Book Review

Berkeley Journal of Gender, Law & Justice, Practical Citation System (2016), pp. 6, https://drive.google.com/file/d/oB5-Sa1FS7WzRaTliZVN3 WHRxcYiTHICbUxRdXdaUm9oaUtN/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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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 jeremiad 5
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.

PCS 8 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.


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/0B3_Sa1FSyWe2F1hZYNyWHXc1YTHICbUXdXaUm9oaUtN/view [https://perma.cc/3S2M-ZJQ4] [hereinafter PCS].


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.

Consisting of only six pages,
Less is more—a theme for the ages.
The length refreshing, the content a blessing,
Chucking 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 Rodell\textsuperscript{10}
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.\textsuperscript{11}

\textsuperscript{10}. Fred Rodell, \textit{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.” \textit{Id.} at 38. But cf. Cass R. Sunstein, \textit{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.” \textit{Id.} at 837.

\textsuperscript{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, \textit{supra} note 6.