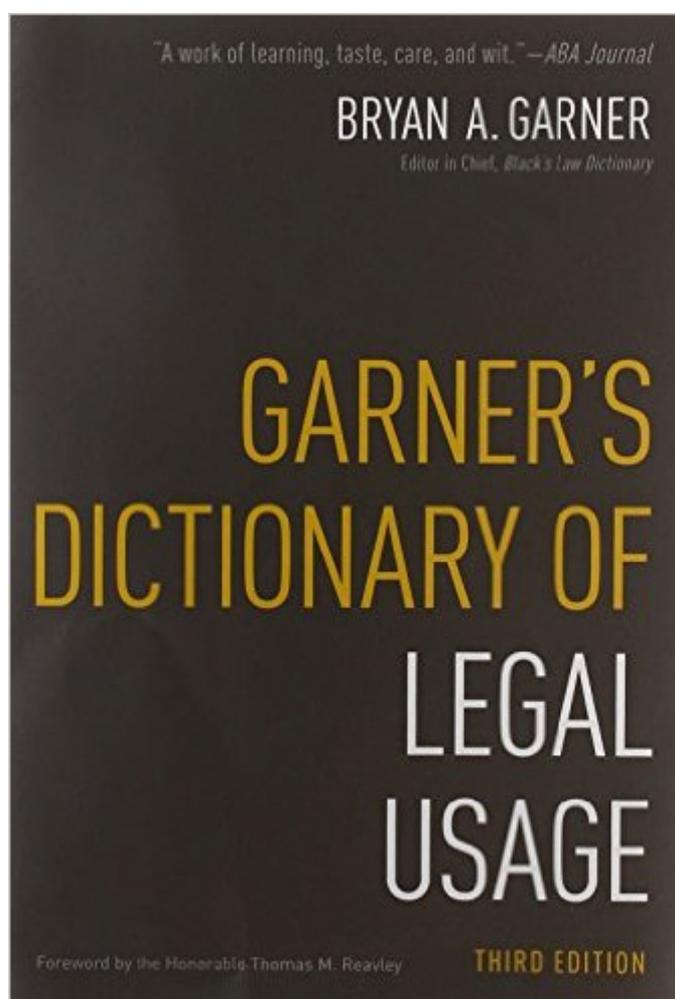


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# Garner's Dictionary Of Legal Usage



## **Synopsis**

This new edition of Garner's Dictionary of Legal Usage discusses and analyzes modern legal vocabulary and style more thoroughly than any other contemporary reference work. Since the first edition, Bryan A. Garner has drawn on his unrivaled experience as a legal editor to refine his position on legal usage. The new Third Edition remains indispensable: Garner has updated entries throughout, while adding eight hundred new entries and new senses of existing entries, as well as thousands of new illustrative quotations from judicial opinions and leading lawbooks. Garner has also revised the selected bibliography, and expanded and updated cross-references to guide readers quickly and easily. The GDLU now has much greater depth in particular areas of law, such as immigration and intellectual property. More examples from British English sources are included, to illustrate the similarities and differences between American and British English, and to aid readers using foreign common-law sources. Dozens of sets of near-synonyms that have long perplexed lawyers are now concisely defined and differentiated. Asterisks now precede words and phrases that are invariably inferior forms, making it easy for readers to tell which ones to avoid. A new category called Interpretation, Modes of, outlines the theories and defines the terminology of interpretation, also known as hermeneutics. Entries contain the most comprehensive glossary available for words and phrases related to legal interpretation. And, for the first time ever, sources are consistently cited throughout, with a solid majority of citations from post-2000. A new preface introduces the reader to this edition and discusses the extensive content that has been newly incorporated. Influential writers and editors rely on Garner's Dictionary of Legal Usage daily. It is an essential resource for practicing lawyers, legal scholars, and libraries of all sizes and types, functioning as both a style guide and a law dictionary, guiding writers to distinguish between true terms of law and mere jargon and illustrating recommended forms of expression. Common blunders are discussed in ways that will discourage writers from any further use. The origins of frequently used expressions are described with engaging prose. Collectively, there is no better resource for approaching legal writing in a logical, clear, and error-free way.

## **Book Information**

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## Customer Reviews

THIRD EDITION An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers It is ironic, is it not, that 'legal language' quite often seems opaque and all too often is so; unfortunate too, as the law is based on words, forms of words, meanings of words and their interpretation, connotation and usage. One wonders how often cases have been initiated, then won or lost because someone or other has misconstrued or misinterpreted some word or other - or some phrase or other. If you're a lawyer, legal scholar, student, or generally someone who is fascinated by the power of language and who seeks to speak and write with clarity, precision and force, Garner's Dictionary of Legal Usage is the resource for you. Here it is from the Oxford University Press in a new enlarged and updated third edition and a remarkable work of lexicography it is. But it's not just a dictionary. It also functions as an authoritative guide to style, grammar and usage. As you look up each word, you are offered not just a definition, but a discussion of its significance, its origins, indeed all its aspects pertaining to law, complete with meticulously cited sources. Prolifically and painstakingly (and often entertainingly) the learned editor, Bryan A Garner, internationally acknowledged as a top authority on legal usage, seeks to blow away the cobwebs of complexity and confusion which may surround any number of terms. 'Testatorial, testorial, testatory' is an example. What's the difference? What is the most common form? Is there a reference to the OED? Look these up if you wish to know. You'll find them just before the word 'testatrix', which the editor quite rightly has a down on. 'This word is useless,' he growls.

I'm not a lawyer, and the book helped me decipher legal jargon so that I could successfully craft a motion to quash an abusive subpoena. I did it pro se, and I didn't need to spend a fortune on a crooked shark. My motion was sweet, simple, and direct. And true to form, the abusive subpoena was quashed by the judge! Thank you, Bryan Garner! :D Getting back to the book, I like it a lot. However, there are some sections in it that are still fuzzy to me--for example, I'm still not able to differentiate between the subtle shades of the meaning of "shall." (Garner writes that there are 8

different meanings to shall. To my relief, Garner also writes that most lawyers don't know how to correctly differentiate the meanings of shall either. I wonder if the judges themselves are just as clueless. Anyway, if you were to pick up a book on statutes or rules of procedure, you'll see that it's full of shalls. Determining whether the shall means a command, an option, or merely indicates the future tense becomes important when interpreting the law. On the other hand, are the lawyers and judges really clueless or is there something more sinister afoot? Has "shall" morphed into 8 different meanings because it was useful for lawyers and judges, over the years, to find ways to wiggle out of the letter of the law? The U.S. Constitution, the Bill of Rights and the other 17 Amendments are full of shalls. It's frightening to think that the meaning of shall has morphed into 8 different senses. Garner writes that in some instances "shall" means "may." And this "may" sense, appears to me, to carry over even when "shall" is used in the third or second person. In light of this, what happens when one day a corrupt U.S.

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