

# **Lunch and Learn Writing<sub>2</sub>**

## **Using Active and Passive Voice**

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# What is Voice

- In English grammar, verbs have five properties: voice, mood, tense, person, and number.
- The relationship between the subject of the sentence and the verb is called voice.
- Voice is the form a verb takes to indicate whether the subject of the verb performs or receives the action.
- The two grammatical voices are **active and passive**.

# Active Voice

Active voice is used to show that the subject of the sentence is performing or causing the action. Because the subject does or "acts upon" the verb in such sentences, the sentences are said to be in the active voice.

## Example:

The cow jumped over the moon.

Cow is the subject of the sentence. Jumped is the verb.

The subject (cow) is performing the action (jumped). Therefore the verb is in active voice.

# Passive Voice

Passive voice is used when the subject is the recipient of the action. One can change the normal word order of many active sentences (those with a direct object) so that the subject is no longer *active*, but is, instead, being *acted upon* by the verb - or *passive*.

## Example:

The moon was jumped over by the cow.

Moon is the subject. Was jumped is the verb.

Cow is the object.

Moon (subject) is being acted up by cow the (object).

## Passive Voice

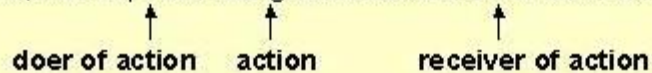
The Passive voice is used in English:

- (a) To stress the action done rather than the doer of the action.
- (b) If the doer is unknown.
- (c) When it is more convenient.

- Because passive voice sentences necessarily add words and change the normal **doer-action-receiver of action** direction, they may make the reader work harder to understand the intended meaning.
- As the examples below illustrate, a sentence in active voice flows more smoothly and is easier to understand than the same sentence in passive voice.

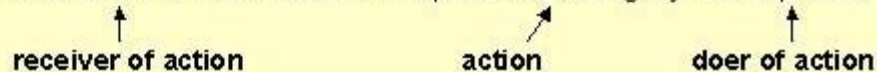
### ACTIVE VOICE

At each concert, the soprano sang at least one tune from a well-known opera.



### PASSIVE VOICE

At each concert, at least one tune from a well-known opera was sung by the soprano.



# Why does it matter?

- STRONG WRITING USES ACTIVE VOICE
- Active voice is more direct. Compare the following: Active: The waiter dropped the tray of food. Passive: The tray of food was dropped by the waiter.
- The active voice is less awkward and clearly states relationship between subject and action. Compare the following: Passive: Your request for funding has been denied by the review committee. Active: The review committee denied your request for funding.
- The active voice sentence pattern propels the reader forward through your writing, thus avoiding weak prose.

# Writing in Passive Voice – The Verb “To be”

## What are the forms of “to be”?

Infinitive	to be
Present	am, is, are
Past	was, were
Present Participle	being
Past Participle	been
Present Subjunctive	be
Past Subjunctive	were
Imperative	be

Note the forms of "to be" in the examples of the verb "to kick":

is kicked	has been kicked
had been kicked	can be kicked
was kicked	was being kicked
is going to be kicked	should be kicked
is being kicked	
will be kicked	

# The Passive Voice Can Create Ambiguity

According to Plain English for Lawyers,

- No matter what the verb tense – past, present, future, or something more complicated – the key difference between the active and passive voice remains the same: in the active voice, the subject of the sentence does the acting, but in the passive voice, the subject of the sentence is acted upon.
- The passive voice takes more words than the active voice, but that is not the only disadvantage. The passive voice can be ambiguous. With the active voice, you can usually tell who is doing what to whom. With the passive voice, however, the writer can hide the identify of the actor. That construction is called “truncated passive.” For example, A kicking action was accomplished. This hides the kicker and the kickee. (30)



# The truncated passive can be especially troublesome in legal writing.

Consider this patent license agreement:

- ▶ All improvements of the patented invention that are made hereafter shall promptly be disclosed, and failure to do so shall be deemed a material breach of this license agreement.
- ▶ Who must disclose improvements to whom?
- ▶ Must the licensor disclose improvements it makes to the licensee?
- ▶ Must the licensee disclose improvements it makes to the other party?
- ▶ If it ever becomes important to know, the parties will probably have to slug it out in a lawsuit, all because of the truncated passive voice. (31)

# When to use Passive Voice

- In general, the passive voice is less direct, less forceful, and less concise than the active voice.
- Use the passive voice in the following situations: Use passive voice when you do not know or do not want to reveal the performer of an action. Use passive voice when you want to emphasize the receiver of an action.
- Examples: Awkward Passive: My bicycle was repainted by John. Deliberate Passive: My bicycle was repainted. (The performer is not mentioned and the emphasis is on the bicycle.)
- Form of Passive Voice Verbs: The passive voice requires a "double verb" and will always consist of a form of the verb "to be" and the past participle (usually the "en/ed/t/ing" form) of another verb.
- Example: Active: John baked the bread. Passive: The bread was baked by John. (Was is a form of the verb "be".)

- ▶ When intentionally trying to hide the subject of the sentence. A classic example is President Ronald Reagan's quote, "Mistakes were made."

Does hiding the subject help him hide the blame?

- When intentionally trying to minimize the guilt of the subject.

If you are appealing a bad evidentiary ruling, you might say, "Judge Gunther admitted the hearsay evidence over trial counsel's objection." Yet, if you are appearing before Judge Gunther on a motion to reconsider his erroneous ruling, it may be advantageous to be less aggressive in your phrasing. A passive version of the same allegation would be, "The hearsay evidence was admitted over trial counsel's objection." Using the passive voice decreases the likelihood that Judge Gunther will feel personally attacked.

- ▶ When passive voice better emphasizes the main point of the message, such as "Children were harmed by the drunk driver."
- ▶ You may also find passive voice useful when you do not know who performed a particular action. The sentence, "A shot was fired," allows you to include the critical detail of a shot being fired, even if you don't know who fired it.

# Let's Practice

*Find the verbs in the following passage. Identify them as active or passive.*

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On June 30<sup>th</sup> of last year, the new sex offender registration statute went into effect. It required George Longbottom to register within 30 days, and Longbottom did so on July 15<sup>th</sup>.

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On July 30<sup>th</sup>, Longbottom was arrested by Police Lt. Smith. Longbottom was arrested for failing to "update" his sex offender registration between July 17<sup>th</sup> and July 22<sup>nd</sup>, as the registration statute requires. The registration statute makes failure to update an independent felony.

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At his trial before a judge, Longbottom's counsel argued that Longbottom did not need to "update" his registration, because nothing had changed in the few days since his registration on July 15<sup>th</sup>. The trial judge rejected that argument and found Longbottom guilty.

# Let's Practice

- **Directions: Change the sentences below to the active voice.**
  1. The statue is being visited by hundreds of tourists every year.
  2. My books were stolen by someone yesterday.
  3. These books had been left in the classroom by a careless student.
  4. Coffee is raised in many parts of Hawaii by plantation workers.
  5. The house had been broken into by someone while the owners were on vacation.

# Active v. Passive

- ▶ Courts and attorneys generally prefer active sentences to passive sentences in legal writing.
- ▶ Passive voice does have its place, but active voice makes legal writing clearer, stronger, and more brief.
- ▶ Passive sentences may be helpful in preventing repetitive sentence structures. Starting multiple sentences with the same subject may be awkward. If the subject is obvious, including an occasional passive sentence may make your writing flow better.
- ▶ Passive sentences are not grammatically incorrect, as some argue. The best legal writers use the passive voice selectively to create specific, intended results.



# Works Cited

Wydick, R. C. Plain English for Lawyers. Fifth edition.  
California Academic Press. 2005.

