

*Justices and Journalists: The Global Perspective.* By Richard Davis and David Taras. Cambridge: Cambridge University Press, 2017.

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There is an oft-quoted aphorism, arising from a case about the impartiality of judges, that justice must not only be done, but to be seen to be done. Yet, although the courts are open to the public, not many of us will enter those doors to see law in action nor will many of us be directly involved in a legal case. So, society usually only sees justice being done through the media whether it is in the newspapers, radio, television, or on the internet. The relationship between judges and journalists thus becomes critical for society to determine and challenge the legitimacy of its legal system. This edited volume, then, is a valuable intervention in showing how this relationship varies in different countries and the impact this has on how each society views the law. Although there have been a few national studies of how courts interact with the media, this book is the first to offer a global and comparative perspective.

The strength of this book is the choice of case studies based on the criteria of independent courts in both new and established democracies with a broad geographical spread. This allows for a comprehensive examination of how courts have responded variously to crises of legitimacy, different constitutional cultures and rapid changes to journalism. At the heart of each analysis is the tension between transparency and gaining the trust of the public with the courts maintaining control of the narrative. The end result is a fascinating and careful mapping of more open legal systems such as the radical communication practices of Brazil and Argentina to the more restricted access that Norway and South Korea grants journalists. Along the spectrum of transparency, there are insights into how Australia has engaged with social media, the adoption of streamed coverage in the United Kingdom and the media policy of judicial distance in Israel. The other countries comprise Canada, Germany, Ghana, Indonesia, Mexico, and the United States. As a point of difference it may have been interesting to include an authoritarian state to examine any efforts to circumvent censorship, however, the editors have aptly justified the focus on autonomous judiciaries.

Each case study is adept at succinctly situating the legal institutions within the broader political and social context of that particular nation-state. This background works to elucidate why some courts choose to engage with the media and to what extent. As the editor's note, judges across the world have been fearful that, in dealing with

journalists, their legal decisions will be distorted to fit news values (9–10). However, at times when the power and credibility of the courts are challenged, there is no choice but to communicate more effectively with the public to try and regain legitimacy (5). This volume shows how it is not only countries emerging from oppressive regimes that need to respond, but also more stable democracies such as in Canada during the constitutional battles in the 1990s and the UK when it established a new Supreme Court in 2005. Although, interestingly, in the cases of the US and Norway there is a high degree of trust from the public despite less media engagement. What emerges strongly from this collection is the different ways that courts manage this balancing act through employing professional press officers, easing restrictions on reporting, publicizing internal decision-making processes and increasing accessibility to judges. The most compelling cases are those in which the courts have taken a proactive approach in bypassing traditional news organizations and are using digital media to speak directly to their audiences.

The time of letting decisions “speak for themselves” appears to be increasingly archaic in our global digital world where society now demands more immediate and reliable information about how the legal system works. As mainstream journalism continues to erode, the ability of courts to communicate their importance in upholding the rule of law and maintaining democracy is critical. However, as this book concludes there is still a reluctance from some courts to accommodate media demands (301). In some cases this is warranted to protect the integrity and rigor of judicial processes. Yet, the danger is that as citizens in some liberal democracies appear to be less engaged with political institutions, so too will they view the law and courts as increasingly irrelevant in their everyday lives. Justices and journalists must remain vigilant to this tension and continue to reassess their dynamic interaction in the face of technological, political, and social change. Although the courts and media may have some competing objectives, they should share the same aim of protecting an independent judiciary. This volume provides an important overview and lessons for sociolegal scholars, lawyers, journalists, and communications specialists on how a range of countries have dealt with this tension.

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