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Book Review of J. Finlay, *The Community of the College of Justice: Edinburgh and the Court of Session, 1687-1808* (2012)

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J. FINLAY, *The Community of the College of Justice: Edinburgh and the Court of Session, 1687–1808*. Edinburgh University Press, [Edinburgh 2012]. VIII + 296 p.

John Finlay's *The Community of the College of Justice* is a prosopographical study of the bench and bar of Scotland as centered in Edinburgh in the eighteenth century, the time of the Scottish Enlightenment. The College of Justice was composed of the Court of Session, its lawyers, and its clerks and servants. The Court of Session was and is the primary and most important civil court of Scotland. The College was 'a community composed of lesser communities. Each community, and individuals across those communities, were tied together by familial, cultural, financial, and professional bonds' (p. 251).

The author's prose is clear and readable, but it does presuppose some technical knowledge of Scots law and the procedures of the Court of Session. This is a book by a Scots legal academic written for the benefit of other Scotsmen, and it was published in Scotland. It assumes a basic familiarity with Scottish legal institutions and carries that to great heights. Thus, the definitions of basic Scots law, legal procedures, practices, and personnel are not to be found here, but in the general dictionaries.

Dr. Finlay begins with much information about the social status of the lawyers and judges of the Court of Session in eighteenth century Edinburgh, the capital city of Scotland. The Court of Session is the focus of this book, being Scotland's superior legal tribunal; it was here that Scots law was developed. This chapter is a literary group portrait of the judges, discussing at length their social and political position. The judges were chosen from among the lawyers of the College of Justice of the rank of advocate.

The advocates were the lawyers who appeared in court and argued orally their clients' cases to the judges of the Court of Session. Dr. Finlay shows that, in the eighteenth century, in spite of the difficulties of becoming qualified to practice, there were too many advocates at any given time and, thus, financial success was elusive to most. Only those who had both connections and good luck succeeded.

The writers to the signet were the sworn clerks, attorneys at law, who handled the paper work of the litigation in the court. They also did conveyancing and other legal work in competition with lawyers who were not members of the College of Justice.

This book concludes with two detailed and interesting chapters devoted to the clerical staff of the court who were not legally trained but who managed the daily operation of the court and its records.

Dr. Finlay's book is the culmination of many years of painstaking research in the primary sources, and it presents a useful survey of the subject. The organization of the College of Justice was unique; it was an evolution of a specific place. The author points out that parallels are not to be found in England or France, but this is not surprising because, after all, Scotland is not England or France or the Netherlands in spite of sustained political and intellectual interactions over the centuries.

This reviewer reads footnotes. References to authorities give information and perspective. Thus, the use of endnotes rather than footnotes by the publisher is a disappointment. Considering the time and effort given by the author, the Edinburgh University Press could have done better. After all, this is a book of permanent authority which will be widely read and one which records the legal history of Scotland; it will be relied on for many generations.

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