Plain English for Lawyers by Richard C. Wydick. Durham, North Carolina: Carolina Academic Press, 1979. Pp. 191. $7.95 (clothbound), $2.95 (paperback).

Plain English for Lawyers, by Richard C. Wydick, is a handbook for lawyers (and law students) who want to improve their writing. Starting with the premise that "lawyers cannot write plain English,"[1] Wydick takes the reader through the following six rules in Chapters Two through Seven:

1. Omit surplus words;
2. Use familiar, concrete words;
3. Use short sentences;
4. Use base verbs and the active voice;
5. Arrange your words with care; and
6. Avoid language quirks.

Although others have written about the language lawyers use,[2] and this book says little that is new,[3] *Plain English for Lawyers* is unique because it contains numerous practice exercises on each topic. It not only tells us what constructions to avoid and shows examples of preferred writing, but also it provides for writing practice in each chapter.

Following a brief conclusion in Chapter Eight, there is a key for the six sets of exercises and a section titled, "More Practice Exercises," for those who feel the need for reinforcement. Unfortunately, there are no answers provided for this second set of exercises.

Lawyers' writing tends to be wordy, unclear, pompous, dull, or a combination of all four.[4] Lack of time and the force of tradition are great contributors to this problem.

Because lack of time can be the lawyer's greatest foe, it often leads to continued poor writing. Without practice in using plain English, a lawyer is not likely to begin using it in drafting even the simplest letter when working under the constraints of time. *Plain English for Lawyers* provides practice in a convenient, programmed format for the lawyer or student who can devote even an occasional few minutes to improved writing skills.

A greater deterrent to the use of plain English can be the criticism of other lawyers. Unfortunately plain English is frowned upon by some lawyers because, they say, it does not sound as though it is written by a lawyer. Consequently law clerks and young associates who want to demonstrate that they belong to the legal community feel compelled to pepper their writing with words and phrases which identify their work as legal writing. Wydick quickly and aptly disposes of the idea that plain English is necessarily unsophisticated. With an illustration from Justice Cardozo's writing in *Palsgraf v. Long Island Railroad Co.*,[5] Wydick makes the point that "good legal writ-

1. R. WYDICK, PLAIN ENGLISH FOR LAWYERS 3 (1979) [hereinafter cited as WYDICK].
2. *See*, e.g. R. DICKERSON, THE FUNDAMENTALS OF LEGAL DRAFTING (1965); D. MELLINKOFF, THE LANGUAGE OF THE LAW (1963); H. WEIHOFEN, LEGAL WRITING STYLE (1961).
3. *See* WYDICK, *supra* note 1, at 84.
4. D. MELLINKOFF, THE LANGUAGE OF THE LAW 24-29 (1963).
5. 248 N.Y. 339, 162 N.E. 99 (1928).

ing is plain English."[6]

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The Dred Scott Case: Its Significance in American Law and Politics. By Don Fehrenbacher. New York: Oxford University Press, 1978. Pp. xii, 741. $25.00.

The Dred Scott Case: Its Significance in American Law and Politics—in addition to being a detailed historical account of the Dred Scott Case, is also a lengthy exploration of topics not directly related to the case itself. In the author's words, "Over the years . . . the book grew . . . becoming something considerably more than a history of the Dred Scott case." Although the history of the case is well detailed, the inclusion of unrelated topics and the lack of analysis as to the long terms significance of the case, make the title somewhat misleading.

Part I of the book, "Out of the Past," contains an extensive review of slavery in North America from the 17th Century. This section comprises over one third of the book, and could very well be a book unto itself. This section is the primary example of how the book has become "something considerably more than a history of the Dred Scott case."

Part II, "A Decade of Litigation," is a comprehensive account of the life of Dred Scott and the case that bears his name. For the student of the Dred Scott case this section is required reading. The author boasts of no new discoveries, but his in-depth coverage of both *Scott v. Emerson* and *Scott v. Sanford* is cogently and expertly presented.

In Part III, "Consequences and Echoes," the author analyzes the effects of the decision within a limited time span. The analysis mainly covers the political consequences between 1857, the year of the decision, and the 1860 presidential election. Even here the book is more of a historical account rather than a forceful attempt to show cause and effect. In the final chapter, the author gives examples of instances of where the case is cited. Unfortunately, the instances are not of major significance.

The Dred Scott case will always be important to people of color because it represented the high water mark in official recognition of dehumanization. Professor Fehrenbacher has done a very good job of presenting the Dred Scott case historically. However, he does not give us very much analysis of the decision's long term effects upon people of color, as well as upon American law and politics.

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6. WYDICK, *supra* note 1 at 5-6.