

# Washington Law Review

---

Volume 3 | Number 4

---

10-1-1928

## *The Art of Argument*, by Harold F. Graves and Carle B. Spotts (1927)

M. A. M.

Follow this and additional works at: <https://digitalcommons.law.uw.edu/wlr>



Part of the [Litigation Commons](#)

---

### Recommended Citation

M. A. M., Book Review, *The Art of Argument*, by Harold F. Graves and Carle B. Spotts (1927), 3 Wash. L. Rev. 198 (1928).

Available at: <https://digitalcommons.law.uw.edu/wlr/vol3/iss4/7>

This Book Review is brought to you for free and open access by the Law Reviews and Journals at UW Law Digital Commons. It has been accepted for inclusion in Washington Law Review by an authorized editor of UW Law Digital Commons. For more information, please contact [cnyberg@uw.edu](mailto:cnyberg@uw.edu).

some quarters at the present time. He has not declared war on the laws of war. It may be wise to give less attention to the laws of war, or the "so-called" laws of war, as one author has naively called them, but it is unwise to exclude them, or to deny to them the classification of law. There must be rules for the government of contending armed forces, or civilization is doomed. Nor need we be deluded by such assumptions as the end of war, or that war must be made so terrible that man must fear and dread it. Publicists and scholars, while seeking to perfect a system of international judicial machinery which will reduce and even eliminate war, can with profit give themselves to a consideration of the rules which should prevail should, unfortunately a conflict arise. The substantive changes in the law of nations, therefore, are not so great as they appear to be.

Dr. Wilson also consults the usual sources for his statement of general principles. The movement toward codification, while seeking to make the law more definite and determinate, can be nothing more than a statement of the law as it has prevailed through the years. The World War and the Treaty of Peace have not marked the turning point in history many have represented them to have done. This war ended as others have—in the defeat of one of the parties. It is not extravagant to assume that future conflicts will end in the same way. It does not, in and of itself, mark the beginning of a law which is certain and definite. The present efforts at codification are commendable, but some of them may be as fruitless as former attempts which are so violently scored at the present time. Much of it may go the way of the Declaration of London, and it can be called authoritative as it is observed. Dr. Wilson does well to rely on the usual sources until the codified law proves its finality.

Another tendency is to find fault with certain international law terms, such as "sovereignty" "family of nations," "freedom of the seas," "independence," "equality" etc. International law concepts change slowly as do the terms which are used to designate them. Long accepted usage remains the best test, both in the substance and the terminology of the law. Such terms will hardly yield to newer ones which are suggested as descriptive of practices which do not as yet really obtain in the law of nations.

International law according to Dr. Wilson, is law. It is not politics. In treating of a subject which belongs to the ages, during a period deemed by some to be a new age, he has used the skill of the scientist and the caution of the jurist, rather than the liberties of the journalist or propagandist.

CHARLES E. MARTIN.

**THE ART OF ARGUMENT.** By Harold F Graves and Carle B. Spotts. New York: Prentice-Hall, Inc., 1927, pp. xi, 298.

The book is designed as a short, practical work on argument for the use of "the scientists, the engineer \* \* \* the business man," as well "as the lawyer or orator." The authors start with the proposition that argument is basic in all fields, showing its varied uses and its importance as an incentive to progress. Coming to the actual machinery of this art, they work out the various steps in gathering the material and organizing it for an effective argument. Then they take up the different types of audiences and show how the argument can be successfully delivered. Every chapter is followed by valuable and practical exercises which should enable the student to tie in the theory with actual practice.

Part two is devoted to specimens of arguments, used in the broad sense, the attention of the reader being directed to the devices used by the speaker and the manner in which he has presented his material.

On the whole the book is very satisfactory although it is quite general in its appeal and not specially adapted to the use of the lawyer.

M. A. M.