

Index to Legal Essays

*English language legal essays
in Festschriften, memorial volumes, conference papers
and other collections, 1975–1979*

Compiled for the
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under the editorship of Barbara Tearle

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Introduction

The *Index to Legal Essays* provides bibliographical coverage of English language legal essays, published between 1975 and 1979, contributed to Festschriften and other memorial volumes, collections of conference papers and miscellaneous collections, where essays have been contributed by several people.

The *Index* is a project of the British and Irish Association of Law Librarians as a contribution to the bibliographical control of legal literature.

Bibliographical control of legal literature

The quantity of secondary materials of law is vast. They appear in many forms — practitioners' and students' textbooks, other monographs, encyclopedias, theses, periodical articles, conference papers and reports, memorial volumes, reports of law reform bodies (official and unofficial), book reviews, etc. In an ideal system of comprehensive bibliographical control, all forms of literature would be indexed in one source. But bibliographical control has developed piecemeal as the need for it arose for different forms of literature.

Bibliographical control of legal monographs, which encompasses a large part of the secondary material of law, is usually provided by general national bibliographies, such as the *British National Bibliography* and *Canadiana*. However, as the development of national bibliographies only dates from about 1950, other sources must be consulted to trace earlier publications, such as the *British Museum General Catalogue of Printed Books* and the *National Union Catalog*, which of course have a wider scope than purely national bibliographies. On a smaller, specialized scale, some biblio-

ographies of specifically legal monographic literature have been published, for example, *Bibliographic Guide to Law* which is an extract of the legal contents of the *National Union Catalog*, and *Law Books in Print*, with its update *Law Books Published*. All have the advantage of covering legal publishing output of more than one country and of being kept up to date. These sources cover the majority of legal publications but they do not include analytical entries for internal portions of books.

In the periodicals field, the need for bibliographical control was recognized many years ago. The first attempt was Jones and Chipman's *Index to Legal Periodical Literature* which indexed Anglo-American legal periodical articles published between 1803 and 1937. In competition with it from 1908 and eventually superseding it from 1937 is the *Index to Legal Periodicals*, which indexes the periodical literature of the USA, Canada, Australia, New Zealand, Ireland and the United Kingdom. It is still the major indexing service for English language legal periodical articles, although its selection policy leads to the rejection of some titles and articles. The last twenty years have seen several other indexing services set up to complement or rival it. The *Index to Foreign Legal Periodicals* complements the *Index to Legal Periodicals* by indexing international, comparative and foreign law (i.e. non-common law) periodicals. This inevitably includes some English language titles and articles, resulting in some overlap between the two indexes. The *Index to Periodical Articles Related to Law* covers English language legal articles in periodicals in fringe subject areas. The more recent *Public International Law* from Germany overlaps with both the *Index to Legal Periodicals* and the *Index to Foreign Legal Periodicals*.

A rival service to the *Index to Legal Periodicals* has been offered since 1980 in the computer data base, *Legal Resource Index*, and its published offshoot, *Current Law Index*, which indexes legal periodicals from common law jurisdictions.

These indexes are general in coverage to the extent that they include the periodicals of many countries, some of which, for example, Canada, India, Australia and New Zealand, also produce their own national legal periodical indexes, which provide fuller coverage for that country than the general indexes are able to do.

The analytical indexing of other forms of legal literature is less systematic than the coverage of books and periodicals. Both the *Index to Foreign Legal Periodicals* and *Public International Law* recognize the need for analytical indexing of some monographs by including a few (about twelve per volume) selected Festschriften and memorial volumes. These and other forms of legal literature are included incidentally in published library catalogues or in bibliographies aiming at a particular subject, for example *Current and Annual Legal Bibliography*, Caes, L. and Henrion, R., *Collectio Bibliographica Operum ad Ius Romanum Pertinentium* and Szladits's *Bibliography on Foreign and Comparative Law*. Careful examination reveals the wide variety of forms of legal literature which each includes. The *Current and Annual Legal Bibliography*, now sadly deceased, indexed the acquisitions of Harvard Law School Library and included not merely books but also analytical entries for periodical articles and contributions to volumes of collected papers. The countries of origin of publications, languages, subject matter and forms of literature were impressively wide, as one would expect of the acquisitions of such a library, but it was *ipso facto* limited and could not achieve a comprehensive coverage of a subject, jurisdiction or class of literature. Caes and Henrion's *Collectio Bibliographica* . . . covers in considerable depth modern international scholarship on Roman law as it appears in the periodicals, conference papers, Festschriften and book reviews emanating from many countries. Unfortunately it excludes monographs, thereby depriving the Roman law scholar of a near comprehensive bibliographical tool.

Szladits's *Bibliography on Foreign and Comparative Law* is an attempt to index all forms of legal literature published in English likely to be of use to the comparative lawyer. As such it includes books and analytical entries for translated texts of foreign laws, encyclopedias and looseleaf works, periodical articles and contributions to books. Nevertheless it, again, is limited because it selects on the basis of relevance to the comparative scholar.

This brief survey of some of the tools of bibliographical control of legal literature shows that some classes of material (books and periodical articles) are well covered by thorough, current indexes and by inclusion in several overlapping services. Others are partially covered, if they fall within the *subject* rather than the *form* coverage of an index (encyclopedias, foreign law texts, Festschriften, conference proceedings, etc.). It is the purpose of the *Index to Legal Essays* to take one such form of legal literature, collections of essays, which is erratically and inadequately indexed in existing bibliographies and to attempt as full a coverage as possible. There are precedents for an index of this class of literature in the humanities field, for example the *Essay and General Literature Index* indexes collections of essays published since 1900 of literary and humanities interest, and *Essay Collections in International Relations: a classified bibliography*, compiled by Moorhead Wright, Jane Davis and Michael Clarke performs the same function in its subject field for the period 1945–1975.

Scope

The feasibility study which preceded work on the *Index* produced a description of collected essays, an estimate of the number of such volumes published since 1945, and guidelines for identifying the volumes to be included.

Volumes of collected essays may take the form of Festschriften and other memorial volumes; papers presented at conferences and similar gatherings; collected essays of one person; reprints of essays written by one or more people; collections of extracts ('readings in . . .' volumes);

lecture series, where the lectures were given by one or more people on a theme or on several subjects; regularly or irregularly published monograph series, some of which verge on annual reviews or periodicals; and miscellaneous monographs of contributed papers. The subject matter may deal with any aspect of law, in any country and at any period of time. Some essays are original, others are reprinted from periodicals or other collections. The quality varies from scholarly texts to ephemeral after dinner speeches.

A survey of volumes published since 1945 showed that they doubled in number every five years, from 19 in 1945–1949 to 334 in 1965–1969. Thereafter the increase per annum has been less. The period covered by the first volume, 1975–1979, revealed 340 volumes. Some titles were only identified after work on the volume had finished. They will be included in the first supplement, and will bring the number of volumes for the period nearer to 400. The period 1975–1979 was chosen for the first volume because, when published, it will still be of current use. Updating supplements for subsequent years are planned.

Guidelines

Because of the varied nature of even this small category of legal literature, it was necessary to draw up guidelines to define the type of collective works to be included.

1. An essay is defined as a self-contained, complete presentation and excludes case notes, news items, reviews and conference session reports, but includes biographical appreciations and bibliographies of the subjects of memorial volumes.
2. Only English language legal essays, whatever the country of origin of the publication.
3. Only the English language essays in multi-language volumes.
4. Monograph collections of legal essays on the same or different topics written by (and attributed to) different authors, for example *Festschriften*, collections of *ad hoc* conference papers, miscellaneous edited volumes of contributions.
5. Monograph series containing volumes of legal

essays, providing that they are not already indexed in any major legal bibliographical index.

6. The occasional legal essay in otherwise non-legal collections.
7. Monograph reprints of an issue, volume or selection from a periodical.
8. Excluded categories are volumes of collections of one person's essays, volumes of extracts from books and annual or irregular series.
9. Generally no judgement of the quality of an essay has been made, but political, religious and racial polemic has been excluded, as have essays aimed solely at the layman.
10. All published sources of an essay are provided.

These guidelines have been followed as closely as possible, but some exceptions have been made.

Arrangement

List of Collections

Full bibliographical details of each collection indexed is given. Works are arranged alphabetically under the code used to identify the collection in the Subject Index. The code usually consists of the editor/s' surname/s and an abbreviation of the title. In some cases only the abbreviated title is used.

Subject Index

This is the main section of the *Index*, because it is expected that the principal use made of this work will be for subject searching. The subject headings, arranged alphabetically, are based on those used in the major indexes for legal periodical articles. The terminology and spelling is predominantly English, with allowance made for *see* references from non-English terms. Most subject headings are followed by *see also* references to related and more specific headings. The subject headings may be divided by jurisdiction and form headings where the essays warrant such treatment. Biographical essays will be found under the heading 'Biography'. The entry for each essay consists of the name of the author/s, the title and a coded reference to the collection in which it has been published. If the essay appears in more than one

source, all sources are given, including periodicals. The collection codes are listed with full bibliographical details in the first section of the *Index*.

Geographical Index

Lists all jurisdictions and geographical areas which have been used as sub-divisions in the Subject Index.

Author Index

Lists all authors whose names appear in the Subject Index and refers to the subject headings under which they will be found.

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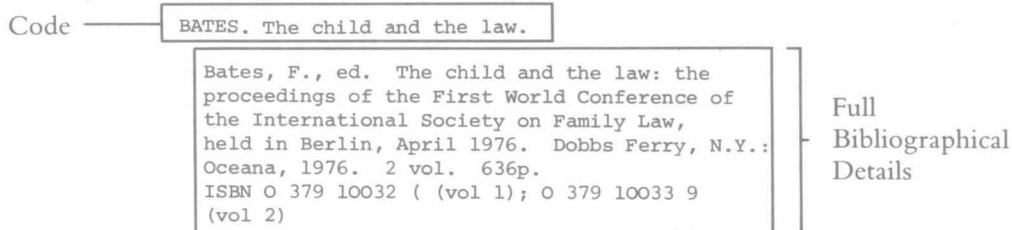
Abbreviations

A.C.T.	Australian Capital Territory	N.I.	Northern Ireland
Ala.	Alabama	N.J.	New Jersey
Ariz.	Arizona	N.S.	Nova Scotia
B.C.	British Columbia	N.S.W.	New South Wales
C.M.E.A.	Council for Mutual Economic Assistance	N.Y.	New York
Calif.	California	N.Z.	New Zealand
Colo.	Colorado	Ont.	Ontario
Conn.	Connecticut	P.E.I.	Prince Edward Island
D.C.	District of Columbia	Penn.	Pennsylvania
Del.	Delaware	R.S.F.S.R.	Russian Soviet Federated Socialist Republic
E.C.	European Communities	S.A.	South Africa
Fla.	Florida	Tas.	Tasmania
Ill.	Illinois	U.K.	United Kingdom
Kan.	Kansas	U.S.A.	United States of America
Man.	Manitoba	U.S.S.R.	Union of Soviet Socialist Republics
Mass.	Massachusetts	Vic.	Victoria
Md.	Maryland	Wash.	Washington
Mich.	Michigan	Wisc.	Wisconsin
Minn.	Minnesota		

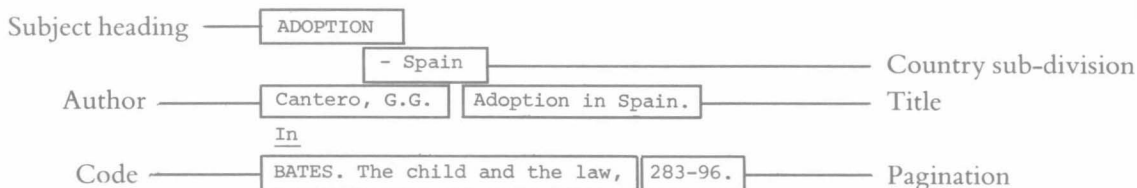
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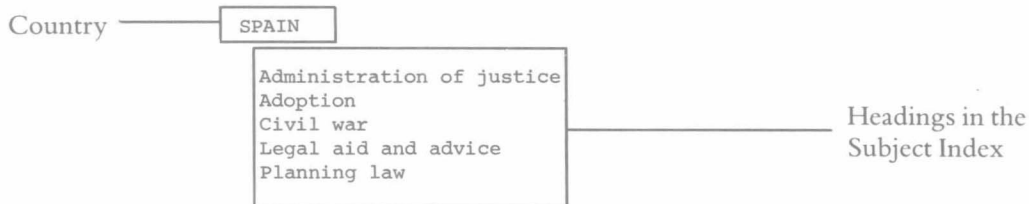
List of Collections



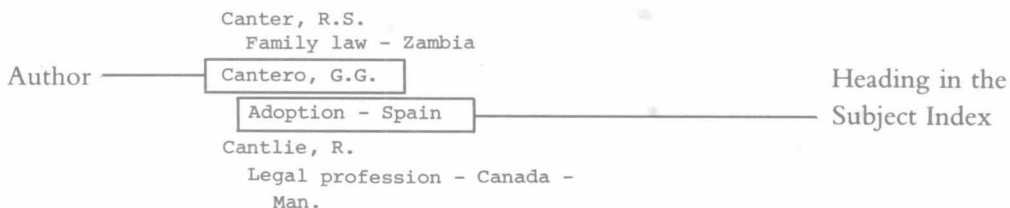
Subject Index



Geographical Index



Author Index



Contents

Compilers	vii
Acknowledgements	viii
Introduction	ix
Abbreviations	xiii
How to use the <i>Index</i>	xiv
List of Collections	1
Subject Index	28
Geographical Index	361
Author Index	375

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