

do not exist in the International Court of Justice. Neither did they exist in the defunct Permanent Court of International Justice. The principal duty of the former is to prepare the preliminary report on the question of whether a case requires instruction and the latter is to assist the President of the Court of Justice of the European Coal and Steel Community.

As a whole, the book under review is a clear and comprehensive exposition of the history and functioning of the Court of Justice of the European Coal and Steel Community. This assertion is not a mere platitude. For this book is the aftermath of a post-graduate research work undertaken by the author who is a lawyer from the University of London at the University of Utrecht where he took his doctorate in jurisprudence. Moreover, aside from the fact that the book under review was prepared and written under the guidance of Dr. J. H. W. Verzijl, a professor of international law at the University of Utrecht, the author even visited Villa Vauban on two occasions to observe at first hand the operation of the Court of Justice of the European Coal and Steel Community.

All things being considered, students and professors of international law will find the book under review not only interesting but enlightening.

Felix C. Chavez

EFFECTIVE LEGAL WRITING, By Frank E. Cooper. The Bobbs-Merrill Company, Inc., Indianapolis, 1953. Pp. x; 313. \$10.00.

Here is a book every lawyer must possess. A product of years of experience and research, this book is intended to be used as a text in "Legal Draftsmanship." Its main purpose, however, is to improve the rhetorical style of lawyers and legal writers. The title itself implies that the present state of legal writing is far from satisfactory.

The author divided the book into two parts. The first consists of the discussion on how to effectively write the different types of legal documents. The second is composed of examples of documents derived from actually litigated cases.

It was emphasized that, to be a successful lawyer, one must be an effective legal writer. Rhetorical techniques are as important to him as they are to any other legal writer. The tools he uses in the exercise of his profession are words and, therefore, to be successful one must have mastery in the use of his tools.

Mr. Cooper pointed out that, in order to make a rhetorically effective presentation, a writer must be brief, unambiguous, and persuasive. He must avoid using "weakeners" such as "I am sure that," "As a matter of fact," or "weasel words" such as "If practicable," "Unless," or "and/or." He must not be "legalese" for laymen will not understand him and even fellow members of the bar will have a hard time trying.

How to write an opinion for a client in a proper manner was explained by the author. He stressed that a lawyer must not write an opinion to persuade the client but must lay down the bare knuckle of the law. The writer must dispel from his mind whatever presumption he may have that he is writing an essay or a law journal article. Again, the use of simple non-legalistic

language was emphasized. Mr. Cooper says that it is unnecessary to write down citations as they do not mean much to the client.

Certain rules had been laid down in a chapter devoted to the writing of pleadings. The writer, according to Mr. Cooper, must be precise and brief. In so doing, the real issue will at once be presented to the court. Moreover, the writer must resort to the use of objective rather than subjective words. There is wisdom in his warning that subjective words have no place in pleadings.

The document that was given the most extensive discussion is the brief. Three full chapters were devoted to it. The author knew that the statement of the issues involved is the most important part of the brief. Judges feel the need for a "terse, initial statement which summarizes the essence of the case in capsular form." He suggests that the lawyer should make a well-thought-out statement of the issues involved in order that the judge can better concentrate on his arguments. A good statement of the issues involved, however, can not win a case for a lawyer. Hence, the necessity for a systematic statement of the facts as well as considered arguments of law.

While it is true that the drafting of contracts presents fewer rhetorical problems than the making of briefs or the writing of opinions to clients, yet the preparation of contracts is harder. It requires precision of statement. To avoid needless controversies between parties to a contract, the author suggests the use of mechanical aids such as the numbering of paragraphs and the proper use of punctuations. He seeks to avoid ambiguity by the use of ordinary, common, and everyday words. Moreover, the author warns against the use of legal jargon.

A chapter was devoted to the drafting of wills. The author compared the will to the contract in that they both present fewer rhetorical problems than the drafting of briefs or the writing of opinions to clients.

True it is that not every lawyer could be a member of Congress, but even the art of statute drafting was discussed. The author gave suggestions on how to effectively draft a statute. Importance is attached to statute drafting because Mr. Cooper believes that skill in that art could help in the preparation of other documents.

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