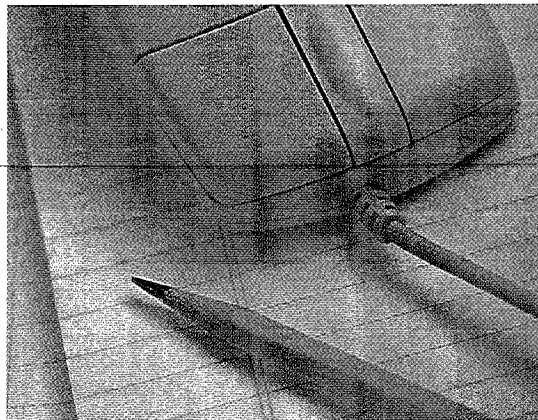


Verbs Are It

By Sue Liemer



If you read this column because you love to write, you probably already know the secret. If you read this column hoping to find the one magical tip that will clean up your writing forever, well then, here it is: verbs. Focus on your verbs and a multitude of writing problems will vanish. Over the span of a career, the average attorney writes more pages of prose than the average novelist. Linda Holdeman Edwards, *Legal Writing, Process, Analysis, and Organization 1* (2d ed., Aspen L. & Bus. 1999). A few minutes spent cleaning up your verbs should prove worthwhile.

Verbs are the action words. They tell us what is happening. Because verbs distill action into just a word or two, they are the most direct, straightforward way to communicate with words. There's a reason, after all, that bright red signs meant to prevent traffic accidents yell "STOP" at us, rather than "DE-ACCELERATION TIME."

Active voice

To give your writing a quick diagnostic check-up, look at any document you have written recently. Choose a paragraph at random and highlight every verb. Next go back and circle every passive voice verb. If you only had to circle one or two verbs, you are probably already a strong writer. Consider your skill confirmed. If you circled more than one or two words, you probably have not yet acquired the active voice habit. If you are not even sure what a passive voice verb looks like or which verbs to circle, please read on.

In active voice, the subject comes before the verb, i.e., the actor comes before the action word. For example, a prosecutor might say:

The accused killed the victim.

↑ ↑
(actor) (action word)

In passive voice, just the opposite, the object comes before the verb. So, a defense attorney might say:

The victim was killed.

↑ ↑
(object) (action words)

Note the passive voice usually involves some form of the verb "to be," in this example, "was." Note also that often in passive voice the actor is missing entirely from the sentence. This structure is helpful if the actor is unknown or, if, like the defense attorney, you choose to shift the focus away from the actor entirely.

The careful defense attorney would use passive voice here by choice. If you circled a lot of passive voice verbs in your sample review, however, you may be using passive voice verbs just out of habit. Because the actor is not included, it is unclear who is doing what. You end up with a vague communication.

Many passive voice sentences do include the actor, but after the action word. For example:

The victim was killed by the accused.

↑ ↑ ↑
(object) (action words) (actor)

In this sentence the defense attorney has acknowledged some connection between the client and the crime, but put some distance between the two. The words for the action and the actor are further apart on the page than in the prosecutor's sentence, and so the connection the reader makes is weaker. Again, the communication is purposely vague and less clear, a result a careful defense attorney would choose here. Most of the time, however, we lawyers seek the opposite in our writing: a precise, clear, quick communication.

In your own writing sample, try rewriting your circled passive voice verbs into active voice. Your rewrite may reveal some verbs you did not highlight during your first review. Passive voice verbs can lurk in all sorts of phrases and clauses; they do not crop up only as the main verb. In fact, passive voice verbs often encourage more convoluted sentence structures. Active voice verbs usually force you to organize the whole sentence more directly. For example:

After a brief recess was taken, court

↑
(passive voice verb)

was reconvened by the judge.

↑
(passive voice verb)

becomes:

After a brief recess, the judge reconvened court.

↑
(active voice verb)

The verb in the preliminary phrase can come out altogether, the main actor comes right before the main action word, and the whole sentence comes out a third shorter, without any change in meaning. You end up with a quicker, more direct communication.

It is possible to take the quest for active voice verbs to an unsuccessful extreme. A document written entirely in active voice may become too choppy, reminiscent of a primary school text-

book. Once you are in the habit of excising passive voice verbs, add just a few back in per page, for stylistic flow, and for those instances in which vagueness is the desired result. The key is to use passive voice verbs sparingly, and by conscious choice, wielding this tool of wordsmithing as an artful master of the writing craft.

Nominalizations

After you master the first way to clean up your writing, consciously choosing active voice verbs, you are ready to master the second way, avoiding nominalizations. Just like passive voice verbs, nominalizations slow down your written communications, encouraging more convoluted sentence structures and less direct word choices. The reason is easy to understand if you consider that a "nominalization" is just a verb turned into a noun. For example:

observe

↑

(verb)

becomes:

make an observation

↑

(nominalization)

We take a perfectly active verb and replace it with a word that just sits there, a noun. A noun is the name of a person, place, or thing. Turning action words into names, into mere labels, is a surefire recipe for mind-numbing prose. For clear, direct prose, your goal is to reverse this process. Find another sample paragraph of your own writing and circle every nominalization. Be especially suspicious of any word that ends in "ion," but remember nominalizations can have

other endings, too. Then try rewriting your nominalizations as verbs.

From the thousands of law students' papers I have read over a decade, the prize for nominalizations goes to this example:

Pelican Development, Inc., was denied its application for an exception to the

↑
(nominalization)

↑
(nominalization)

prohibition of the construction of habitable

↑
(nominalization)

↑
(nominalization)

structure on an Erosion Hazard Area by the Coastal Erosion Hazard Areas Act.

Astute readers will note that this writer also used a passive voice verb, making the sentence even more difficult to wade through.

Simply by choosing active voice verbs and avoiding nominalizations in your writing, you can cut out a lot of verbal clutter, be more precise, have more direct sentence structures, and write shorter sentences. You will get to each point more quickly and more easily — and so will your reader. ■

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