of America, the United Kingdom and Australia. The contributions on plain legal language in South Africa deal with the practical application of plain legal language in a number of situations, for example in the drafting of the Constitution and the Labour Relations Act. Of particular note is the contribution by Dullah Omar ‘Plain language, the law and the right to information’ which he originally delivered as a paper in 1995 at a seminar hosted by the Ministry of Justice. Section E of the book confirms, by way of empirical research, the value and importance of plain legal language in South Africa and is no doubt an important contribution to the issue of plain legal language. Another valuable aspect of the book is that the editors have made an effort to include the conference dialogue by transcribing and editing it.

There does not appear to be a well defined target audience for the book, perhaps because the book is derived from papers presented at a conference. Although an effort has been made to draw together the papers into focus areas, the work still largely remains a collection of separate papers. Ultimately, the papers that comprise the book serve to support, each in its own way, the arguments for the use of plain legal language. If readers are searching for a comprehensive guide to the application of the principles of plain legal language, they will not find it in this volume. The value of the book is to challenge the reader’s understanding of legal language by explaining what plain legal language is all about and its value. Once the reader has made this discovery, it is presumably up to him or her to follow through using the useful list of sources in part G. Perhaps one should not expect too much from what is an important first step in bringing the issue of plain legal language to the fore. It is hoped that this book will be the first of further publications dealing with more specifically the technical application of plain legal language.

From an academic point of view, there is a real lack of debate on many of the issues around plain language, and indeed language in general. The approach of the book, and plain language advocates in general, has been to see the plain language question as one of pragmatics justified by research. This creates the impression that language is almost a question of mechanics and the goal purely the efficient transfer of information. Even the most sincere supporters of plain language betray their own principles – perhaps showing us that humans respond to much more than just the transfer of information when they use language. So when Derrick Fine ends his paper ‘Plain language communication: approaches and challenges’ with ‘Let’s use today’s space to develop effective joint initiatives!’ one might reply ‘Let’s work together!’

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GENERAL PRINCIPLES OF COMMERCIAL LAW

P Havenga, M Havenga, C Garbers, WG Schulze, K van der Linde and T van der Merwe

Juta 2000, 456pp, R176.55, soft cover, 4th ed

The first edition of this book was published in 1992. The book is published in separate English and Afrikaans editions. This is the fourth edition and it again covers relevant principles of commercial law. Two of the co authors who were involved in the third edition, namely Marylyn Christianson and Ina Meiring did not contribute to the fourth edition. The present team of authors are all experts in mercantile law and have all published extensively in this field. The book adheres to the syllabus for the
law services course of the Public Accountants’ and Auditors’ Board. It is divided into four sections which comprise 28 chapters, each chapter covering a particular subject and each subject further sub divided.

All relevant information is covered comprehensively in the text and as such footnotes are not required. Section A deals with the South African legal system and an introduction to the science of law. Section B deals with general principles of the law of contract and covers, inter alia, an introduction to the law of contract, consensus, capacity to perform juristic acts, possibility of performance, formalities, terms of the contract, interpretation of the contract, breach of contract, remedies for breach of contract, and transfer and termination of personal rights. Section C mainly deals with specific contracts and covers areas such as sale, lease, insurance and credit agreements. Finally, Section D deals with specific aspects of commercial law such as labour law, intellectual property law and franchising, alternative dispute resolution, the law of agency, forms of business enterprise, the law of competition, security, instruments of payment, other methods of payment, the law of trusts, the law of insolvency and the law of administration of estates.

The number of chapters has not changed from that in the third edition but most of the topics have been reformulated. The section on the individual contract of employment has been replaced with the one on labour law, which now covers the law of collective bargaining and a new section on intellectual property law has been introduced, which links up with franchising. Both these topics now fall under section D – specific aspects of commercial law. The other chapters have been updated, and reference to, or discussion of, case law has been kept to a minimum as the book is aimed at students who are encountering law for the first time.

The text has been updated to provide for the changes brought about by, among others, the Employment Equity Act 55 of 1998, the Basic Conditions of Employment Act 75 of 1997, the Competition Act 89 of 1998, the Long term Insurance Act 52 of 1998, the Short term Insurance Act 53 of 1998 and the Rental Housing Act 50 of 1999. All the relevant legislation and amendments up to June 2000 have been included even though some are about to be changed again.

This edition is an improvement on the previous one and the target market should find it very accessible.

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CASE BOOK ON THE LAW OF DELICT

Neethling J, Potgieter JM and Scott TJ
Juta Co Ltd 2000 15pp and 970 soft cover, 3rd ed

Once more a new edition of Neethling, Potgieter and Scott’s Case book on the law of delict is to be welcomed. This third edition is a much more expanded volume than its predecessor although, taking into account the pace and volume of development in this area of the law, the authors are to be commended for keeping the size of the book within manageable proportions, especially as the work is intended to be an introduction to the law of delict for students. This work still remains one of the leading case books on the law of delict available on the South African market.

Since the last edition appeared in 1995 (which considered cases reported up to October 1994), there have been great developments in case law in all areas of the law of delict and the authors