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## TENTH ANNIVERSARY ADDRESS: TEN YEARS LATER

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## TENTH ANNIVERSARY ADDRESS Ten Years Later

WILLIAM H. ABRASHKIN\*

The gifted and inventive author, Gore Vidal, is said to have remarked that writing is easy. Simply get a sheet of white paper, then stare at it until the blood comes out of your forehead.

Vidal speaks for us all. You have company in your misery, lawyers of tomorrow, for written expression comes easily to no one. This is the first, stern rule of writing.

Exceptions to the rule perhaps exist. But for most of us, working on a law review quickly destroys any fantasies that we may cherish about being among the elect. To make our writing read simply and logically, as though dashed off on the first try, eight or ten drafts, blurred to illegibility by our sweat and tears (blood too, if you believe Vidal) have to hit the trash.

Editing a law review taught me that this tough reality is cause for hope, not despair. If writing is a learned skill, it can be learned. Remember Judge Irving Younger's observation that truly gifted cross-examiners are born, not made, just as art school cannot train its students to become Picassos. But just about any attorney can teach himself or herself to be a competent enough cross-examiner to impress a courtroom full of lawyers, competence being that rare in the profession.

The same applies to legal writing. Thus, most of us who embarked upon the venture that came to be known as the *Western New England Law Review* were able to agonize through writing and editing those drafts and to emerge with finished products that met the lofty goal set by our faculty advisor, Professor Baker ("Don't publish anything bad. It doesn't have to be good. Just be sure it's not bad.").

So forget resume value, for one instant, if you can. The purpose of a law review is to teach legal writing, which means, first of all, to teach writing. That is what those endless drafts are all about; it is the

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process, not the product, that counts. If a law review manages to publish useful legal scholarship, that is a bonus.

Since law school, I have learned that everyone, even the stuffiest judge, breathes an inward sigh of relief upon opening a brief and discovering that rarest of legal writing jewels, the short declaratory sentence. Judges like that. Believe me. Relief turns to deep appreciation for the author who has learned to cease and desist from using two-words-for-one legal/medieval gobbledygook. It is about as easy to read some briefs as it is to listen to an oral argument by a lawyer with a mouth full of marbles, so quality quickly stands out and gets noticed, and in the long run helps to tilt the odds in that lawyer's favor. Fulfilling the duties of a law review member helps most students develop writing skills that will serve both them and their clients well throughout their careers.

For ten years now, student writers on the *Western New England Law Review* have been winding their arduous way toward the summit of competent legal writing. Don't worry about those Picassos floating effortlessly to the top in their helium (not to say hot air) balloons; there are so few of them that they don't make a difference, unless it is by discouraging you from the climb. If you are not participating in the law review, choose another vehicle upon which to practice your legal writing and choose someone with the editing skills to help you do it. This will be for you, as it was for me, the most useful hard labor that you perform while serving your law school sentence.

Progress will come, bit by bit. Professor Bouchard, in my first year torts class, reassured the confused mass facing him, "Don't worry, after a while the little light will come on." When it comes to legal writing, however, no one snaps on a light. Instead, after considerable pushing and grunting in the darkness, one is able to creak open a heavy door, and to glimpse a shaft of sunlight beyond.