

Daniel Greenberg, *Craies on Legislation*, Thomson Sweet and Maxwell (2004). Hardback; 890 pp (ISBN 0 421 859 601).

---

The first edition of *Craies on Legislation* was written in 1907 by W.F. Craies. The initial work was concise and aimed to offer a practitioner's guide to the nature, process, effect and interpretation of legislation. For many drafters in the UK Craies was the closest work to a manual for legislative drafting. Seven editions down the line and thirty years since the last revision of Craies, Daniel Greenberg attempts to bring the work to live rendering it relevant and appropriate in a legal environment characterised by the UK's accession to the EU, devolution, the Human Rights Act and regulation via alternative means and instruments.

Greenberg strikes beautifully the balance between loving respect for the initial text and radical surgical intervention where necessary. The virtues of Craies in its initial form remain: logical structure, holistic approach to the issue of legislation and drafting, practical advice on problems encountered by practitioners. Moreover, Greenberg added further assets: intense footnoting referring to primary sources and case-law, detailed analysis of the legislative process in the devolved parts of the UK and a professional approach to new forms of regulation, both alternative and external (EU). Greenberg offers the reader a unique insight in the initiation, development, passing and effect of legislation in the UK avoiding the risk of superficiality inherent in the enormity of his task. Every one of the 32 chapters examines fully and in admirable detail one aspect of legislation.

The chapter dedicated to drafting legislation is an excellent example of the radical, yet realistic, approach expressed in the book. The call for plain language is made powerfully, however, this is balanced by the realistic confession that some legal archaisms are useful and that the aphorism on the use of examples in legislation may not always stand. Similarly, the chapter on *Pepper v. Hart* is an excellent analysis of the possibility of use of general statements of principle in Parliament for the interpretation of legislation crucially measured, however, by the constraints in the use of the principle and the need for precision and clarity when drafting legislation. Finally, Greenberg's analysis on the implementation of EU legislation presents an original guide to the reception of EU law by the UK touching on specialist topics such as the application of *Pepper v. Hart* to UK implementing measures.

The book offers a wealth of information on a multitude of questions related to how and why the UK legislates in the manner that it does and on the sources that directly and indirectly formulated doctrine in the area of legislation. There is no doubt that this book is paramount importance to UK lawyers, practitioners and academics. However, the book is of equal importance to comparative and national lawyers from other jurisdictions searching for a comprehensible presentation of legislation from the time of its conception to its enforcement. Greenberg has done Craies and the legal community a real service.

Helen Xanthaki  
Senior Lecturer and Academic Director  
Centre for Legislative Studies, IALS