

International Legislative Drafting Guidebook:  
25th Anniversary Celebration



# International Legislative Drafting Guidebook: 25th Anniversary Celebration

David A. Marcello, Editor

EXECUTIVE DIRECTOR OF THE PUBLIC LAW CENTER

TULANE UNIVERSITY LAW SCHOOL



CAROLINA ACADEMIC PRESS

Durham, North Carolina

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Library of Congress Cataloging-in-Publication Data

Names: International Legislative Drafting Institute (25th : 2019 : Tulane University) | Marcello, David A., editor. | Public Law Center (Tulane University), sponsoring body.  
Title: International Legislative Drafting Guidebook : 25th Anniversary Celebration / edited by David A. Marcello.  
Description: Durham, North Carolina : Carolina Academic Press, LLC, [2020] | Includes index.  
Identifiers: LCCN 2020015151 (print) | LCCN 2020015152 (ebook) | ISBN 9781531018016 (paperback) | ISBN 9781531018023 (ebook)  
Subjects: LCSH: Bill drafting—Congresses. | LCGFT: Conference papers and proceedings.  
Classification: LCC K3320 .I58 2020 (print) | LCC K3320 (ebook) | DDC 328.3/73—dc23  
LC record available at <https://lcn.loc.gov/2020015151>  
LC ebook record available at <https://lcn.loc.gov/2020015152>

Carolina Academic Press  
700 Kent Street  
Durham, NC 27701  
Telephone (919) 489-7486  
Fax (919) 493-5668  
[www.caplaw.com](http://www.caplaw.com)

Printed in the United States of America

*This book is dedicated to the legions of legislative drafters  
around the world who have toiled, more often than not in obscurity,  
to get the language of legislation right, in order that the  
representative will of the people should be expressed with clarity.*

*We thank you for your service in this essential enterprise.*



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# Foreword

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This volume of writings on legislative and constitutional drafting celebrates the silver anniversary of the International Legislative Drafting Institute. David Marcello, its founder and director, and my good friend, describes the authors that he, as editor, brought together in this book as “some of the world’s finest drafters and writing experts.”

I’m inclined to agree after reading into their works, which recalled my own good fortune in working with excellent drafters and researchers when I served as a state legislator and as a state constitutional convention delegate. I believe that experience helped give me some insights into how to interpret legislation and constitutional provisions during my subsequent years of service on the state supreme court and federal appeals court, all of those years combined now numbering two score and more.

That leads me to the most important observation I can make, and perhaps the one I’m most qualified to make, about the writings in this book: studying these articles can yield valuable insights into how to go about determining the meaning of enacted law. The authors give us worthwhile glimpses of how drafters communicate with policymakers and embody in their drafts the interests of those seeking legislation. They describe how laws, rules, regulations, and constitutional provisions should be drafted and how texts that are sometimes poorly written can lead to legal controversies.

Some of the articles deal with particularly acute subject-matter problems of great importance, such as global warming. The Institute has attracted and served a global clientele from emerging democratic nations and free-market economies and other quite different systems for 25 years. Approximately 800 participants from more than 100 jurisdictions have discovered repeatedly the value of Institute training in solving legislative drafting problems that participants often have in common, despite their diverse national settings.

In short, I commend the writings in this book not only to legislative and constitutional drafters, but also to the public officials they serve. This 25th Anniversary Celebration of the Institute is a worthwhile resource for anyone who hopes to gain valuable insights into drafting, interpreting, and applying written rules, regulations, statutes, and constitutional provisions—a target population that includes, of course, lawyers, judges, law clerks, law professors, and legislators.

Judge James L. Dennis  
United States Circuit Court of Appeals  
New Orleans, Louisiana  
May 8, 2020

