

# How not to write strong active verbs

BY GEORGE HATHAWAY

To help celebrate the column's 40th anniversary, we offer this short piece by its original editor (from 1984 to 1988). George wrote many columns during those years and the years following, all of them available at the column's website, [michbar.org/plainlanguage](http://michbar.org/plainlanguage). (This piece, though, appeared elsewhere.) We salute him for starting the longest-running legal-writing column ever. — JK

Strunk and White, Wydick, and just about everybody else all say the same thing — the key to good writing is strong active verbs. But if I see another article on strong active verbs, I'll croak. Even if it's a good article, people will ignore it. And if there's anything I hate, it's a zealot on a personal crusade to get people to stop doing what they like to do.

Frankly, I think we would all be better off if some troublemaker a long time ago hadn't started bothering everyone by promoting the wheel. Besides, it's far easier to confirm people's beliefs than to change people's opinions. Thus, since the traditional legal-writing style — legalese — features lots of weak passive verbs, those who delight in legalese ought to have the key: how not to write strong active-voice verbs.

First, a little background knowledge: verbs may be active or passive, strong or weak. Several combinations are therefore possible. A verb may be (in ascending order of mushiness):

- strong active;
- weak active;
- strong passive; or
- weak passive.

Allied to weak verbs are nominalizations. Books and articles often explain these terms in laundry-list definitions. This approach guarantees that you will forget each definition as soon as you read the next one. But a figure is worth a thousand words. Ergo the chart: the Hathaway Analysis of the Verb.

	Active Voice	Passive Voice
Strong Verb	Judges decided it.	It was decided by judges.
Weak Verb + Nominalization	Judges made a decision on it.	A decision on it was made by judges.

In the top left-hand corner we have the strong active verb *decided*. When you use this type of verb, you usually have a clear concise subject-verb-object sentence, such as "Judges decided it." But by adding a *be*-verb, you can easily change to the passive verb was *decided*. You can then add the preposition *by*, and you have, "It was decided by judges."

With slightly more linguistic skill, you can change to the weak active verb *made* with the nominalization *decision*, and you then have, "Judges made a decision on it." Or you can go all out and do both, creating a weak passive verb. The result is, "A decision on it was made by judges."

Aim for the lower right-hand corner — passive-voice weak verbs with nominalizations — to increase wordiness without changing content. If questioned, rationalize with the erudite observation that

**40**  
FORTY YEARS OF  
PLAIN LANGUAGE

"Plain Language," edited by Joseph Kimble, has been a regular feature of the *Michigan Bar Journal* for 40 years. To contribute an article, contact Prof. Kimble at Cooley Law School, 300 S. Capitol Ave., Lansing, MI 48933, or at [kimblej@cooley.edu](mailto:kimblej@cooley.edu). For an index of past columns, visit [www.michbar.org/plainlanguage](http://www.michbar.org/plainlanguage).

passive voice is preferable when (1) the thing acted upon is more important than the actor, or (2) the actor is unknown. You can fool some of the people all of the time with these explanations. Then follow up with the clincher — no verb is inherently weak, because the weakness of a verb depends on the way it is used. You can fool all of the people some of the time with this one.

Never mind that these rationales, learned and convincing as they may be, apply to your writing about as many times as a star has risen in the east. They confuse the issue because few will ever test them. We thus have the ideal perpetual-circular-motion prestige machine. You can impress all of the people all of the time with your fine knowledge of writing. Yet you never have to venture outside your own cozy circle.

It is imperative, however, that you never work backward on this figure, identifying a weak passive verb and then converting it into

a strong active verb. If you do, you will inadvertently convert the weak passive traditional language of the law into strong active plain English. This change is verboten. Strong active verbs have a lean and hungry look; such verbs are dangerous. Weak passive verbs give legalese its Prestige with a capital P. And deep in your heart you know that in the 400-year-old merry-go-round of legalese, the ring that everyone has been reaching for is Prestige, not clarity.

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