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- 1 French social historians have only fairly recently started to uncover the manifold ways in which ordinary people resorted to the civil law in the nineteenth century. In a recent essay, Jean-Claude Farcy described a rich tradition of popular recourse to the *juge de paix* (justice of the peace)¹. In this publication Gilles Rouet summarises much of what is currently known about how civil justice was experienced, using quantifiable sources (mostly statistical materials). The author reviews the existing literature, including some of the path-breaking research of Bernard Schnapper, on legal personnel, qualitative and quantitative changes over time in civil litigation, the special case of divorce litigation, legal aid, the justice of the peace and conciliation procedures, and on regional variations.
- 2 Rouet purposely excludes from his story other forms of empirical evidence such as court depositions, petitions, letters, as well as «literary» documents which are likely to have provided us with a more accurate idea of popular perceptions of civil justice. Unfortunately, there are still far too few detailed microstudies of qualitative sources that explore the everyday experiences from below, the social profile of litigants, their interaction with magistrates, the use of civil courts against debtors and tenants, and the inter-relationship between civil courts and other venues of dispute resolution (including the police and criminal courts).
- 3 Nevertheless, Rouet has many interesting and pertinent things to say. Particularly useful is his insistence on the fact that the institution of the justice of the peace was eminently

effective and its procedures of conciliation relatively successful at least until the First World War. Intimately connected with this issue is the question of periodisation. The author argues that the customary and the modern in civil justice cannot simply be equated with the *Ancien Régime* and post-revolutionary times respectively. In Rouet's account the interwar period is a vital period of transition. During this juncture in French history wider social changes, in particular urbanisation and industrialisation, as well as the professionalisation of the *juges de paix* transformed 'low' civil justice and thus the entire face of civil justice beyond recognition.

- 4 The book shows an awareness of the problematic nature of the statistical data it uses, and the importance of the societal context, shedding light on the ideological edifices of the social elites as well as the stakes involved for legal professionals. However, the author does not consistently draw the logical consequences of this framework of analysis. For instance, in his treatment of divorce litigation (chapter 4) greater attention might have been paid to the ways in which the legal motives invoked by parties, the type of procedure they initiated, and the volumes of divorce and divorce-related actions were affected by the often highly complex interactions between lower social groups, legislators, magistrates and a whole range of intermediaries such as legal professionals and legal aid providers. Interestingly, current historiography of criminal justice is also much concerned with a dynamic and pluralistic account of the encounter between ordinary people and the police and criminal courts.
- 5 The book – an addition to the series '*Histoire et Société. Temps Présents*' – is aimed at an educated nonspecialist readership. Consequently, it tends to pay considerable attention to recent developments. In fact, many of the historical questions are governed by and infused with a preoccupation with the perceived crisis in the contemporary civil justice system. Above all, Rouet seems to have been guided by a desire to explain that financial and efficiency considerations are not new but age-old problems. Nevertheless, we would like to conclude on a different note, looking forward to more detailed work along these lines. Further studies can only help to deepen our understanding of civil justice and the diversity of perceptions, mentalities and strategies of different social groups vis-à-vis justice.

NOTES

1. Jean-Claude Farcy, 'Les archives méconnues de la justice civile', in Frédéric Chauvaud and Jacques-Guy Petit (eds.), *Histoire et archives, l'histoire contemporaine et les usages des archives judiciaires (1800-1939)* (Paris, 1998), pp.397-399.

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