social engineering" so as to secure for each the maximum of self-assertion.

In the second part, the author treats of the different meanings attributed to the word "law"—the legal order, the body of authoritative guides to decision. But this body of authoritative precepts may be looked at from the standpoint of the lawmaker, of the individual subject to the precept, of the judge deciding the controversy and of the legal counsellor. Dean Pound unifies these four ideas from four different standpoints in terms of the idea from the standpoint of the judge. Since judges are expected to and for most purposes will follow and decide in accordance with the established precept, this precept can serve as a guide to conduct, as a threat, and as a basis of prediction. He debunks the contention of certain neo-realists that a regime of adjudication by authoritative precepts is psychologically impossible because human judges cannot keep purely subjective factors from influencing and determing their action. They carry too far Holmes' classic statement about the law being nothing more than what the judges say it is. The menace of the neo-realistic theory is that it leads to an idea that judges do not try to attain objectivity and ought not to try to attain it because the attempt would be only pretense. But this disregards the training the judge has had, the scrutiny to which his publicized decision will be subjected.

In the concluding part of the book, Dean Pound probes into the merits of judicial justice, after surveying the history and extinction of legislative justice. As a result of the reaction to the absolutism of monarchs, with the establishment of democratic tripartite governments, all confidence was reposed in courts to settle any and all questions. This unnecessarily dogged the courts particularly when complex questions arose with the industrial revolution. As a counter-reaction a new kind of justice administered by quasi-judicial tribunals cropped up. But judicial justice is here to stay.

LANGUAGE AND THE LAW—The Semantics of Forensic English. By Frederick A. Philbrick. *The MacMillan Co.* New York. 254 pages. Distributed by Alemar's. ₱11.20.

This book is an excellent guide, both to practising and would-be lawyers, in the use and meaning of words. The author has boldly described lawyers as "students of language by profession". He has, therefore, attempted to place together, within the covers of one book,

the principles governing the "semantics of forensic English" in order to help and guide those whose profession demands a highly-developed skill in the use of language in the court-room. Semantics, as those who have had the pleasure of reading Ogden's interesting exposition on this subject may recall, is a late development in the study of of language which seeks to bring about clearer thinking by the use of correct and precise words to denote a definite meaning. The Semantics of forensic English is therefore the application of semantics to the language used in courts of justice. The author gives apt illustrations and examples of the principles he has evolved, by quoting passages from the speeches and writings of two of the best masters of forensic English—Justice Oliver Wendell Holmes and Sir Edward Marshall Hall.

The power of speech, the power to convince, to persuade, are highly-developed skills which all lawyers should strive to attain. The success or failure of a lawsuit often hinges on the forensic skill of the lawyers involved, either on the presentation of oral arguments or on the conduct of the cross-examination of witnesses. The author succeeds in his task of compiling the principles of semantics applicable to forensic English largely because of the systematic and analytical study he has made of the subject.

An excellent illustration of the approach adopted by Professor Philbrick in the exposition of his principles is that of the analysis he has made of the speech of Mark Anthony (Julius Caesar, Act III, Scene 2). In this scene, Julius Caesar has just been murdered by a band of conspirators. The author quotes passages from the speech and follows each of these with an analysis of the effect of such passages upon the Roman mob and how this effect was attained. Of the line, "For Brutus is an honorable man", the author has the following explanation: "This (the quoted statement) is intended both as irony, with the implication that Brutus is not honorable at all, and as a suggestion, that though Brutus may be honorable, it is the only good thing that can be said of him. If a man is praised at great length by the repeated application of the same adjective, and that only, it is natural to suppose that he has no other good qualities that can be held up for admiration. There is also a hint that though Brutus may be honorable, the other conspirators are not."

The author points out some of the more common pitfalls to be avoided in the use of language. Among these are clichés or trite phrases such as "last but not least", "bed of roses", "leaves nothing to be desired"; redundant, falsely emphatic and ungrammatical

expressions; and other mistakes commonly committed by even some of the better writers.

He also discusses the correct and effective use of metaphors in bringing about the desired effect, the importance of correct interpretation of words, and the effect of differences in tone and emphasis of the speaker upon the meaning of a word. In discussing the two forensic styles, namely, the factual and emotive, the author provides the reader with a clear working understanding of the effect and the proper occasion for the use of concrete, specific and particular words as contrasted with the vague, general and emotive language.

The chapter on "Bias" is an interesting study of the use which some of the great trial lawyers in the United States and England have made of the bias and prejudices of race, nationality, religion, caste, etc., of members of the jury. The jury system is not in force in the Philippines, and to this extent the techniques illustrated and explained by the author on the effective, if unscrupulous, use of prejudice to sway the emotion of the jury in favor of one's side, is not entirely applicable in this jurisdiction. Nevertheless, the same strategem may effectively be used upon our courts who are not all above bias or prejudice.

"Language and the Law" should prove to be of invaluable help to law students, practitioners and judges in their respective fields. Powerful and decisive indeed is the Word in the courts of law. This book may help to make one a master of it.

NOTABLE CROSS-EXAMINATIONS. By Edward Wilfrid Fordham. *Richard Clay & Co.* Suffolk. 200 pages. Distributed by Alemar's. ₱6.50.

One often hears it said these days that cross-examination is a lost art. This statement may be founded upon fact, but it requires an explanation. The truth appears to be that the occasions calling for sensational cross-examination are today few and far between. This book is a compilation of twenty cross-examinations conducted by famous lawyers in celebrated cases both in England and the United States. However, this book is not a mere attempt to present in summarized form a number of notable trials, civil and criminal. It confines itself to the important parts of important cross-examinations such as those where a witness is discredited or where he is beguiled, by deft maneuvering from a lawyer, into important admissions not otherwise obtainable.

The object of this book is to let the cross-examination of one or more of the principal witnesses speak for itself, with only such notes added as may be needed to clarify what might otherwise be obscure to the reader. Each case referred to is therefore prefaced by an attempt very briefly to explain the chief matters at issue, indicating the points which the witness whose cross-examination is cited had established, or endeavored to establish, in the direct examination.

In the majority of the examples actually to be found in this volume, either the popular interest in the cases themselves or the force of learned counsel's questioning has led to their inclusion. Thus Coleridge's cross-examination of the claimant and one of his witnesses, together with Hawkins' cross-examination of one witness, was in the course of a case that caused unexampled excitement throughout England. Similarly, Russell's exposure of the forger, Pigott, cleared the Irish leader, Parnell, from an imputation which must otherwise have proved fatal to his career. These cross- examinations, therefore, to use the pestilent cliche of today, may be said, with a scintilla of truth, to have made history—a feat more often claimed than accomplished.

The battle of wits between Charles I and the Court before which he was tried is an instance of attempted cross-examination on both sides, in which neither party succeeded in obtaining the object desired. The Court refused the King's demand that it should justify its right to try him, and the King declined to make the "answer" upon which the Court insisted.

Clarence Darrow's duel with William Jennings Bryan is included, partly because so staunch and dogged a defense of Fundamentalist doctrine has probably never before or since been heard in a Court of Law; and partly because Darrow in the United States won for himself so high a reputation that his inclusion in any work of this kind is but a just tribute to his life's work.

So contradictory was the evidence in the trial of Mrs. Helen Duncan, the "materialisation medium," at the Old Bailey, and so unusually resilient was the witness, Sydney Stanley, at the Lynskey Tribunal, that it is thought some of the cross-examination in those cases has an interest of its own.

In this book the reader is placed in the position of a listening juryman, with the only disadvantage, that he will have to rely upon himself, without the invaluable assistance of the Judge's summing up to guide him in his assessment of the facts and the law applicable