member of the WTO, which allows it to fully participate in the organization's activities, including the dispute settlement processes. In addition, some organizations, such as the Hague Conference, have amended their policies over time to allow for membership of regional organizations, which resulted in the EU applying for membership.

Another aspect of the EU's identity is the relationship between the EU as an entity and the member states, which might also be part of the organization as individual countries. Who has the right and/or responsibility to negotiate for or represent the EU varies by organization and at times by subject matter. Within the OECD, in areas where the EU has exclusive competences to act, such as trade, the EU is represented by the Delegation of the European Union. However, in areas where the Union and member states share responsibility, like taxation, both individual member states and the Delegation have the authority to speak.

What is clear from these chapters is that the EU's history and relationship with each organization is unique because the organizations are all different in structure, focus, and expertise. To help pull some of these concepts together, the concluding chapter looks for unifying trends and themes. The conclusions relate back to the status of the EU within the organizations and areas of competence, internal and external, of the Union and its member states. The chapter also considers current developments, such as the sovereign debt crisis and post-Lisbon Treaty implementations, and how these might further impact the Union's international identity.

Published as volume six of Studies in the EU External Relations series, *The European Union's Emerging International Identity* is an excellent resource for understanding the development and current status of the EU on the international stage. The contributing authors are professors and practitioners with demonstrated expertise. The chapters are well written with clear description and discussion and contain numerous detailed footnotes. The table of abbreviations at the beginning is especially helpful given the prevalence of acronyms throughout the book that change depending on the organization being discussed. *The European Union's Emerging International Identity* would be a valuable addition to any library with an international law and/ or European Union focused collection.

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The Creation of the Common Law: The Medieval Year Books Deciphered. Thomas Lund. Clark, New Jersey: Talbot Publishing, an imprint of The Lawbook Exchange, Ltd., 2015. Pp. xx, 371. ISBN: 978-1-616-19504-5. US$75.00.

In *The Creation of the Common Law: The Medieval Year Books Deciphered*, Thomas Lund delivers what he promises, and more. Written for the sophisticated student of law and history, this book explores how common law was created and taught to new generations of lawyers. In doing so, Lund achieves a feat few have ever done; he exposes law as a construct of the upper classes that is used to ensure order according to ever changing interests.

Until the thirteenth century, English law was very much connected to the Roman law tradition, and thus to the continental legal systems of the time. Henry de Bracton's *On the Laws and Customs of England* remains the best tool to understand it. However, starting with early fourteenth century, a legal revolution happened in England. Lund attributes the revolution to the genius of one person: William Bereford, a practicing attorney, who became a judge and then, in 1309, chief justice of the Court of Common Pleas. Lund describes the Bereford revolution as ideologizing lawyers in a system of law, in applying the rule of law, rather than the letter of the law, which presumably is what Lund believes continental lawyers do. Bereford had reporters editorialize proceedings rather than report his reasoning in achieving a decision. Those editorials are called the *Year Books*. They give a glimpse at how the litigants achieved consent over the gist of the disagreement, irrespective of the writ the plaintiff purchased from the Chancery. (At that time, the Court of Common Please had jurisdiction only over the issues described by the writ the plaintiff purchased from the Chancery.) However, as the examples Lund provides show, that was not the case while Bereford was in charge. Bereford was able to manipulate the parties' disagreement so the decisions would have the future precedential value common law requires.

One example that shows the economic mobility of the times is that of Simon of Paris, who returned to the area where his family lived in serfdom and from where he had escaped to reach great fame in London. When he returned, his former landlord incarcerated him for refusing to perform serfdom work. Simon bought a writ of trespass

because he met corporal violence upon his return. His former landlord defended himself with proof of ownership of Simon's family and possession of Simon's body. Bereford asked the parties to agree upon their disagreement: what proves current ownership, just custody over Simon's body or something else? If the landlord could prove that Simon worked as a serf during all his life, then his counterclaim could be successful. That question was for the jury, which made it impossible to be appealed. In addition to that masterful change of the gist of the case, thus making sure that Bereford's decision was final, Lund argues that Bereford's impact was further enhanced by the *Year Book*, where the court hearing, but not the court's decision, was editorialized. Lund then argues that generations of lawyers used the *Year Books* to learn about the spirit of law which they were asked to apply, and absent a decision to aim for, it seems reasonable to agree with Lund.

Medieval lawyers only had a cartographical map in front of them, but not a clear set of rules of how to reach point A from point B. This legal fog is persistent today; although, it is less obvious. Law remains a vague construct of which lay people have no understanding; its function is to preserve a system which benefits few – only those who can buy their "writ," which goes by other names today. Nonetheless, the economic demarcation between those who can afford the administration of the law and those who cannot remains.

In other words, Lund wrote a fascinating and provocative book, one about the thirteenth century, but like all good historical works, one that has a lot to say about today and tomorrow. It is one which I enjoyed thoroughly, and I wholeheartedly recommend for all academic libraries, legal or not.

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Glass Half Full: The Decline and Rebirth of the Legal Profession. By Benjamin H. Barton. Oxford, UK; New York, NY: Oxford University Press, 2015. Pp. viii, 305. ISBN: 978-0-19-020556-0. US$29.95.

Barton's new book on the prospects for the legal profession in the United States offers much, and not just to those with a scholarly interest in the topic. Written to appeal to an educated general audience, *Glass Half Full* exposes in enlightening detail the many factors that have led the profession to garner so many negative headlines (as well as support a major blogging industry) in the last ten years. In the first two of the book's three major parts, Barton addresses the legal profession and law schools. The third part is Barton's analysis of the "Big Picture" as a basis for optimism about the profession's future.

Barton identifies four groups of challenges to the profession's health: Big Law's pursuit of ever-larger profits, technological replacement of bread-and-butter legal work, state limitations on litigation, and a long-term decline in profits for solo and small-firm practitioners caused by a glut of lawyers. Exploration and explication of these four "deaths" (an homage to Larry Ribstein's *The Death of Big Law*[1]) forms the body of part I, "The Market for Lawyers." Preceding the "deaths" is a very brief history of the legal profession in the United States, which serves mainly to show how extraordinary the growth of law firms has been in the past 75 years. Of the four deaths, the technological implications of Legal Zoom and the like are perhaps the most interesting and enlightening. Barton convincingly argues that their arrival has signaled a major shift in the landscape for solos and small firms. Perhaps least convincing is the contention that litigation and tort reform statutes have played a large role in the problems affecting the profession. Barton discusses specific areas of law that have been affected by tort reform, but does not look at overall numbers of actions filed. This chapter also lacks the numeric data that so helpfully inform the remainder of Barton's book.

The second part, "Law Schools," reviews the history of law schools, including a large post-World War II growth spurt in numbers of schools, numbers of students, law school tuition costs, and law student debt. The current difficulties law schools face with the recent dive in law school applications are all the more stark as Barton portrays them against this backdrop. While this part makes fascinating reading, it coexists alongside

[1] Larry E. Ribstein, *The Death of Big Law,* 2010 WISC. L. REV. 749 (2010).