

Editorial

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The *European Journal of Law Reform* aims to present, analyse and evaluate national, regional and international approaches for the modernisation of legislation around the world. However, any effort to change national, regional or international laws as a means of promoting development of the legal system in harmony with the needs and requirements of the society that these laws aim to regulate is sentenced to certain failure if the resulting legal instruments are not of quality. Access to justice as a means of promoting the rule of law and, consequently, participatory democratic legislative processes demand legislation that is accessible to its audience, clear, precise, unambiguous and effective. In turn these values promote enforceability and efficiency in regulation.

Despite the crucial role of quality in legislation for the promotion of efficient, democratic regulation protecting the rights of the financially and socially vulnerable, however, few have dared respond to the challenge of defining quality in legislation as bravely and fully as the late Sir William Dale. I have had the honour and pleasure of working with Sir William during his Directorship of the Centre that now bears his name. A man of many talents, he led a life as brave, down to earth and true as his approach to drafting legislation. Sir William dared look outside of the UK in order to learn and not to teach, an innovation in itself. The Sir William Dale dogma, which was eloquently expressed in his many books and articles, is that quality in legislation is a virtue, a pursuit and indeed a problem that breaks the barriers of geography, law and time. Quality in legislation is an artful skill that can be taught, learnt and practiced, albeit with considerable difficulty for those of us who do not possess his incredible eye for detail, enormous comparative talent and intense experience in the formulation of rules of universal applicability.

Just before his final retirement in 1999 Sir William blessed me with an insight to his convictions on drafting rules. Our last common project was deprived of its mentor soon after it begun, but the zest for pursuing quality in legislation remains with the staff of the Centre and marks the Centre's activities. The Sir William Dale Memorial Issue, which will be an annual occurrence at the *European Journal of Law Reform*, aims to promote the search for quality in legislative drafting. There could be no better head article than the Annual Sir William Dale Memorial Lecture where Sir Geoffrey Bowman answers the question whether drafting is an art or a science and concludes that in any case drafting can be improved by trial and error and is improved by training. Aspects of Sir Geoffrey's analysis are brought

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forward in the articles of prominent practitioners, academics and younger drafters who have undertaken original research in the wider area of legislative studies.

The originality of the arguments of the authors demonstrates the continuing lack of study in the discipline of legislative studies and legislative drafting. The *European Journal of Law Reform* is taking on the challenge and, in recognition of the immense contribution of Sir William Dale in the development of the debate, is embarking on a series of annual issues dedicated to legislative drafting and bearing the name of a certain William Leonard Dale, the man who changed the then widespread view that drafting is a mere technique. Drafting is a science, indeed an artful science, whose depth and beauty deserves further examination beyond the boundaries of geography, time and jurisdiction.