

Juries, Prosecutors and the Rule of Law

By Glenn Harlan Reynolds

So this Substack is actually mostly a podcast. I recorded an episode of the Thomson/Reuters legal podcast, “The Hearing,” and to be honest, had some doubts when I agreed to do so, because Big Media isn’t what it used to be. But it turned out beautifully.



There’s an Apple Podcasts link [here](#), and a Spotify link [here](#). And to my delight, the [teaser](#) for the episode broke out the class warfare point I’ve made in my [The Judiciary’s Class Warfare](#) book, which the hosts seemed to find fascinating as well. They seemed quite receptive to my points (see about 4:00 in) and in particular to the class warfare angle.

In fact, even if you’re not interested in juries, criminal law, or fighting tyranny, it’s worth listening to in part simply as an example of the kind of open discussion that used to be more common. I listened to this on the way home from a board meeting of the Institute for American Civics as the Baker School of politics at the University of Tennessee, where

we were talking about trying to restart civil discussion. I wish there were more media like this.

For some earlier work of mine on this subject, see this [review](#) of Clay Conrad's excellent book, [*Jury Nullification: The Evolution of a Doctrine*](#). Also this on [overcriminalization and political prosecutions](#).

I enjoyed this so much I almost want to think about starting up podcasts again. I'm not sure I'm eager to get so involved in the production side again, though I'm pretty sure it's gotten much easier than in the old, roll-your-own days of *The Glenn and Helen Show*. Share your thoughts on this, and anything else here, in the comments.

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