



The Rule of Law in a Penal Colony: Law and Politics in Early New South Wales (Studies in Australian History)

By David Neal

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This book, written by a lawyer and unique for its perspective based in both legal and social history, illuminates the important role played by the concept of the rule of law in the transformation of New South Wales from a penal colony to a free society. The convicts had first-hand experience of criminal law, but all the settlers were part of a culture that emphasized the rule of law as the guarantee of its fundamental political value, British liberty. Dr. Neal outlines the interaction between law and politics in early New South Wales, where because there were no official political structures, the courts served as a de facto parliament and a means of political expression.

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Review

"The early history (1788 to 1842) of New South Wales was dominated by its designation as a place for 'transported felons'--forgers, embezzlers, burglars, revolutionaries, and prostitutes--who mercifully escaped the hangman's noose in England. Here is an extremely interesting account of its growth from the legal perspective and of the development of a system of magistracy, courts, and police....An excellent study, well written, well documented...." Choice

"This book is an important contribution to our understanding of the role of law in Australian history." Bruce Kercher, Law and History Review

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