

## How to Ruin Perfectly Good Verbs and Adjectives

### Nominalizations

By Elizabeth Ruiz Frost



tion... Had knowledge... The applicability of... Had the ability to...

These kinds of phrases are all over statutes, contracts and opinions. I have a theory for why writers use them so much in legal writing. My theory is that legal writers tend to mimic the language and structure of writing in judicial opinions, and judicial opinions tend to contain lots of nominalizations. Law professors aren't off the hook either; academic articles are filled with them. Based on the examples of legal writing from which new lawyers learn to write, they mistakenly come to believe nominalizations sound official and lawyerly. And so a new generation of nominalizers is born.

#### Who Cares?

Despite the common misconception that nominalizations make writing sound lawyerly, they erode the quality of legal

nominalizations are not grammatically incorrect, so they aren't as obviously wrong as something like noun-pronoun disagreement or a lack of parallel structure. When a writer overuses nominalizations, her writing might still be technically correct, even as it tortures the reader.

So, who cares? Well, your reader cares. And if your reader cares, it's time to find and fix those nominalizations.

But if nominalizations are not grammatically incorrect, why are they a problem? They are a problem because nominalizations can make sentences worse in a few different ways. First, as the examples below will show, they tend to hide the real actor or replace a concrete subject with an abstract one. Sometimes when the nominalized word becomes the subject of the sentence, both happen.

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Critics often deride legal writing for its inaccessibility. One key tool that lawyers have used for centuries to achieve an inscrutable tone is the nominalization. Lawyers seem to have the ability to take a perfectly good verb, strip it of all of its action, and turn it into a sad, wordy noun.

A writer creates a nominalization by converting a verb or an adjective into a noun. In nontechnical terms, an action or descriptive word gets turned into a thing. The word *statement* is an example of a nominalization; *statement* is a noun that has been derived from the verb *to state*. Adjectives can become nouns, too; for example, the adjective *negligent* frequently gets converted to the noun *negligence*.

If you haven't already noticed them, legal writing is lousy with nominalizations. Think about writing that you've read lately. Have you read (or written) any of the following phrases? *In violation of... The establishment of... Had the inten-*

tion... Had knowledge... The applicability of... Had the ability to... writing. Sometimes when I'm reading a particularly dense piece of writing, I'll think, "Something is really wrong with this, but I can't put my finger on it." The sentences seem clunky and obtuse, and as a reader, I have to work harder to figure out what the writer is trying to convey. You might have had similar experiences reading legal writing. Often, the problem is rooted in nominalizations.

One reason we might have a hard time identifying the problem is that

Take for example, the following sentence:

*"The development of the property by the contractor will move along quickly."*

Notice how the real actor, the contractor, is buried deep in the middle of the sentence.

Second, sometimes the real actor falls out of the sentence altogether. Look again at that sentence about the development

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and notice how it's just a step away from omitting that poor contractor from the action completely:

*"The development of the property will move along quickly."*

Finally, and not inconsequentially, nominalizations often add unnecessary length to a sentence. The nominalized word itself is longer than its root verb or adjective, adding a syllable or two. And the nominalization usually has to be coupled with prepositions and boring verbs (like *to be* or *to have*) that add clutter without substance. Those problems make a sentence harder for a reader to process.

Look again at the development example above. Notice how when the word *develop* was turned into *development*, the writer was left without a verb and so had to throw in "will move along." If she had just left that poor verb alone, she would have had a short, stronger sentence:

*"The contractor will develop the property quickly."*

#### So What is a Nominalization?

##### Nominalization of Verbs

Most nominalizations are verbs that the writer has turned into nouns. Consider the following examples:

##### Ineffective:

*The **development** of the property by the contractor will move along quickly.*

*The **establishment** of religion by the government is prohibited.*

##### More Effective:

*The **contractor** will develop the property quickly.*

*The **government** may not establish an official religion.*

The first set of sentences contains nominalizations, and those sentences are more difficult to understand than the second set. In the first sentences, the subjects are nominalized verbs, which are indicated in bold. By nominalizing the verb (*develop*) and using it as the sentence's subject (*the development of*), the writer has replaced a concrete noun (*the contractor*) with an abstract noun (*the development of*). Abstract nouns are ideas, like justice, probable cause and happiness. They're the words you hope

you don't have to draw in a game of "Pictionary." And for readers, they make sentences harder to understand.

In the revised sentences, the sentences' subjects, indicated in bold, are concrete nouns. Concrete nouns are easier for readers to understand. A reader can more easily picture a contractor or the government than the concepts of development or establishment. And, depending on your artistic ability, a game of "Pictionary" is definitely going to be more fun if you're drawing a contractor.

Next, consider these examples:

#### Ineffective:

The lessee made an **agreement** to provide an **indemnification** to the lessor.

The group had a **discussion** about its future plans.

She made the argument that the rule had no **application** to her situation.

The reporter conducted an **investigation** into his charitable donations.

#### More Effective:

The lessee **agreed** to indemnify the lessor.

The group **discussed** its future plans.

She **argued** that the rule should not **apply** to her.

The reporter **investigated** his charitable donations.

In these ineffective examples, the writer used concrete subjects in her sentence but is still managing to bore her reader to tears. Verbs like *had* and *made* are dull, which makes the writing dull. The verbs in these sentences are props that serve to set up the action. Describing a subject's action in more vivid terms (e.g., *argued* and *discussed*) makes the sentence more interesting and describes the sentence's actual action, which will help keep the reader from falling asleep.

Moreover, in all four examples with nominalizations, the sentences are unnecessarily long because they contain filler words. In the revised sentences, the writer has more clearly communicated her point by getting rid of the clutter.

#### Nominalization of Adjectives

Not all nominalizations are rooted

in verbs. Some nominalizations are adjectives that have been converted into nouns. Here are a few examples:

#### Ineffective:

The director has the **ability** to terminate the program.

The **applicability** of Section 7 is under discussion.

The **difficulty** of the analysis caused students to struggle.

#### More Effective:

The director is **able** to terminate the program.

(or better yet, "The director **can** terminate the program.")

We are discussing whether Section 7 is **applicable**.

(or better yet, "We are discussing whether Section 7 **applies**.")

Students struggled with the **difficult** analysis.

The words in bold in the first set are nominalized adjectives. The bolded words in the second set are the original adjectives, de-nominalized. In each of these examples, the adjectives (*able*, *applicable*, and *difficult*) were converted into nouns. In two of the sentences, the same problems of abstract subjects arose. *Applicability* and *difficulty* are less clear subjects than the people who replace them in the revised versions. In all three sentences, the verb is revised from a dull one (*has*, *is* and *caused*) to a more vivid one (*can terminate*, *applies* and *struggled*).

#### Identifying Nominalizations

Identifying nominalizations is not always easy, though one quick search trick will uncover many of them. Nominalizations often end with a "-ion" or "-ment." When editing, a writer can search for those letters specifically to find some of them. But, as many of the examples in this column show, not all nominalizations follow that same pattern. To find every nominalization, a writer has to work through each sentence to detect whether a verb or adjective has been hijacked. Of course, knowing some of the most common ones can help. In addition to the examples above, here is a helpful list of some nominalizations that show up frequently in legal writing:

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