



Celebrating

225 years of Sweet & Maxwell:

Discover the stories behind the books

A Tale of
Two Dictionaries –
Stroud and Jowitt

By Daniel Greenberg CB





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A Tale of Two Dictionaries – *Stroud* and *Jowitt*

When I began working as a legislative drafter in the Office of the Parliamentary Counsel over 30 years ago, it became necessary for me to think about the meaning of individual words, their resonances and nuances, in new ways. In those pre-electronic days one turned to the library for resources and I was delighted to discover that the library of 36 Whitehall was particularly rich in books devoted to the study of language. Apart from an exciting range of Victorian abridgements and other proto-encyclopedias, we were strong in dictionaries, including a fabulous edition of Dr Johnson's *Dictionary of the English Language*.

A particularly rich source of ideas was *Stroud's Judicial Dictionary*, a work of which I had been slightly aware as a student, but which sprang into sharp relief as the resource most actively and directly focused on demonstrating how different words and concepts were deployed in different legal contexts.

Having come to rely heavily on *Stroud* for authority and inspiration, particularly the latter, around 1995 I suddenly hit a snag. Looking at an entry relating to age one day I realised that while not inaccurate in its own terms it was misleading because a line of judicial authority had been overtaken by statute, which in those days *Stroud* represented only somewhat exiguously.

So I sat down and wrote what in those days we called a letter, to the publishers of *Stroud*, Sweet and Maxwell (who had been publishing *Stroud*, at some points jointly with Stevens, since the first edition in 1890).

The result was a reply from the wonderful editor Barbara Grandage, asking if she could come to see me. When she did, she thanked me for my contribution and explained that the then Editor in Chief – the much-respected John S James – was likely to be interested in relinquishing the role shortly, and asked if I might be interested in contributing in his stead with a view to strengthening the statutory material.

And so it came about that I ended up working on supplements and eventually on the Sixth Edition which published in 2000, together with Alexandra Millbrook who focused on cases while I focused on legislation. That was a painful work in some senses, as we were expressly tasked with reducing the size (which had reached five volumes plus a Tables volume) to a more manageable three volumes. It was difficult and daunting work, knowing that anything we removed was for all practical purposes being consigned to oblivion.

During the life of the Sixth Edition, Alexandra became unable to continue and I found myself in sole charge of the supplements leading up to the Seventh Edition; and from that time until the Eleventh Edition in 2023 I have been the sole Editor, ably assisted by a succession of excellent coadjutors, each of whom is duly acknowledged in the preface to the relevant annual supplement or new edition.

A particularly delightful feature of *Stroud* is the continued involvement of the family of the original author Frederick Stroud. It was a delight when Timothy Stroud, the great grandson of the original author, first contacted me in 2013; we corresponded about *Stroud* from time to time and in 2016 he came to meet me in Westminster: imagine my amazement when he showed me his great grandfather's manuscript notebooks for the First Edition, and how moved I was when, on learning that I have compiled a complete collection of *Stroud* Editions and Supplements and that I propose to leave them to a library in due course, he insisted on the notebooks forming part of that collection. I have them now, consult them occasionally and find them a perpetual delight, a learned labyrinth in exquisitely meticulous handwriting

and hieroglyphics. It was such a pleasure to include some photographs of them, alongside frontispieces from earlier editions, in the Tenth Edition, which also carried a delightful introduction from Timothy, who has been a great support over the years. (The dedication by the original author to his wife Eve is carried in every edition of *Stroud*, immediately before my own preface.)

As Editor I am constantly surprised and delighted by the rigour with which the original material was selected and researched, in an age when that process was far more challenging and painstaking than my rolling electronic updating work is today. For example, in July 2024 I received a query from an Australian KC querying the accuracy of a quotation from a 19th century judgment dealing with a term of maritime law; we do sometimes uncover inevitable errors, but before apologising and correcting I researched the *English Reports* material to validate the original entry and to my delight confirmed that it was an accurate quotation and citation in every respect and always had been, an accuracy which my correspondent was then gracious enough to acknowledge kindly.

Part of the thrill I get from working on my annual supplements to *Stroud* lies in knowing that there is always valuable material to add, sometimes extending a well-worn stream of scholarship and sometimes opening up an entirely new rivulet. In the 2024 Supplement to the Eleventh Edition, for example, there is something particularly piquant about including, alongside additions to long-standing stories like the meaning of “incidental”, “emergency”, “malice” and so on, an entirely novel entry for “zombie knife”, covering no fewer than four pages in itself and including judicial observations on “Rambo knives” along the way.

Hopefully without testing readers’ patience too far, I cannot finish without a brief mention of *Stroud*’s companion work, *Jowitt’s Dictionary of English Law*. While *Stroud* aims to include all significant terms defined by judges or Parliament, *Jowitt* is a compendium of definitions of terms forming part of the fabric of the law. It was the brainchild of former Lord Chancellor Earl Jowitt (who alas did not live to see its publication in 1959, bearing his name posthumously) and was an exercise of consummately brilliant scholarship; but it had no new edition since the Second Edition in 1977 and was fast becoming moribund.

One day in 2007 I wandered into Wildy’s bookshop in Lincoln’s Inn where I have always enjoyed browsing among their second-hand books. One of the staff who knew of my association with *Stroud* triumphantly produced a first edition of *Jowitt’s Dictionary of English Law* which he handed to me with an instruction to purchase, and asked whether I did not think it was about time for a new edition. This stuck in my mind so that I mentioned it when I next met the redoubtable Barbara Grandage in the lift on one of my visits to Thomson Reuters. She responded enthusiastically that she been thinking for years what a shame it was that *Jowitt* was lapsing into obsolescence, that she was about to retire and that she had this in mind had as a possible retirement project. And so it happened that with Barbara as Administrative Editor marshalling the necessary array of talent to revive *Jowitt* after a 30-year gap, and me as General Editor endeavouring to fashion the contributions into a coherent whole and fill in a few gaps, we succeeded in publishing a Third Edition in 2010. These were still early electronic days so the project was an intriguing blend of old-style index-card methods with modern internet technology.

Barbara made what would have been an impossible and frustrating task into a joy as we saw the new edition deriving authority and penetration from the wonderful group of over 100 legal experts who joyfully rallied to the task. So thorough was their work that we have been able to maintain it with regular new Editions since then, using mostly generalist assistance to test the currency of entries and enlisting specialist support where necessary. The launch of the Third Edition was an intense personal pleasure, from the forewords so graciously contributed by former Lord Chancellor Mackay of Clashfern and the Attorney General Baroness Scotland of Asthal, to the launch party where I rescued my younger daughter from a corner where she had been trapped by the Attorney General who was endeavouring to induce her to reveal where I had hidden the two or three jokes I admitted to having included in the text.

So what next for *Stroud* and *Jowitt*?

In recent decades both works have leaped hopefully and energetically into the new technological age. Both are now fully digitalised and available as part of the online *Westlaw UK* offering, searchable through the *Index of Legal Terms* function. That was a wonderful development that has extended the reach of both products in a way of which their original authors would have been immensely proud. But I am also

proud whenever I walk into some of the remaining high-class physical law libraries in UK universities and see both dictionaries on the reference shelves by the front desk. I value the fusion of old and new represented by the demand for both works in hard copy and electronic format alike.

Partly as a result of technology, we live in a world where accuracy and authenticity are vanishingly scarce commodities. When it is so easy to fabricate imaginary sources, how will we as legal researchers maintain a grip on any kind of reality and authority? Early experiments with Artificial Intelligence in *Westlaw UK* show that it can be an enormously valuable tool for search and analysis of data, and that as part of a carefully constructed collaboration with human controllers it can maintain at least a high level of reliability and authenticity. But as Artificial Intelligence is given the full run of materials on the web it does definitely and ineluctably bring its own risks to even the concept of reality, and still more to its preservation in practice. While sure that advancing technology has more benefits to bring to the world of legal lexicography, I like to feel that *Stroud* and *Jowitt* will also play their part as antidotes to unreality, grounding legal research firmly in foundations of unshakeable fact.

Whenever I am feeling nervous about the future of reliable research, I walk into the small room where I keep on the shelves of one bookcase a complete set of every edition and supplement of *Stroud* and *Jowitt* since their inception, stretching from last years' new editions of both all the way back to Frederick Stroud's manuscript notebooks. I run a hand lovingly along the spines of these prodigies of educational evolution, I think of the myriad cases and opinions that have drawn on them over the decades, and with their combined batting score of 199 years not out I leave the room with a renewed confidence in the future of fact.

In closing, I offer heartfelt thanks: to the users of both works whose loyalty justifies and enables their continuing existence and whose questions and challenges maintain their vitality; to the publishers from whom I have always received every courtesy and consideration; to the many collaborators with whom I have worked over the years (including, in no particular order, Saira Salimi, Klara Banaszak, Lim Yee, Zsofia Kiss, Bryony Darnell and my son Yisroel); to my wife Julia and our family, the list of whom as set out in each preface has grown over the years and now includes children-in-law and grandchildren; and finally, as in every preface over the years, I offer my personal thanks to God for having provided me with this among so many other challenging and rewarding professional opportunities and for the health and strength to pursue them.

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Introduction / Preface to the Tenth Edition of *Stroud's Judicial Dictionary*

The first edition of *Stroud's Judicial Dictionary* was published in 1890. It was written by my great-grandfather Frederick Stroud (1836-1912) who was a prominent lawyer, author, and businessman in the Victorian era.

One copy of the first edition was specially bound and presented to Queen Victoria for the Windsor Castle library. In 1901 Frederick Stroud, barrister-at-law, was appointed Recorder of the Borough of Tewkesbury.

Subsequent editions were arranged by his son Lewis Stroud (1867-1950) who studied law at Pembroke College, Oxford, and then by his son, my father, Anthony Stroud (1912-2004) who likewise studied law at Pembroke College, Oxford. Lewis Stroud was a world champion tricyclist, so these Strouds had many interests in life. Lewis and Anthony both practised law as solicitors in the south west of England.

As the fourth generation of legal Strouds (and a non-practising barrister) I would like to pay tribute to the publishers of the Dictionary for bringing it into the digital age. It is nowadays a standard and important work of law throughout the English speaking world.

TIMOTHY STROUD

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