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## Soonavala: Advocacy, Its Principles and Practice

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ADVOCACY, ITS PRINCIPLES AND PRACTICE. By R. K. *Soonavala*. Bombay: M. M. Tripathi, Ltd., 1953. Pp. xii, 957.

This book is larger than most that have been published in the field of advocacy. It contains almost one thousand pages and is made up of one hundred and sixteen chapters with five appendices. It covers the principal phases of trial technique in three ways: (1) it contains the suggestions and ideas of the author in various phases of advocacy; (2) it is a collection of the suggestions and ideas of outstanding trial lawyers and authors in this field; (3) it contains examples of good and bad technique taken from actual trials.

The book is obviously written for a beginner. For example, Chapter II is entitled "How to Acquire a Large Clientele." In this chapter, the author quotes Dale Carnegie's thirty-seven rules for winning friends and influencing people. In this chapter under the section "Citing Authority," the author makes this statement: "Do not cite an authority which you have not got with you. Do not cite an authority unless you have read the whole of it. Never rely on the head note alone. If you find a ruling, in your favor, do not be jubilant over it prematurely. There may be a subsequent ruling which may be against you. Write down the citation in a clear and bold hand, preferably in red ink." This passion for elementary detail together with the efforts of the author to reduce all advocacy to rules makes the book less useful than it could be. For example, the author lists ninety-three rules for cross-examination.

Two further things might be said about the book. The collection of examples from various cases that have been tried is one of the finest collections that I have seen anywhere. The rules and suggestions given by the author or quoted from other people may seem sterile but when they are followed by examples, taken from actual trials, of good and bad technique, they become meaningful. The examples are well chosen.

This is a book on advocacy. Advocacy includes direct as well as cross-examination. Virtually half of the book is devoted to cross-examination and only twenty-three pages to direct examination. In my experience as a law teacher, teaching trial practice, I find that students have as much difficulty with direct examination as they do with cross-examination. In my judgment more cases are lost as a result of poor direct examination than are lost as a result of poor cross-examination. It is extremely difficult to get young men to think in terms of the details necessary to bring out facts on direct examination. In our practice court we find that juries have difficulty in understanding important facts which students attempt to bring out on direct examination during their first trial. It takes an immense amount of work with these students to get them to be able to conduct a good direct examination. However, once they understand the technique of direct examination, the art of cross-examination will develop naturally. Therefore, I suggest that the emphasis of the book is too much on cross-examination and not enough on direct examination.

On the whole, Mr. Soonavala has produced a text which should be valuable in the training of advocates. It is written by an Indian lawyer, published in India, and yet the techniques suggested are techniques used by lawyers in the United States.

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