

Legal Language



Synopsis

Statutes, judicial opinions, contracts, deeds, and wills profoundly affect our daily lives, but their language tends to be often nearly impossible to understand. In this lively history of legal language, Peter Tiersma slices through the thicket of legalese, explaining where it comes from, why lawyers continue to cling to it, and why it's doesn't have to be an inevitable feature of our legal system."Legal Language will resonate with lawyers . . . and any non-lawyer who has waded through legal documents, or has tuned in to the latest trial on Court TV."—Carmie D. Boccuzzi, Jr., Boston Book Review "[A] masterful, highly readable, and enjoyable book. . . . Legal Language is truly a fun book to read."—David Schultz, Law and Politics Book Review

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Customer Reviews

Tiersma (Loyola Law Sch.) has written an interesting descriptive history of how Anglo-American "legalese" developed and continues to thrive as we move into the 21st century. He begins by tracing the roots of legalistic terminology back to Celtic times and then details its expansion during the Anglo-Saxon era as certain words were refined to minimize confusion and emphasize clarity. At the same time, this boom in terminology set the legal profession apart from all others, thereby underscoring its social importance. Tiersma contends that this dual nature of legal language profoundly affects the legal profession to this day. To drive home this theme, he thoroughly examines several facets of legal communication, such as anachronistic language, the wording of state and federal statutes, and even lawyer Johnnie Cochran's oral defense of O.J. Simpson. A scholarly effort that will perhaps be valued more by linguists than by lawyers; recommended for

larger public and academic libraries. A Steven Anderson, Gordon Feinblatt Rothman Hoffberger & Hollander, Towson, MD Copyright 1998 Reed Business Information, Inc. --This text refers to the Hardcover edition.

Great reference

I'm a teacher of legal writing, and I want all my students to read this book--and every lawyer, too. It offers insights into legal language that I have not seen anywhere else: how lawyers use language to set themselves apart; how statutes employ archaisms to present an air of authority; how jury instructions confuse jurors. It also presents the many reasons that legal language came to be the way it is, while avoiding simplistic explanations. And though it discusses many ways that legal language fails us, it gives just as many ways to improve it. Most important, the book takes legal language seriously, calling it a "sublanguage" of English and "a set of linguistic features that are superimposed on everyday speech." At the same time, it recognizes that lawyers who care about communicating will have to make difficult decisions about what parts of legal language to keep and what parts to abandon.

Mr. Tiersma's book is a wonderful shibboleth into the miasmatic and confusing world of the legal lexicon. A superlative source for clear prose. Wait, I thought that it was lawyers who used confusing language.

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