

Simplicity is true wisdom

From The #Tlo, April 3.

Flocci..What?

Magistrate uses a 29-letter word. And, unwittingly, makes the case for simple, stylish English

Floccinaucinihilipilification said a Delhi magistrate, while dismissing a plea. He could have said the petition was without merit, meaning basically the same thing. Let us respond in kind. He, clearly, doesn't suffer from hippopotomonstrosesquipedaliophobia, fear of long words. Also, he's a sesquipedalian, a person who uses long words. But he should know that, while some – Tharoor in India and Jacob Rees-Mogg in UK, are two politicians who come to mind – may be impressed, the litigant, likely, had to reach for the dictionary, an unnecessary hassle in a judicial system defined by hassle. And, may we, humbly, say: long words do not necessarily signal linguistic talent.



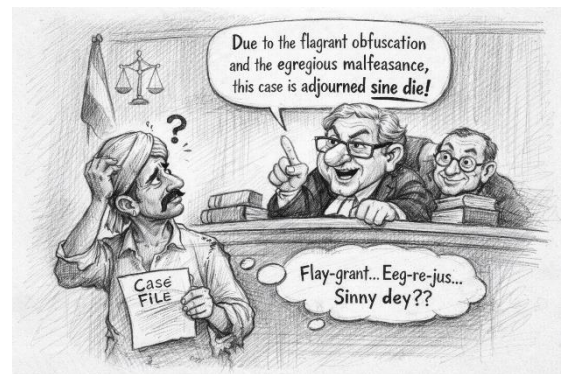
But let's be broadminded. For some lovers of the English language, sesquipedalianism is the thing. They find joy in using monstrously polysyllabic words in real-life situations. But, CJI after CJI has laboured the point – longwinded, complicated, confusing and bombastic verdicts and obiter dicta, borrowing from the archaic, and leaning into hoary Indian fetishes of “mastering” the Queen's language, belong in The Great Dustbin Of Legal History. It is not magisterial, but painful, to suffer a 'circumlocutory' order that can trigger lockjaw.

It is challenge enough for language to survive insta-vocabulary, where idioms and phrases are acronymised into meaningless, vowel-free existence, yet pass off as legitimate speech. To add to that burden, over-long words, which only spellers need be familiar with, are doing the language a disservice. If anything, it gives us pause. For, surely, the essence of communication is to ensure the listener interprets the speaker, exactly how the speaker intends. Anything less is a failure of communication. When linguistic talent sounds more like mushy linguini, it's best to say, Duh!

Mr. Magistrate, what did you achieve by using this tongue-twisting word. Even after reading this word in the clipping, I am not able to pronounce it.

The basic principle of law is that a statutory instrument or a judicial verdict ought to be so simple that it can be understood by a common man. There was a time when lawyers felt harassed by high-sounding words of late Justice V.R. Krishna Iyer. The fellow Judge, Justice V.D. Tulzapurkar, took up the issue and expressed the concern of others in the following words, “... prefaces and exordial exercises, perorations and sermons as also theses and philosophies

(political and social), whether couched in flowery language or language that needs simplification, have ordinarily no proper place in judicial pronouncements. In any case, day in and day out indulgence in these in almost every judgment, irrespective of whether the subject or the context or the occasion demands it or not, serves little purpose, ...” [Manohar Nathurao Samarth v. Marotrao, (1979) 4 SCC 93]



The Judges whose judgments I admire from the point of simplicity of language are Justice Markandey Katju, Justice Yogesh Kumar Sabharwal and Lord Denning. You understand what they are saying whether you agree or do not agree with what they are saying.

While sitting inside Supreme Court and High Courts, I often wonder why at all these learned lawyers are so much fancied by English language. Even in casual conversation in court, they prefer

English. Don't we have any language of our own? If someone speaks in Hindi or in some local language, he or she is considered as rustic lawyer. He may not make good impact on his learned colleagues and so-called elite clients but at least I am not deterred. For me, English is a compulsion while addressing the court because English is the constitutionally recognised langu-

age for the Supreme Court and High Courts but I do not like to use it in casual conversation. Subject to this compulsion, why should I ignore my country's language? Why should I expose slavery of my mind? I prefer simple and clear words of my own language.

