

# LESSON 1

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## Parts of Speech *A very good place to start*

The term “parts of speech” refers to the categories into which words are classified based on their function within a sentence. The idea of establishing categories for parts of speech is attributed to the Greek grammarian Dionysius Thrax.<sup>1</sup> Thrax divided words into eight categories: nouns, pronouns, verbs, adverbs, articles, conjunctions, prepositions, and participles. Note that participles are not currently considered a part of speech, and adjectives and interjections were omitted from Thrax’s scheme, so the original number was comprised of a different set of eight than we use in modern times. The number of parts of speech and the categories included has varied over time depending upon who has been assigned (or assigned themselves) the role of keeper of the King’s English.

The phrase “the King’s English” came into vogue during the reign of Henry VIII, although the kings and queens of England have been poor role models; George I didn’t speak English at all. Unlike the *Académie Française* established by Cardinal Richelieu under Louis XIII in 1634, there is no learned body charged with the responsibility of serving as the official authority on the English language. Compounding the problem is the fact that English is an official language in 58 countries all around the globe, and what is accepted in one country may not be accepted in another.

Because no person or organization has been designated an “official authority” of the English language, authorities emerge naturally and may disagree. Today’s widely accepted authorities of English grammar include:

ACS Style Guide  
The Associated Press Stylebook  
The Chicago Manual of Style  
Turabian  
The Elements of Style  
The Elements of Typographic Style  
ISO 690  
MHRA Style Guide  
MLA Handbook  
MLA Style Manual  
The New York Times Manual  
The Oxford Guide to Style/New Hart’s Rules  
The Publication Manual of the APA

Today, virtually all grammarians agree on at least eight parts of speech: nouns, pronouns, verbs, adjectives, adverbs, conjunctions, prepositions, and interjections; some include articles as the ninth part of speech. Still others omit interjections as a separate part of speech and include articles as a specific subset of adjectives,<sup>2</sup> netting seven parts of speech. For this book we’ll adopt nine parts of speech: nouns, pronouns, verbs, adjectives, adverbs, prepositions, conjunctions, articles, and interjections.

Grammarians have assembled a rich and exotic vocabulary of words like “appositive,” “infinitive,” “transitive,” and “gerund” and phrases like “subordinated adverbial clause” that are used almost exclusively by other grammarians. Learning these terms won’t make you a better writer. The labels commonly assigned to categories of words are more for my benefit than yours: while it is utterly unnecessary to be able to define “appositive” to be able to use one correctly in a sentence, *writing* about an appositive requires a label to refer to it. Understanding the parts of speech will help you understand the other lessons in this book describing the intricacies of English gram-

mar, and that *will* make you a better writer, so it's a very good place to start.

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## 1.1 Nouns

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A noun names a person, place, thing, or idea.

The word "noun" is itself a noun because it names a thing: a specific category of words.<sup>3</sup> "Nouns" include words like "client," "office," "financial statement," and "justice."

Nouns come in many nonexclusive categories.

A "**common noun**" names any one of a group of persons, places, things, or ideas.

**heir, testatrix, executive, officer, lawyer, judge, state, court, document, school, church, copier, building, hall, website, article, newspaper, journal, letter, memorandum, elevator, knowledge, truth**

A "**proper noun**" names a specific person, place, thing, or idea.

**John Brown, Washington D.C., Magistrate Court, Department of Homeland Security, The Constitution, August, Monday, Labor Day, Pennsylvania Avenue, Mississippi River, Statue of Liberty, the Equal Protection Act, Christmas, Harvard, Gulf of Mexico, National Football League, Nobel Peace Prize, Internet**

Some nouns can be **common** or **proper** depending upon how they are used in context.

The newly elected Senator Buckley was appointed to serve with several experienced senators on the committee.

The State of Georgia has a very progressive business corporation code as compared to other states.

A "**collective noun**" names a group:

**jury, judiciary, committee, firm, media, audience, government, Congress, team, panel, family, faculty, neighborhood, community, company, partnership, police**

A “**concrete noun**” names a physical object that can be perceived by at least one of the human senses. Concrete nouns can be common, proper, collective, count, or noncount nouns.

**water, odor, noise, building, computer, client, appellant, document, desk, window, daughter, Mr. Jones, oil, clock, chime, conference room, telephone, machinery, equipment, customer, street, city, state, country, school, UPS, Secretary of State, Judge Lee, prosecutor, criminal, prison, book, restaurant, champagne, chocolate**

An “**abstract noun**” names a concept, an idea, a feeling, a quality, or a characteristic that cannot be perceived by human senses.

**freedom, justice, politics, problem, fairness, equality, respect, beauty, realism, knowledge, excellence, achievement, perfection, deadline, intelligence, courage, loyalty, eloquence, convenience, diligence, consideration, issue, offense, interview, approval, objective, transaction, relationship, time, billable hour, duty, license, protection, attitude, situation, good will**

A “**count noun**” refers to individual items that are not typically viewed as a mass. Count nouns can be singular or plural.

**desk, computer, dictionary, defendant, lawyer, judge, tax code, patent, case, will, deed, conference, complaint, pleading, brief, hour, statement, estimate, court, sentence, example, motion, matter, citation, biography, client, problem, gain, actor, situation, issue, word, report, carrier, reference, citation, arrest, topic**

A “**noncount noun**” refers to items that do not have a separate existence and cannot be numbered. “A” or “an” cannot be used with noncount nouns without adding other words. Noncount nouns can be common, abstract, or collective. They are also referred to as “mass” or “uncountable” nouns.

**grain, gravel, natural gas, water, chaos, earth, smoke, money, weather, research, news, violence, furniture, humor, air, pollution, snow, poetry, music, the South,<sup>4</sup> Europe, food, butter, mustard, tea, sugar, travel, Internet, Milky Way, litigation**

Sometimes verbs function as nouns.

An “**infinitive**” is a verb form used as a noun, an adjective, or an adverb. Most infinitives begin with “to,” but this is not required. Be careful not to confuse infinitives with prepositional phrases begin-

ning with “to,” for example, *to travel* (infinitive) *to Dubai* (prepositional phrase).

**To argue in the Supreme Court was his life’s ambition.**

**I advised the client to plead guilty.**

Infinitives are often used in connection with the following verbs and a person:

**advise, cause, command, convince, instruct, order, urge, allow, ask, encourage, expect, force, invite, remind, require, want, persuade, warn**

For example, “I advised the client to go to the authorities.”

Shakespeare mastered the technique of using infinitives as nouns:

*To be, or not to be, that is the question:  
Whether 'tis nobler in the mind to suffer  
The slings and arrows of outrageous fortune,  
Or to take arms against a sea of troubles  
And by opposing [to] end them. To die—to sleep,  
No more; and by a sleep to say we end  
The heart-ache and the thousand natural shocks  
That flesh is heir to: 'tis a consummation  
Devoutly to be wish'd. To die, to sleep;  
To sleep, perchance to dream—ay, there's the rub:  
For in that sleep of death what dreams may come,  
When we have shuffled off this mortal coil,  
Must give us pause—there's the respect  
That makes calamity of so long life.  
—excerpt from Hamlet's soliloquy, Act 3 Scene 1*

A “**gerund**” is a verb form ending in –ing used as a noun that retains the meaning of the verb. A gerund phrase consists of the gerund and any modifiers it has, and the entire phrase is used as a noun. Though it is a verb form, a gerund cannot function as the verb in a sentence.

**The client’s principal business was selling commercial real estate.**

**Being impervious to changing conditions in the workplace caused the defendant to ignore warnings.**

Counsel considered filing a motion to dismiss.

The judge postponed making a decision.

Gerunds are often used after the following verbs:

**admit, appreciate, avoid, consider, delay, discuss, finish, mention, postpone, suggest, imagine, practice, deny, cease, recall, resist, risk, tolerate, remember, continue, start, stop, enjoy**

Note that sometimes a gerund phrase yields the same meaning as an infinitive phrase, but sometimes the meaning of a gerund is nearly the opposite of that of an infinitive.

**Same:** I advised the client that withdrawing its offer would be the best option.

I advised the client that to withdraw its offer would be the best option.

**Opposite:** The Senator stopped voting for the bill after revisions were made.

The Senator stopped to vote for the bill after revisions were made.

An “**appositive**” is a noun or pronoun that is used to identify, rename, amplify, explain, or supplement a noun or pronoun by identifying it in a different way. An appositive is “in apposition” to the noun, meaning that it applies to and is located near the noun, and has the same syntactic relationship to the other parts of the sentence. Appositives are often introduced by words and phrases like “or,” “that is,” “namely,” “such as,” “for example,” and “in other words.” A **non-restrictive appositive** provides nonessential details about a noun or pronoun; a **restrictive appositive** provides information that is necessary to determine which one is meant. An “**appositive phrase**” includes the appositive and its modifiers.

**John Jones, the Company’s President, engaged our firm to draft an indemnification agreement.**

“[T]he Company’s President” is a nonrestrictive appositive providing useful but grammatically unnecessary additional information about John Jones.

**Board members Smith and Jones voted against the resolution.**

“Smith and Jones” is a restrictive appositive phrase providing necessary additional information about the board members. The

meaning of the sentence changes if the phrase is omitted: Board members voted against the resolution. Compare the sentence to this nonrestrictive appositive phrase: Only two Board members, Smith and Jones, voted against the resolution.

**Lawyers should heed the wisdom of Roman orator Cicero that advice is judged by results, not by intentions.**

“Cicero” is a restrictive appositive providing necessary information about *which* Roman orator. This sentence makes no sense without the appositive.

*Comment: Note that although most appositives are nouns that rename other nouns, appositives may also be and rename other parts of speech:*

**When the Testator dies, his will should be offered for probate; that is, filed of record with the probate court.**

In a sentence, a noun or noun substitute can be a subject, direct object, indirect object, subject complement, object complement, or the object of a preposition. Nouns sometimes function as adjectives by modifying other nouns. These are also called compound nouns.

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## 1.2 Pronouns

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A pronoun replaces a noun.

A pronoun is a substitute for a noun. An “**antecedent**” is the noun that the pronoun replaces. The pronoun is usually shorter than its antecedent, and use of pronouns helps avoid monotonous repetition.

**The client seeks compensation for his injury.**

**Because the partners’ tax return had not been completed, they filed for an extension.**

**The testator wanted his heirs to divide the residual equally.**

There are nine types of pronouns: personal, possessive, relative, interrogative, demonstrative, indefinite, reciprocal, reflexive, and intensive.

“**Personal**” pronouns replace nouns that refer to persons or things:

I, me	we, us
you	you
he, she, it, him, her	they, them

“**Possessive**” pronouns are personal pronouns that show ownership:

my, mine	our, ours
your, yours	your, yours
his, her, hers, its	their, theirs

“**Relative**” pronouns are used at the beginning of a subordinate clause to give some specific information about the main clause. A “relative” pronoun *relates* to the word it modifies; see how they are used in a sentence at Section 8.3.

that	whoever
which	whom
who	whose

The defendant is the one who is charged with the crime.

The licensor developed the software, which calculates foreign currency exchange rates.

“**Interrogative**” pronouns are used to ask a question. Interrogative pronouns often do not have an antecedent. There are five interrogative pronouns in modern English, all of which can also be used as relative pronouns:

who, whom, whose, what, which

“**Demonstrative**” pronouns identify specific things. There are four demonstrative pronouns in modern English<sup>5</sup>:

this, these, that, those

**Usage tip:** “This” is singular and refers to something close by. “These” is plural and refers to objects close by. “That” is singular and refers to something farther away. “Those” is plural and refers to objects farther away.

Demonstrative pronouns can also be used as demonstrative adjectives; the distinction depends upon whether the noun is replaced



(pronoun: I'll take this with me.) or supplemented (adjective: I'll take this book with me.).

**"Indefinite"** pronouns identify things that are not specified:

all	everybody	nothing
another	everyone	one
any	everything	several
anybody	few	some
anyone	many	somebody
anything	neither	someone
both	nobody	something
each	none	
either	no one	

**Anyone could have been a suspect.**

**Few were qualified to testify.**

**"Reciprocal"** pronouns are used when two or more people or things are doing the same thing. There are only two reciprocal pronouns, and they are both two words: each other and one another.

**They blamed each other for the error.**

**"Reflexive"** pronouns always act as objects of the verb, not the subjects, and are used when the object is the same as the subject. There are eight reflexive pronouns:

Myself, yourself, himself, herself, itself, ourselves, yourselves, themselves

**I wanted to finish the project myself.**

**"Intensive"** pronouns are the same as reflexive pronouns but are used differently. Intensive pronouns provide emphasis.

**I met with the President himself to finalize the terms of the transaction.**

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## 1.3 Verbs

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A verb is a word that describes action or a state of being.

Verbs are the second largest category of words in the English language. A verb shows what someone or something is, does, or has. Words like “testify,” “write,” “go,” “sell,” “transact,” “negotiate,” “advise,” “obtain,” and “decide” are verbs.

Each sentence has a subject and a verb. The verb in a sentence describes the status of the subject: what the subject does, is, or has. Verbs can be used alone to describe something that happens in the past or present, or combined with other verbs to express more sophisticated differentiations of time, like something that will happen at some point in the future. All verbs have five properties or aspects: tense, person, number, voice, and mood. There are several types of verbs.

Verbs are considered “**regular**” if the word can be made to describe something that happened in the past by adding –ed, like “testified,” “transacted,” “negotiated,” “advised,” “obtained,” and “decided.” Verbs are considered “**irregular**” if other changes are required to make the word refer to something that happened in the past, like “wrote,” “went,” or “sold.”

A “**transitive**” verb requires an object to complete its meaning: *The evidence shows*. . . . Without an object to provide additional information, the verb “shows” makes no sense. An “**intransitive**” verb does not require an object to complete its meaning; although an object can be added, it is not necessary to make the sentence complete: *The Court of Appeals affirmed*. Although additional words could be added, the verb “affirmed” completes this sentence without them.

A “**linking**” verb connects the subject to a word or group of words that describes or renames the subject: *The signature on the deed may be a forgery*. The verb “may be” links the subject to its subject complement, “forgery.”

“**Helping**” verbs like be, can, have, do, or will combine with a verb to alter its meaning in some subtle way. The helping verb may clarify the time an action takes, took, or will take place, or it may be used to describe an action in progress. The helping verb and the main verb form a “**compound verb**.” *The 16-year old defendant can be tried as an adult*. In this sentence, the helping verbs “can” and “be” combine with the verb “tried” to modify its meaning. Rather than stating that the 16-year old defendant is tried as an adult, the helping verbs in this sentence combine to clarify that being tried as an adult is an option.

An “**infinitive**” is made by adding “to” to the present tense of any other verb: *To be or not to be, that is the question*. The odd thing about an infinitive is that adding “to” to a present tense verb converts it to a noun, adjective, or adverb.

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## 1.4 Adjectives

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An adjective describes a noun or pronoun.

An adjective is a word that is used to describe, restrict, qualify, or modify a noun or pronoun. An adjective provides additional information about the noun or pronoun, like which one, what kind, or how many. Here are a few examples of adjectives:

**large, brown, intense, old, young, terrific, Asian, new, formidable, transactional, modern, contemporary, easy, simple, quick, handy, experienced, useful, additional, round, square, antique, delicious, exotic, bland, smooth, callous, innocent**

A “**cumulative**” adjective refers to two or more descriptive words used directly before a noun.

**The difficult issue challenged the plaintiff’s legal team.**

In this sentence, “difficult” is an adjective, and “plaintiff’s legal” is a cumulative adjective. An adjective usually comes before the word it modifies, but not always. Adjectives may not be pluralized in the English language.

**Usage tip:** Adjectives customarily are used in the following order:

Article	a, an, the
Evaluator	words that assess the noun or pronoun, like fascinating, interesting, morbid, obnoxious, curious, best, least
Size	large, small, 10-inch
Shape	round, square, oblong
Age	young, old, teenager, spinster, 8-year-old, new
Color	red, black

Nationality or region Asian, Persian, English, Southern  
Religion Baptist, Christian, Islamic, Catholic  
Noun

So: article, then evaluator, then size, then shape, then age, then color, then nationality or region, then religion, then the noun, like this:

*a fascinating large round antique bronze Mediterranean Jewish artifact.*

Of course, it's not necessary to use all of the categories of description, but the ones that are used should appear in the correct order:

*a fascinating antique Jewish artifact; not a Jewish fascinating antique artifact.*

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## 1.5 Adverbs

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An adverb describes a verb, an adjective, or another adverb.

While adjectives tell what or which, adverbs tell when, where, how, and why. Many adverbs are made by adding *-ly* to an adjective: simple, simply; quiet, quietly; odd, oddly; peaceful, peacefully; formal, formally; perfect, perfectly. Some adverbs don't end in *-ly* however, (e.g., always, here, there, forever, not, now, often, quite, then) and some adjectives do end in *-ly* (lovely, timely), so the best way to distinguish adverbs and adjectives is to determine how they function in a sentence.

If the word modified is a noun or a pronoun, use an adjective; if the word modified is a verb, an adjective, or an adverb, use an adverb.

**The selling shareholders cooperated with the management of the acquiring company to ensure a smooth transition.** [*"smooth" is an adjective modifying the noun "transition."*]

**The transition occurred smoothly because the selling shareholders cooperated with management.** [*"smoothly" is an adverb modifying the verb "occurred."*]

Some adverbs are negative and generally should not be used with another negative word:

**not, seldom, rarely, never, hardly, hardly ever, almost never**

Adjectives and adverbs can be used for describing a single item or action or for comparing two or more items or actions. Most adjectives and adverbs have three forms: positive, comparative, and superlative. A positive adjective or adverb does not draw a comparison; any comparison between two things uses a comparative adjective or adverb, while a comparison of more than two things uses a superlative adjective or adverb.

**1. Comparatives and superlatives of most one- and two-syllable adjectives and adverbs are formed by adding -er for comparative and -est for superlative to the positive form:**

Positive:	young	bold	quick	smart	big
Comparative:	younger	bolder	quicker	smarter	bigger
Superlative:	youngest	boldest	quickest	smartest	biggest

**2. Comparatives and superlatives of longer adjectives and adverbs use “more” and “most” for increasing comparisons and “less” and “least” for decreasing comparisons:**

Positive: A lawyer must pay careful attention to details.

Comparative: Some lawyers are more careful than others.  
Some lawyers are less careful than others.

Superlative: He is the most careful lawyer I’ve ever met.  
He is the least careful lawyer I’ve ever met.

**3. The comparative and superlative forms for some adjectives are irregular because they are formed using other words:**

Positive:	good	bad	many	little	some	far
Comparative:	better	worse	more	less	more	farther/further
Superlative:	best	worst	most	least	most	farthest/furthest <sup>6</sup>

**4. Some adjectives have no comparative or superlative form because it is illogical to express absolute concepts in degrees:**

unique, perfect, straight, favorite, empty, deceased, antique, priceless, round<sup>7</sup>

Common errors with comparatives and superlatives:

- Doubling up: most happiest
- Using the wrong form: perplexingest, more tall
- Using the wrong comparison: oldest of two brothers, older of three sisters
- Missing irregular forms: badder, goodest
- Comparing absolutes: unikest, more favorite

Adverbs are highly flexible and can be used virtually any place in a sentence. When a group of words that does not contain a subject and a verb acts as an adverb, it is called an **adverbial phrase**. Prepositional phrases and infinitive phrases can function within a sentence as an adverb, but an adverbial phrase can be formed without a preposition or infinitive: *as often as possible*. A clause can also act as an adverb; it is called an **adverbial clause**.

Adverbs are used to describe **manner** (*slowly, confidently, skillfully, impatiently, angrily, mildly*); **place** (*here, there, nearby*); **frequency** (*never, once, every week, sometimes, often, usually, always*); **time** (*now, finally, then, later, early, tomorrow, next month, not yet, already*); **intensity** (*very, quite, extremely, particularly, rather, almost, to some extent*); and **purpose** (*so that, in order to, to avoid, to obtain*).

The witness testified solemnly and spoke quietly. (*manner of testifying and speaking*)

The corporate offices of Home Depot are in Atlanta, Georgia. (*prepositional phrase acting as an adverb to describe place*)

Depositions rarely take longer than a day to complete. (*frequency*)

I will inform you of my client's decision tomorrow. (*time*)

To avoid litigation, the employee was offered a generous severance package. (*infinitive phrase functioning as an adverb to describe purpose*)

A **conjunctive adverb** is sometimes used to link independent clauses within a sentence. When a conjunctive adverb is used, it is preceded by a semicolon and usually followed by a comma: *We complied with all the rules and regulations known to us at the time; however, we were*

*not aware of this exception.* Note that this rule marks a key and rather arbitrary difference between coordinating conjunctions (*and, but, or, nor, for, so, and yet*), which are preceded by a comma rather than a semicolon when used to link independent clauses. See Section 8.2 for more on how to link independent clauses with conjunctive adverbs. See Section 9.4 for more on how to use conjunctive adverbs to create smooth transitions.

These are conjunctive adverbs; notice that two are prepositional phrases that function as conjunctive adverbs:

accordingly	in addition	now
also	incidentally	otherwise
anyway	indeed	similarly
besides	in fact	specifically
certainly	instead	still
consequently	likewise	subsequently
conversely	meanwhile	then
finally	moreover	thereafter
further	namely	therefore
furthermore	nevertheless	thus
hence	next	undoubtedly
however	nonetheless	

Ordinal numbers are sometimes used as adverbs with an *-ly* (*firstly, secondly*) but a better practice is to use the uninflected ordinal number (*first, second, third, fourth*).

**Usage tip:** Like adjectives, adverbs are arranged in a particular order by custom, although the custom is more flexible with respect to adverbs:

Manner	stealthily
Place	in the lobby
Frequency	every morning
Time	before rush hour
Purpose	to obtain a photograph

So: manner, then place, then frequency, then time, then purpose, like this:

*The paparazzi wait stealthily in the lobby every morning before rush hour to obtain a photograph of the plaintiff, who is a local celebrity.*

It is not necessary to use all of the categories of description; in fact, avoid stringing so many phrases together that a sentence becomes unwieldy. Sometimes, an adverb or adverbial phrase is moved to the beginning of the sentence to place special emphasis on that particular element:

*Every morning, the paparazzi wait stealthily in the lobby before rush hour to obtain a photograph of the plaintiff, who is a local celebrity.*

Words like “not” and “never” are usually contained within a verb phrase, but these words are adverbs. Negative adverbs like *seldom*, *rarely*, *in no way*, *no sooner*, *on no condition*, and *hardly* create a negative meaning in a sentence without the use of *no*, *not*, *neither*, *nor*, and *never* in the verb phrase. The once-taught rule against using two negatives in a sentence is simplistic and particularly burdensome to observe in legal writing, where sentences can be composed of several clauses and phrases; nevertheless, novice legal writers should exercise caution in using more than one negative word in a sentence to avoid ambiguity. For example, does “I do not disagree” mean that I agree?

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## 1.6 Articles

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Articles are words used to introduce nouns and to signal whether nouns are definite or indefinite.

The English language has three articles: a, an, and the. These words are sometimes called “noun markers” or “determiners” and some grammarians classify them as adjectives because they provide information about the nouns they modify. The articles “a” and “an” are *indefinite*: “a piece of paper” does not identify a particular piece of paper. “The” is a *definite* article: “the piece of paper” refers to a specific item. Sometimes, an indefinite article is used to introduce a noun, and the definite article is used to refer to the same noun afterwards (as in this sentence, for example). Here is another example: *A new tax law was passed by Congress last month. The law provides that taxpayers. . .*



Use “the” to refer to a specific noun or pronoun. Use “a” before a word that begins with a consonant sound; use “an” before a word that begins with a vowel sound. (Note: the most important word in the preceding sentence is “sound” both times it appears!) When an adjective or adverb is used between the article and the noun or pronoun, the determination of whether to use “a” or “an” is based on the sound of the word immediately after the article.<sup>8</sup>

**an appeal   a court   a defendant   an opposing counsel   a temporary order   an honor   an hour   an annotated code   a unique occupation**

Indefinite articles generally are not used with noncount nouns without adding other words. For example, you would not say “a grain” or “a water” unless you meant “a grain of sand” or “a water bottle.”

**Usage tip:** Omitting articles can cause ambiguity in some instances. For example, does “a client and director” signal one person or two? If two are intended, two articles should be used. Articles are commonly omitted before plural countable nouns that do not refer to specific items (e.g., “the investment banker sold bearer bonds”); before plural nouns that have general meanings (benefits); and in certain common expressions (go to college, go to church, Congress).

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## 1.7 Prepositions

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A preposition is a connecting word used to establish a relationship between words in a sentence.

A preposition is used to form a phrase that modifies another word in the sentence. A **prepositional phrase** includes the preposition and its object, which is usually a noun or pronoun. Prepositional phrases usually function as adjectives or adverbs by providing additional information about the words they modify.

**Competition among international companies is protected by the World Trade Organization.**

In this sentence, “among” is a preposition; its object is “companies”; the prepositional phrase “among international companies” acts as an adjective modifying “competition” by providing additional information about what kind of competition. “By” is also a preposition and its object is “World Trade Organization”; the prepositional phrase “by the World Trade Organization” acts as an adverb providing additional information about how it “is protected.”

**Filings in the bankruptcy court have decreased by 25% since the new legislation came into effect.**

This sentence contains four prepositional phrases: “in the bankruptcy court” provides additional information about filings; “by 25%” provides information about “have decreased”; “since the new legislation” provides more information about “when”; and “into effect” modifies “came.”

The object of the preposition can never be the subject of the sentence, although occasionally the prepositional phrase itself may function as the subject.

At issue in the hearing were the firm’s billing practices as settlement agent. [*The words “issue” and “hearing” are objects of prepositions but neither of these words are the subject of the sentence; the subject is “at issue.”*]

After 11:00 will be a good time for the conference call. [*Most prepositional phrases used as subjects contain a date or time reference, like “after 11:00.”*]

The English language has a finite number of prepositions, but some prepositions are more than one word. Although most words can serve as nouns, adjectives, adverbs, and verbs, as a general rule prepositions cannot change form.<sup>9</sup> The most commonly used prepositions are included in the following list:

<b>about</b>	<b>apart from</b>	<b>before</b>
<b>above</b>	<b>around</b>	<b>behind</b>
<b>according to</b>	<b>as</b>	<b>below</b>
<b>across</b>	<b>as for</b>	<b>beneath</b>
<b>after</b>	<b>as regards</b>	<b>beside</b>
<b>against</b>	<b>as to</b>	<b>besides</b>
<b>along</b>	<b>as well as</b>	<b>between</b>
<b>along with</b>	<b>at</b>	<b>beyond</b>
<b>among</b>	<b>because of</b>	<b>by</b>

<b>by means of</b>	<b>inside</b>	<b>since</b>
<b>by reason of</b>	<b>instead of</b>	<b>than</b>
<b>by way of</b>	<b>into</b>	<b>through</b>
<b>concerning</b>	<b>like</b>	<b>throughout</b>
<b>considering</b>	<b>near</b>	<b>till</b>
<b>despite</b>	<b>next</b>	<b>to</b>
<b>down</b>	<b>next to</b>	<b>toward</b>
<b>due to</b>	<b>of</b>	<b>under</b>
<b>during</b>	<b>off</b>	<b>underneath</b>
<b>except</b>	<b>on</b>	<b>unlike</b>
<b>except for</b>	<b>on account of</b>	<b>until</b>
<b>excepting</b>	<b>onto</b>	<b>unto</b>
<b>for</b>	<b>opposite</b>	<b>up</b>
<b>from</b>	<b>out</b>	<b>up to</b>
<b>in</b>	<b>out of</b>	<b>upon</b>
<b>in addition to</b>	<b>outside</b>	<b>with</b>
<b>in case of</b>	<b>over</b>	<b>with reference to</b>
<b>in front of</b>	<b>past</b>	<b>with regard to</b>
<b>in lieu of</b>	<b>plus</b>	<b>with respect to</b>
<b>in place of</b>	<b>regarding</b>	<b>with the exception of</b>
<b>in regard to</b>	<b>respecting</b>	<b>within</b>
<b>in spite of</b>	<b>round</b>	<b>without</b>

Some expressions formed with prepositions, especially those favored by lawyers, are idiomatic; the distinctions between which prepositions to use can be peculiar and sometimes defy logic, as well as the rules of conventional grammar. For example, “in accordance” is always followed by “with” while “according” is always followed by “to.” Here’s a list of other idiosyncrasies common to legal practice:

- in accordance with**
- according to**
- agree with a person**
- agree to a proposal**
- agree on basic contract terms**
- argue about an issue**
- argue with a person**
- charge for billable hours**
- charge with a crime**

compare to something in a different class  
compare with something in the same class

complain about her reckless indifference  
complain to the proper authorities

concur with Judge Hull  
concur in this opinion

contend with opposing counsel  
contend for the jury's favor

Other common idiomatic legal expressions:

accuse <u>of</u>	interfere <u>with</u>	rely <u>on</u>
capable <u>of</u>	object <u>to</u>	responsible <u>for</u>
comply <u>with</u>	prior <u>to</u>	similar <u>to</u>
independent <u>of</u>	protect <u>against</u>	
interested <u>in</u>	reason <u>with</u>	

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## 1.8 Conjunctions

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Conjunctions are words used to connect words or groups of words.

Sometimes, conjunctions are used to connect two or more separate words or phrases (e.g., indemnify and defend; red and black; tall, dark, and handsome) and sometimes conjunctions are used to connect independent and dependent clauses. (e.g., He entered a plea of not guilty and filed a motion to dismiss all outstanding charges.)

**1. Coordinating conjunctions connect words and phrases that are elements having an equal grammatical rank. The English language has seven coordinating conjunctions.**

and, but, or, nor, for, so, and yet

*Note: The CEO and the corporate Secretary may not have equal authority to act on behalf of a corporation, but in the following sentence, the two words have the same grammatical rank: "The President and Corporate Secretary called the Shareholders' meeting to order" because the words "President" and "Corporate Secretary" are nouns used to identify who is acting. That the*

*people have different ranks in real life does not affect the way the nouns are used in the sentence.*

**2. Correlative conjunctions are usually used in pairs to relate one word or phrase to another. The following are correlative conjunctions:**

either . . . or  
neither . . . nor  
not only . . . but also  
whether . . . or (or whether . . . if)<sup>10</sup>  
both . . . and

**3. Subordinating conjunctions are used to introduce a subordinate clause and signal its relationship to the rest of the sentence. The following are subordinating conjunctions. (See Section 8.3 for information on how to use subordinating conjunctions in a sentence.)**

after	if	until
although	in order that	when
as	once	whenever
as if	rather than	where
as though	since	wherever
because	so that	whether
before	than	while
even if	that	why
even though	though	
how	unless	

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## 1.9 Interjections

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Interjections are special expressions of surprise or strong emotion.

Interjections are words used for dramatic effect or emphasis. Interjections are not grammatically related to the rest of the sentence. They should be used extremely rarely in legal writing, although interjections are sometimes used like firecrackers to grab attention and to

spice up spoken language in oratory, political speeches and debates, and oral arguments in courts.

**My goodness! Are you telling this court that you didn't cheat on your spouse?**

**Wow, that's hard to believe!**

**What on earth were you doing in that part of town after midnight?**

**Oh, no! That's not true!**

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## Conclusion

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The nine parts of speech identified in this Lesson are the components used to create powerful sentences. It can at times be difficult to identify the part of speech for a particular word because the English language offers nearly endless variety. Most words in the English language can function as more than one part of speech; whether a word is a noun, verb, adjective, adverb, preposition, conjunction, or interjection depends upon how it is used in the sentence. For example, the word "control" can be a noun (having control of the meeting), a verb (to control the meeting), or an adjective (controlling influence).

## NOTES

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1. Dionysius Thrax lived from approximately 170 B.C. to 90 B.C., primarily in Alexandria, although he taught at Rhodes. He is credited with writing the *Art of Grammar*, believed to be the first book on grammar, though many scholars are skeptical that he wrote the entire book himself because of internal differences in style.
2. The parts of speech continue to jockey for position as language evolves over time. For example, articles, which were an original part of speech under Thrax's scheme, fell out of favor during the Roman Empire because Latin doesn't use articles. Adjectives were apparently added as a category in 1761 when participles were omitted as a separate category. In the twenty-first century, some grammarians might omit "interjections" as a separate category but would substitute "articles," yielding still eight parts of speech.
3. Ironically, the word "verb" is also a noun because it names a specific category of words!
4. Do not capitalize compass directions or locations that aren't being used as names, e.g., heading south for the winter.
5. Some grammarians include "none" or "neither" as demonstrative pronouns; the poetic but archaic word "yon," as in "over yon hill" would also be a demonstrative pronoun.
6. "Far" is considered irregular because the "th" is inserted to create the comparative and superlative forms. Generally, "farther" is used to refer to physical distance: *Continue farther along Main Street and the courthouse is on the left*; "further" is used more figuratively to refer to an addition of sorts: *The Defendant's arguments can be further refined*. In situations where the distinction between physical distance and figurative addition is blurred, authorities like the *Oxford English Dictionary* and *Fowler's Modern English Usage* allow the words to be used more or less interchangeably: *I am farther/further along in my career than you. [equally acceptable]* If the phrase "in addition" could be sensibly substituted, however, "further" should always be used: *Further, plaintiff requests compensatory damages in the amount of \$1,000,000.*
7. Note that an item that is round cannot be rounder, but the comparative form of round could be used correctly if the item is not round in the first place: "The new car design features rounder panels to soften the boxy appearance of the 2010 model."
8. As the English language continues to evolve, at least in the United States of America, I despair of the chances for survival of the indefinite article "an." With alarming frequency, people who should know better, like broadcast journalists, public speakers, politicians, and even Presidents,

continue to blur the distinction, using “a” as a one-size-fits-all determiner even when the sound of their own errors should cause them to cringe like fingernails on a chalk board. The problem is far worse in spoken language than in written, but historically speaking, as the spoken word goes so eventually goes the written language.

9. Of course, everyone knows that rules are made to be broken, especially esoteric rules of grammar, and so in certain instances some words that usually perform other functions *can be* considered prepositions. For example, “but” is usually used as a conjunction but can be used as a preposition in certain instances especially with the addition of “for” as in “but for.” For example, *Everyone but him was given paternity leave under the Family Medical Leave Act. But for her poise and grace under fire, their negotiations would have failed to produce a satisfactory settlement.* Similarly, the word “since” can function as a preposition, an adverb or a subjunctive conjunction: *I’ve known her since law school (preposition). Defendant has since filed a motion to dismiss (adverb describing when). The executor relinquished control of all title documents since the assets had been conveyed to the intended heirs (subordinating conjunction).*
10. Note that in legal writing, the “or” after “whether” is considered redundant and should be omitted in framing legal issues: *The question presented for review is whether [or not] the trial court erred in finding the disputed language to be ambiguous.* See Section 12.5.