

Q. Lawyers seem to be afflicted with a contagious disease: verbal diarrhea. I've just received a notice announcing that lawyers' organizations will "assemble together" to discuss a problem. My dictionary confirms what I already knew: The verb *assemble* means "to bring or gather together." So why on earth do you need to attach an unnecessary *together* to *assemble*?

A. Because the drafter wants to be *absolutely certain* to convey information *exactly right*, although neither *absolutely* nor *exactly* are necessary here. In fact, using those two adverbs to provide emphasis actually weakens *certain* and *right* by adding props.

Redundancy also occurs in the legal use of both numbers and writing to indicate amounts of money: "\$1,500.00 (one-thousand five hundred dollars)." Several readers e-mailed a preference for both numerical and written-out forms, but one reader added, "Maybe I am showing my age." Perhaps he is; that preference was common in the 20th century, but not in our more hurried lives. Current grammatical practice is to use numbers only. Dictionaries note: "The repetition is used only in legal documents."

Lawyers' love of verbiage is notorious. One legal critic paraphrased the 23rd Psalm as a lawyer would quote it: "The Lord is my external-internal integrative mechanism. He positions me in a nondecisional stance. He maximizes my adjustment..."

Another critic offered a lawyer's version of the offer, "Satisfaction or your money back": "The remittance of sums paid by customers purchasing articles in or of this establishment is hereby guaranteed in the event that such articles, or one or more thereof, shall be hereafter deemed unsatisfactory to or by the said customers."

In the Old English period (before the Norman Conquest), formulas were ritualistic; only their exact repetition would guarantee the desired effect. That expectation still exists. Lawyers use verbiage because they believe that using exactly the same language used in a previous case in which a favorable decision was awarded would improve the chance of receiving a favorable decision in the current case. So formulas, like "residue and remainder," and "null and

void and of no further force and effect" are still common in legal documents.

But many lawyers criticize these cumbersome and redundant formulas. For example, one attorney quoted the phrase, "This office, by and through the undersigned," and rhetorically asked, "Do you believe that language is somehow more weighty and dignified than 'I'?" And one candidate for public office recently commented on television, "What my opponent said was mistaken in every way, manner, shape, and form!" Is that statement stronger than the word *wrong*?

Lawyers have no monopoly on verbosity. Many people attach the adverb *back* to verbs that don't need it. You have probably heard "return an item back," "reply back," "answer back," and "I haven't heard back yet." None of those verbs needs an adverbial crutch. The addition of *back* is probably a result of analogy to phrases like "come back," "hurry back," and "call back," in which the adverb *back* is necessary to complete the idea. Recently, one reader criticized a phrase she often hears: *appealed against*. She correctly pointed out that *appeal* includes the meaning of *against*.

Readers have asked about the propriety of the expression, "Get it for free." Because *free* means "at or for no cost," *for* is obviously unnecessary. The ubiquitous adverb *up* is sometimes needed and sometimes gratuitous. In the phrase, "Turn up the sound," the adverb *up* completes the meaning of *turn*. So do the adverbs *on*, *off*, and *down* following *turn*.

The verb *load* can stand alone but seldom does; *onload* often replaces *load*; *offload* replaces *unload*; and the computer terms are *download* and *upload*. And if the expression "the reason why is because" doesn't annoy you, you may be one of the growing majority of educated speakers who are

addicted to that phrase.

On the other hand, the idiom "shrug your shoulders" is so established in English that nobody notices the redundant use of *shoulders*. (The verb *to shrug* means "to raise shoulders.") The word *consensus* means "agreement of opinion," but so many people say "consensus of opinion" that the phrase may soon become an idiom. Then *consensus* will come to mean only "opinion," just as *unique* has lost its original meaning of "one of a kind" and now means only "unusual." The word *hoi* in the phrase *hoi polloi* means "the"; yet almost everyone says "the hoi polloi" ("*the the hoi polloi*"). The phrase "at this point in time" makes me grit my teeth, but politicians love it.

On the other hand, the phrase "what it is is" seems redundant but isn't, because the noun phrase *what it is* serves as the subject of the sentence and the second *is* is the verb. (Substitute, for example, the noun *thunder* for *what it is*). However, many people say "the point is is" and "the fact is is"—both of which are redundant. Why do people add the second *is*? Probably by analogy to the phrase "what it is is."

I used to give my first-semester law students a list of wordy ("lawyerly") phrases and ask the students to shorten them. Here are some samples:

- The question as to whether ... = If
- Because of the fact that ... = Because
- The reason why is because ... = The reason is (that)
- In a similar nature to ... = Like
- During the time that ... = While
- At the time at which ... = When
- In the same way as ... = As

About language, most Americans seem to agree with Mae West, who (with regard to a different matter) said, "Too much of a good thing can be wonderful!" **TFL**

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