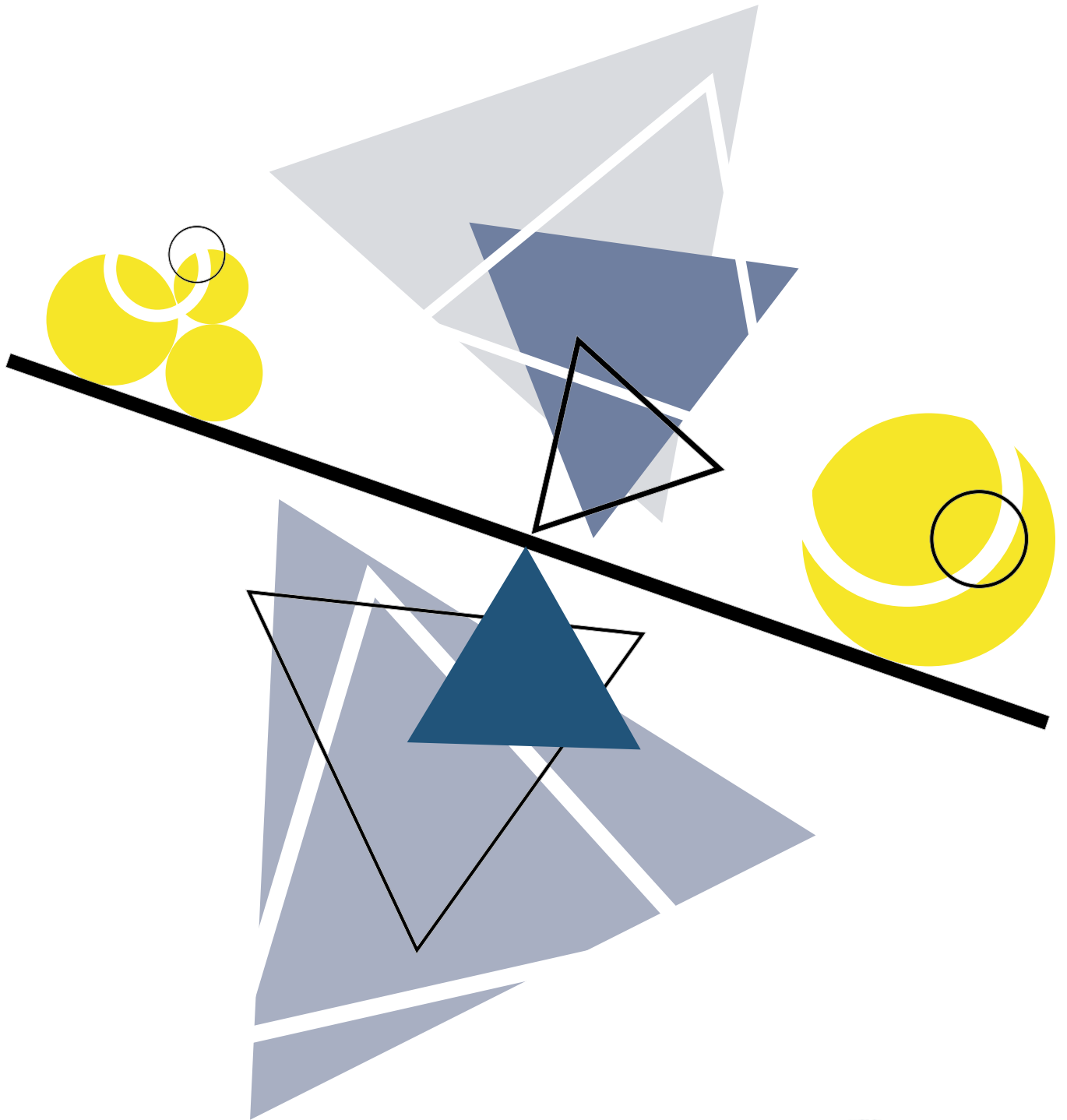


Number 86 2023

The Clarity Journal

Published by Clarity, an international association promoting plain legal language



clarity

Plain-language rules, OK?

Rules are ubiquitous; converting them into clearer language can boost job satisfaction and income



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More than 15,000 documents and websites display Plain Language Commission's Clear English Standard logo, showing they have met rigorous clarity criteria.

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Obscurely legalistic language causes pain to most readers and reflects badly on its authors. An upside, though, is that it's been good to me, providing a rich seam of toxic English that has kept me in bread and biscuits for the last 40 years, with just enough organizations willing to pay me to rewrite it for them.

Off my own bat, I've also published before-and-after demonstration booklets showing how some particularly poor specimens of UK and EU legislation could be rewritten and redesigned along plain-language lines. These are available on free download from my website www.clearest.co.uk/publications. The revised versions have included deep restructuring – eg, grouping like with like under new sections and predictive headings – as well as a careful rewrite in plainer English.

Though humbler than legislation, mere rules affect many of the things we all do. They are everywhere, from 'no smoking' and 'keep off the grass' notices, to parking signs, codes of conduct, and the statutes of many a sporting contest. Their ubiquity means we rarely notice these rules – and even more rarely think their language worth studying. But revising them is a form of alchemy that can boost any plain-language practitioner's job satisfaction and income.

To run smoothly, clubs, societies, trade unions and similar bodies need clearly written rules, otherwise their activities are likely to be dominated by the few people who understand the arcane language of clause 17c of standing order 5. Perhaps worse, a club's face-to-face and online meetings may descend into disputes about the precise meaning of some obscure rule written in 1955. Both scenarios may annoy and alienate members who just want the club's humdrum business to be concluded quickly, democratically, and without fuss.

“ If time and money allowed, the whole rewritten rulebook could be tested on members and improved accordingly. [...] members might then find--perhaps having read the rules for the first time-- that they wanted to revise the content as well as the style. ”

Rulebooks seldom change, so it's possible to find them full of antiquated language untouched by Clarity's healing balm. In this article, I offer two short examples from the rulebook of a professional society (which I was asked to rewrite 'while preserving

the essential meaning'). I aim to show how their transformation into plainer English could make them clearer for the society's members.

In any such exercise, if time and money allowed, the whole rewritten rulebook could be tested on members and improved accordingly. And, of course, members might then find – perhaps having read the rules for the first time – that they wanted to revise the content as well as the style.

The first example (below) is perhaps not the worst kind of gobbledygook; but a single sentence of 134 words will never be easy to read or use. It also includes some old-fashioned words and phrases such as default of withdrawal, thereupon, forthwith, and antecedent (and the overuse of the demonstrative adjective 'such'):

Expulsion of members The Society may at any time by letter invite any member within a specified time to retire for breach by him or her of these rules and in default of withdrawal to submit the question of his or her expulsion to a general meeting to be held within 90 days from the date of such letter and at such meeting the member whose expulsion is under consideration shall be allowed to offer an explanation verbally and/or in writing if thereupon two-thirds of the members present shall vote for his or her expulsion he or she shall forthwith without releasing him or her from any antecedent liability to the Society cease to be a member provided that voting at any such meeting shall be by ballot if so demanded by not less than seven members.

At least this stupendous serpent has been arranged in a logical (mainly chronological) order, which the careful reviser can split into manageable chunks with little risk of altering the meaning – I'm sure anyone reading this journal could do it in their sleep. It's just a matter of stating one main point at a time; putting a full stop ('period') at obvious places; mending the sentence breaks; tidying the word order; changing 'shall' to 'must', or using present-tense drafting; finding a positive phrase to replace 'not less than'; and using plainer vocabulary.

So the revised version might say this:

Expulsion of members By letter, the Society may invite a member it thinks has broken these rules to resign within a specified time. If the member does not resign, the Society may put the question of his or her expulsion to a general meeting held within 90 days of the letter's date. At the meeting, the member may offer a spoken or written explanation (or both). If two-thirds of the members present vote for expulsion, he or she will immediately stop being a member, though his or her previous liabilities to the Society will remain. The vote on expulsion must be by ballot if at least seven members ask for this.

This version has five sentences averaging about 22 words. And though brevity is seldom the goal of a task like this, the rewrite shaves 26 words from the original. It's possible to use 'they' and 'their' for the he/she and his/her pronouns, but the price would be ambiguity in the penultimate sentence.

For some years, I've used the second example (below) as the basis for a short exercise in my legal-writing courses, and most lawyers find it a hard nut to crack. It explains the rather complex – some have said 'deranged' – way that the Society admits new members:

Election of new members New members shall be admitted to the Society upon election by the membership committee, such election to be confirmed by a vote of a simple majority of the members present at a general meeting, but no person shall be presented as a candidate for election without application in writing signed by himself or herself and one member of the Society and the scheme

manager being lodged in the hands of the secretary at least 14 days before the committee meeting.

Pausing only to raise a quizzical eyebrow at the ‘scheme manager being lodged in the hands of the secretary’, you can see that, again, this 80-word sentence is a substantial python. Having often watched course members wrestle with it, I now advise they write a note-form plan of the events and requirements it describes. A well-prepared plan makes obvious that there are three steps to membership, a point that can be explained in a contextual statement beneath the heading. Once that’s done, most authors will feel the urge to deploy that wonderful cure-all, the vertical list. Thus, the structure falls into place and the snake can be defanged*, perhaps as follows:

Election of new members to the Society

An application for membership must successfully complete a three-stage process:

1 At least 14 days before a membership committee meeting, the secretary must be given an application for membership signed by:

- (a) the candidate
- (b) member of the Society, and
- (c) the scheme manager.

2 The membership committee must consider the application and decide whether to support the candidate’s election.

3 If the membership committee supports the candidate’s election, then the next general meeting must consider the application and decide, by a simple majority of the members present, whether to elect the candidate.

I’ve found this to be a short, intriguing, and meaty training-course exercise for small groups, giving plenty of scope for error and different opinions. It also enables authors to see the merit of including a contextual statement and restructuring a rule, rather than just reworking it line by line; so the alchemy includes some creativity. The whole plain-language process clearly adds value and even the most sceptical lawyer is likely to accept that the outcome will help typical readers and be worth the effort.

If there must be rules, at least let’s always ensure they’re clear.

(*I know, I know: pythons don’t have fangs but backward-facing teeth, the better to hold on to their prey.)