

Q. I am working on an appeal involving “hearing dogs” (dogs trained to help the deaf). When referring to these dogs, do I write, “Dogs *that* have graduated from the program” or “Dogs *who* have graduated from the program”?

A. Los Angeles Attorney Benjamin G. Shatz, who sent this question, was inclined to write “dogs *that*,” but his wife—whom he described as “a fan of canines”—argued for “dogs *who*.”

Grammatically, either pronoun is correct. The choice is stylistic. Usually, only persons are referred to as “who.” But many dog owners consider their dog a member of the family, who is therefore entitled to be referred to as “who.” The implied future relationship of hearing dogs to their masters may be sufficient reason to refer to animals in training for that role to allow them the familial “who.”

The legal significance of inappropriate language was made evident in a news item commenting that a jury found a veterinarian guilty of physical abuse to a minor after he stated he had dragged his son across a room “by his rear legs.”

The past tense of the verb *graduate*, which Mr. Shatz used in his question is also interesting. As he used it, “... have graduated from” is currently grammatically correct. But you may recall that, until 30 years or so ago, it was not. To say that a person had “graduated” from school would have been considered ungrammatical; grammarians argued that individuals did not “graduate” from school; instead, the school “graduated” the individual. However, that rule was so often breached that it is no longer in effect.

Many people now omit the preposition *from*, and the phrase “he graduated school” is often heard and seen. If the trend strengthens, perhaps that truncated phrase will prevail.

Q. When I was in “grammar school,” I was taught that a semicolon must precede the word *however*. Now, many journalists use a comma instead. Is the “rule” I learned obsolete?

A. No, but it is being challenged, because many reputable journalists ignore it, substituting commas

for adverbs in sentences like, “The boy looked carefully before crossing the street, however, he did not see the car that hit him.” However, it seems to me wiser to follow Alexander Pope’s much earlier “rule”:

Be not the first by whom the new
are tried,
Nor the last to lay the old aside.
—“Essay on Criticism,” 1711

So it is advisable to place a semicolon ahead of conjunctive adverbs (words like *however*, *nevertheless*, *moreover*, *besides*, *meanwhile*, and *therefore*). The semicolon, especially if a comma follows the conjunctive adverb, indicates a longer pause between the two clauses than a comma indicates. If you read aloud the following pairs of sentences, you will probably notice the difference:

- The child looked carefully before crossing the street; however, he did not see the car that hit him.
- The child looked carefully before crossing the street, but he did not see the car that hit him.
- The plaintiff did not appear in court; moreover, he fired his lawyer.
- The plaintiff did not appear in court, and he fired his lawyer.
- The jurors did not understand the court’s instructions; nevertheless, they came to a reasonable decision.
- The jurors did not understand the court’s instructions, although they came to a reasonable decision.
- The judge called a recess; meanwhile, the defendant fled the jurisdiction.
- The judge called a recess, during which the defendant fled the jurisdiction.

Whether you add a comma after the conjunction or not depends on whether you would slightly lower your voice before saying the conjunctive adverb. Contrast the two sentences below:

- The bird had a red breast; therefore it was probably a robin.
- The bird had a red breast; nevertheless, it was not a robin.

From the Mailbag

Reader Nick Cobbs wrote that he takes “mild issue” with my assertion in the March/April 2010 issue of *The Federal Lawyer* that the phrase *from whence* is redundant, because *whence* itself means “from which.” He agreed that *whence* includes the idea of “from,” as in the sentence, “Drink, for you know not whence you come nor why. Drink, for you know not why you go, nor where.” But he quotes novelist Graham Greene: “No one could tell me from whence the gold had come.”

Cobbs is correct that 21st-century speakers are under no obligation to follow the language of translators of the authorized (King James) version of the New Testament. The only objection to adding “from” to the phrase is that it is unnecessary, *whence*, in itself containing the meaning “from which.” The 1985 *American Heritage Dictionary* states that a “large majority” of its Usage Panel found *from whence* unacceptable, though admitting that the phrase occurs in the writing of “good writers.” (The usage of good writers is probably a better model than the opinion of a group of authorities.)

The mere finding of redundancy is not necessarily a stigma. Our language contains considerable built-in redundancy. Take the plural *s*, for example; why add *s* to the plural “several dogs” when “several” indicates the plural? Phrases like “decapitated heads” and “exempt out” bother me, but *from whence* is so common that its redundancy is not obvious. **TFL**

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