



1898

## EDITORIAL

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### Recommended Citation

*EDITORIAL*, 7 *YALE L.J.* (1898).

Available at: <https://digitalcommons.law.yale.edu/ylj/vol7/iss5/4>

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# YALE LAW JOURNAL

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Published monthly during the Academic year, by students of the Yale Law School.  
P. O. Address, Box 1341, New Haven, Conn.

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THE fable of the King who left his realm that he might learn what was best in the laws of other governments and apply the result of his observation to the improvement of the disordered state of affairs at home, has a parallel in the prevalent propensity for legislative tinkering. It will be remembered that, on his return, the King of the fable was surprised to find everything—under the administration of his wife, whom he had entrusted with the execution of the laws—in an ideal state of order and prosperity. And not until then did it occur to him that the trouble had been not with the laws but with himself. We enact the best laws that legislators can devise; they fail to work the wonderful results that were anticipated, and immediately there is a loud call for amendment or repeal. Thus the law-maker is kept busy to the extent of wasting energy, and the lawyer wearies of the frequent changes in statutory law. Now, for instance, it is the immigration laws that require amendment; now, the civil service regulations, which either the reformer finds insufficient or which the spoils-politician declares to be a fraud, yet, upon the examination of statutes themselves, they generally appear to be broad enough to cover practically all exigencies, and sufficiently stringent to afford no temptation for their violation. The laws respecting immigration seem to provide for the exclusion—so far as any reasonable regulations may, without being an absolute restriction—of all undesirable foreigners; yet we know that too many such immigrants are admitted. The natural conclusion is that the trouble lies not so much with the laws as with the manner of their enforcement. It is a truism that no law is of much value which is laxly exe-

cuted; but men sometimes overlook the most obvious, and thus often we do not realize that the old law enforced may be better than any loosely-enforced new law that could be devised. There is no little opposition to the civil service law, but much of the fault, when analyzed, will be found to be not so much with the law itself as with its operation, the manner in which it is executed; for every one of progressive ideas must acknowledge the superiority of the merit system over the spoils system, and the present regulations, if rigidly and conscientiously enforced, should afford a method of administering the affairs of the civil service that would furnish no cause of complaint. The prevailing reaction, led by the bar, against the treatment of all ills by legislation, will have a good effect, because most of our law-makers are lawyers, but it is hoped that it will prevent not only the making of useless new laws but also the amendment or repeal of those which would not be ineffectual if given a fair trial.

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THE truth of the saying that "tardy justice is often gross injustice" is frequently emphasized by instances of scandalous delay in criminal procedure, and this not so much in those sections where a ruder form of justice is popularly supposed to prevail as in the States whose courts are held in the highest esteem for their wisdom and justice.

It is especially important that those who have committed crime be punished without delay, because a crime, being an offense against the public, has a more far-reaching influence than any wrong which could be the subject of a civil action. The security of life and property demands that in criminal cases the wheels of justice should move with reasonable promptness. Remissness defeats in a great measure the very end which the punishment of crime is intended to accomplish; then, the execution of the final judgment often comes so late as to have lost much of its force as an object lesson to the evil-minded. And this, though the least tangible, is perhaps the most evil consequence of delay in criminal procedure. Another result that has brought the courts into disrepute is the attempt of the mob to supply the unquestioned deficiency of the law and to enforce the law by lawless means.

If the courts themselves are not altogether responsible for the unwarranted postponement of the punishment of serious crimes—often for several years after their commission—nevertheless it is with the bench that reform must in a great measure have its origin.