

Q. In the July issue of “Language for Lawyers” you agreed with a reader that in the sentence, “Jones cannot establish her gender motivated defendant’s actions,” the relative pronoun *that* should not have been omitted because of the possibility that the reader might misunderstand. Without the word *that*, the sentence could be read as “Jones cannot establish her gender.” So to avoid ambiguity add the pronoun *that*: “Jones cannot establish *that* her gender motivated the defendant’s actions.” Now please write a column about the difference between *that* and *which*.

A. • My thanks to Attorney Karl H. W. G. Hormann, who cited Ecclesiastes 1:2, in permitting me to mention his name. The difference between the relative pronouns *that* and *which* depends on whether the pronoun introduces a restrictive or a nonrestrictive clause.

A restrictive relative clause answers the question “Which one?” The relative clause is nonrestrictive if the question “Which one?” has already been answered, so that the relative clause merely adds more information. The following sentences provide illustrations. The first and third sentences contain restrictive clauses; the second and fourth sentences contain nonrestrictive clauses:

- The language that she recalled was found in the codicil of the will.
- The pertinent language, which she recalled, was in the codicil of the will.
- Mary Smith is the faculty member who is on sabbatical at present.
- Mary Smith, who is a faculty member, is on sabbatical at present.

Two other characteristics distinguish restrictive relative clauses from nonrestrictive relative clauses: In nonrestrictive clauses, commas must surround the clause introduced by *which*. In restrictive clauses no commas are needed. The second characteristic distinguishing restrictive from nonrestrictive clauses is that the relative pronoun *that* can be used only in restrictive clauses. The restrictive relative pronoun *that* is correct in the first sentence below, but it would not have been correct had it been used in the second sentence:

- The data that had been missing invalidated the document.
- The missing data, which was later

found, invalidated the document.

In relative clauses, the decision about whether to use *which* or *who* is made by whether the reference is to a person or a thing. Here some illustrations:

- The books that I left on the table are missing. (restrictive clause)
- The person who left the books on the table has disappeared. (restrictive clause)
- The defense attorney, who has left, will return promptly. (nonrestrictive clause)
- The new evidence, which was just found, is damaging. (nonrestrictive clause)

If these rules seem too complicated to use, just punctuate the sentences without resource to the explanations; if you are a native English speaker, you will probably get the punctuation right.

Q. • Please write a column explaining the proper use of *like* and *as*. My pet peeve is the ungrammatical substitution of *like* for *as* and *as if*.

A. • The reader is not the first to criticize that usage, and books on grammar agree that it is an error to substitute *like* for *as* and *as if*. For example, “He looks like his father” is correct, but “Tell it like it is” is ungrammatical. “It looks as if it is going to snow” is correct, but “It looks like it will snow” is ungrammatical. However, how much more common is the “ungrammatical” usage than the correct usage?

It’s true that that question is not fair; grammar does not change just because people violate it. However, the grammatical rule has been violated overwhelmingly ever since Shakespeare’s time, and

probably before. Many literate people and the best authors have been substituting *like* for *as*. And if we use the reasonable standard set by 18th century Lindsey Murray (proper language is that which is “reputable, present, and wide”), we must reluctantly concede that *like* in the following contexts is at least “acceptable,” if not “correct.” (All the quotations that follow were taken from articles that appeared in reputable publications and were written by well-regarded authors):

- Every once in a while, like when Franklin Delano Roosevelt was elected in 1932 and Reagan in 1980, the effect can be dramatic.
- So there’s a chance that this election could turn out to be a major economic turning point, just like the 1980’s was.
- We must start acting like we were in a crisis, indeed like we were at war.
- Think for yourselves, not like you’ve been told.

On one side of this long-term dispute are the grammarians who hold to the traditional rule, and on the other side are the many literate writers and speakers who believe it should be discarded. My feeling is that those who care about tradition should follow the old rule, but that those who violate it will eventually win out. **TFL**

Editor’s note: The following sentence in the October “Language for Lawyers” column should have read: In his famous 1755 Dictionary, Samuel Johnson announced that he intended to “ascertain, purify, and fix” the language. We incorrectly substituted infamous for famous.

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