

Book Review

Berkeley Journal of Gender, Law & Justice, *Practical Citation System* (2016), pp. 6, https://drive.google.com/file/d/oB5_Sa1FS7WzRaTliZVN3WHRxc1YrTHlCbUxRdXdaUmgoaUtN/view [https://perma.cc/3S2M-ZJQ4]

Reviewed by William R. Slomanson

Blue Book Rhapsody

There once was a book of Creation
Called *A Uniform System of Citation*;
With general rules for all of the schools,
It quickly caught on in the nation.¹

Legal writers adrift in this nation
Trounced *A Uniform System of Citation*
As nothing but rules concocted by schools
To perpetuate self-flagellation.

They arrogantly scorned all the toil,
While editors burned midnight oil
To yield a Thirteen and field a Fourteen,
Yet neither of them was a “Hoyle.”²

Paginating the Twentieth edition,³
560 when brought to fruition,
With an Index of jive, which spans thirty-five,
Leaves nothing to one’s intuition.

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1. William R. Slomanson, *Book Review*, 68 A.B.A.J. 735 (1982) (reviewing THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Columbia Law Review Ass’n et al. eds., 13th ed. 1981)) (first of nine verses).
2. William R. Slomanson, *(Blue) Book Review*, 42 J. LEGAL EDUC. 147 (1992) (reviewing THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Columbia Law Review Ass’n et al. eds., 15th ed. 1991)) (first and second of nineteen verses, footnotes omitted).
3. THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Columbia Law Review Ass’n et al. eds., 20th ed. 2015) [hereinafter BLUE].

A voice from the now recent past
Demurred with a prominent blast;
He bid his adieu to the venerable *Blue*;
He was horrified, shocked, and aghast.⁴

Judge Posner's supposed jeremiad⁵
Was digested and soundly applied;
Drafting at Berkeley trounced *Blue* as berserkly,
Yielding a competitor for changing the tide.⁶

"[I]nnovation, intersectional" the mission,⁷
They conjured a zeitgeist rendition;
Designed to replace the Hobgoblin disgrace
Of form over substance erudition.

PCS⁸ doth no longer align
In a "narrow . . . [and] privilege[d]" confine;⁹
It opens the door to practitioners and more,
Giving voice for nonlawyers to shine.

4. Richard A. Posner, *The Bluebook Blues*, 120 YALE L. J. 850 (2011) (reviewing THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (Columbia Law Review Ass'n et al. eds., 19th ed. 2010)). See also RICHARD A. POSNER, DIVERGENT PATHS: THE ACADEMY AND THE JUDICIARY 126–28 (2016).
5. Judge Posner's ensuing book characterizes his earlier Yale article as "my jeremiad (fallen on deaf ears)." *Id.* at 101 n. 32.
6. *Practical Citation System* (2016), https://drive.google.com/file/d/0B5_Sa1FS7WzRaTliZVN3WHRxc1Y1THiCbUxRdXdaUmgoaUtN/view [<https://perma.cc/3S2M-ZJQ4>] [hereinafter *PCS*].
7. *Statement Regarding the Berkeley Journal of Gender, Law & Justice's Citation Practices*, BERKELEY J. OF GENDER, L. & JUST. (Oct. 7, 2016), <https://genderlawjustice.berkeley.edu/bgjlj-says-goodbye-to-the-blue-book> [<https://perma.cc/Q7EJ-W4PG>] [hereinafter *Statement*]. One hopes that—as suggested by the BJGL&J editors—both their explanatory *Statement* and their new citation manual have been placed on Permalink, or a comparable service for retaining this new citation system. See, e.g., *Using Permalinks*, WORDPRESS: CODEX, https://codex.wordpress.org/Using_Permalinks [<https://perma.cc/P92A-SJEY>] (last visited Dec. 19, 2016).
8. *PCS*, *supra* note 6. Note that this book review footnote citation format conforms with the Bluebook's transformative mandate not to italicize commas when they are "an element of the sentence or citation in which they appear." BLUE, *supra* note 3, Rule 2(f), at 69. The *PCS*, on the other hand, "expressly disregards the formatting of punctuation (i.e. whether the comma in a citation is italicized or not) since such formatting is irrelevant to the reader's ability to find the source. . . ." Only time will tell how the courts will resolve this far-reaching conflict of laws. Other conflicts between BLUE and *PCS* include the *PCS* prohibited use of signals such as *supra*, the use of small capitals, and abbreviated law journal names.
9. *Statement*, *supra* note 7.

Consisting of only six pages,
Less is more—a theme for the ages.
The length refreshing, the content a blessing,
Chuckling *Blue* will now come in stages.

PCS now tenders fresh rules
Eschewed by only the fools;
It covers the quirks of most standard works,
A blueprint with all basic tools.

The vintage riposte from Rodell¹⁰
Long ago was hoping to quell
Dire legal writing, that logic was fighting,
With *Blue*, it still rings a bell.

So for years the tail's wagged the dog,
Since *Blue* has thickened the fog.
But *Practical Citation* will capture the nation,
Since the *Blue* mouse that roared left a bog.¹¹

10. Fred Rodell, *Goodbye to Law Reviews*, 23 VA. L. REV. 38 (1936). In Professor Rodell's rampant view: "There are two things wrong with almost all legal writing. One is its style. The other is its content." *Id.* at 38. *But cf.* Cass R. Sunstein, *In Praise of Law Books and Law Reviews (and Jargon-Filled Academic Writing)*, 114 MICH. L. REV. 833 (2016). Per Professor Sunstein: "Rodell makes some excellent points . . . but he is smug, and he sneers, and he's full of contempt. . . . Contempt is not the best thing to be full of, and in this case, it's unjustified. He disparages something that has real value." *Id.* at 837.
11. *PCS* dares to conclude its opening manual segment with the bordering on blasphemous principle: "When in doubt err on the side of clarity . . . and simplifying format." *PCS*, *supra* note 6.