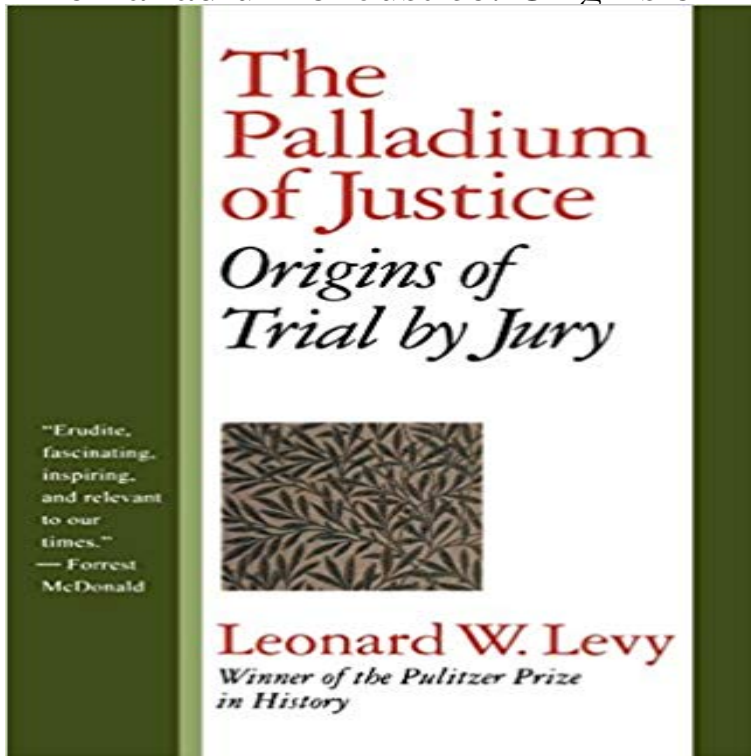


The Palladium of Justice: Origins of Trial by Jury



Trial by jury is the mainstay of the accusatorial system of criminal justice. Here one of our most distinguished constitutional scholars, the Pulitzer Prize-winning Leonard Levy, brings his formidable skills to bear in tracing the development of what many great legal minds have called the Palladium of Justice. Mr. Levy identifies the roots of trial by jury in the inquest, a medieval investigatory body whose members were sworn to tell the truth and whose verdicts of guilt or innocence were used by royal courts. From about 1376 the custom of requiring a unanimous verdict from twelve jurors developed. By the mid-fifteenth century, juries?supposedly representative of the community?were beginning to hear evidence that was produced in court. No one could lose life, limb, liberty, or property in a civil or criminal case without a unanimous verdict of guilt. In the American colonies, trial by jury thrived, and from the time of Peter Zengers famous test of press freedom in 1735, the jury decided the law as well as the facts. By 1776 trial by jury was a common right. Recounting the history with his characteristic clarity, vigor, and elegance of expression, Mr. Levy has given us a brilliant and useful summary of one of our most cherished freedoms.

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