

ENGLISH AND
AMERICAN JUDGES
AS LAWMAKERS

BY

LOUIS L. JAFFE

BYRNE PROFESSOR OF ADMINISTRATIVE LAW
HARVARD UNIVERSITY

CLARENDON PRESS · OXFORD

1969

CONTENTS

TABLE OF CASES	ix
I. Is the Great Judge Obsolete?	i
II. The Democratic Character of Judicial Lawmaking	31
III. The Role of American and English Judges Compared	59
IV. The Hazards of Judicial Lawmaking	85
V. Epilogue	105
INDEX	115