Language for Lawyers

by Gertrude Block

Question: *Does anyone but me still use the verb* lie, *as in the verb-phrase* lie down*? It seems to have completely disappeared; when I use it people answer, "I always try to lay down after lunch."*

Answer: The verb *lie* is moribund, except in legal contexts (meaning "exist") and in lay language (meaning "tell an untruth.") "Lie" is virtually unheard in speech and is rarely seen in writing. Some grammarians consider *lay* to be correct, and I reluctantly agree. Because *lay* is ubiquitous, it has probably attained "correct" status.

But to accept *lay* does not imply that you should abandon the traditional *lie*. Constraints on language are necessary to prevent it from changing with whim. As John Ciardi said: "Those who care have a duty to resist. Changes that occur against resistance are tested changes. The language is better for them—and for the resistance."

Before we abandon traditional usage, we should ask ourselves, "How important is the meaning of this word or phrase? The answer to that question helps decide whether it should be retained. Apparently the American public has decided that the distinction between "lay" and "lie" is not important.

I also get e-mails objecting to the verb *loan*. Traditionally, *loan* was only a noun; for the verb of the same meaning, you had to use the word *lend* ("I'll *lend* you something)." English speakers apparently considered that distinction unimportant, so they eliminated *lend*. Was the verb *lend* important to you? If so, continue to use it, but the public's decision seems final.

You have probably not heard the adjective *credulous* in a while. I haven't either, but it's still used by literate Americans, so don't discard it, for its loss would remove the valuable distinction between *credible* ("believable") and *credulous* ("believing too readily"), thus "gullible." Perhaps many Americans avoid *credulous* because it seems disparaging. English speakers avoid unpleasant connotations by using euphemisms. The problem is that then the euphemism pejorates and is discarded. (That's how we've come all the way from describing people as "crazy" to calling them "mentally challenged.")

Another word I really miss—but apparently the great majority of Americans do not—is *uninterested.* Its disappearance was not due to its being slanted: it isn't. My guess is that most Americans think that *uninterested* is a synonym of *disinterested*, and when two words are synonyms they either differentiate in meaning, or one disappears. So *uninterested* is disappearing.

The problem is that English has several prefixes that indicate the negative of the word to which they are attached. The prefix *de-* (in *detach*) means "not attached"; the prefix *in-* (in *insoluble*) means "not appropriate"; the prefix *dis-* (in *disadvantage*) means "no advantage"; and the prefix *un-* (in *unlucky*) means "not lucky." So both *uninterested* and *disinterested* seem to mean "not interested," and *uninterested* is dropped.

The question is: Why isn't *disinterested* a synonym of *uninterested*? In fact, *disinterested* originally did mean "having no interest"—no *personal* interest. If you have no personal interest in a problem, you are without bias and can be objective about it. Thus, people can rely on the person's opinion. But *uninterested* and *disinterested* are not synonyms and neither should be discarded. The first means "without interest" and the second means "without bias." That distinction is worth saving.

Another distinction that most Americans seem to consider not worth making is between *eager* and *anxious*. Are you eager to discard *eager*? You may be unaware that at one time, the two adjectives were not synonymous: *eager* was appropriate only if you looked forward with pleasure to what was ahead; *anxious* was appropriate only when the event was expected with fear or concern. So the statement, "I am anxious to see my friend," would convey a mixed message. Today, however, you could say, "I am anxious for Thanksgiving when I can once again taste my mother's cooking." And no one will misunderstand.

Comparative linguist Benjamin Whorf said that each language contains exactly the vocabulary its speakers need. If so, English speakers view as excess baggage the language they are currently discarding, and meanwhile they are coining new words, many of which express ideas no one needed before the cyber age. ⊙

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