

Double Trouble: the story of Legal Doublets in English

(and why you should care!)

By Thea Jaffe – <https://www.languageservicesdirect.co.uk/legal-doublets-what-are-they-blog-2/>

Legal Doublets are two near-synonyms joined by a conjunction and used together as one term in legal writing. Similarly, Legal Triplets are three near-synonyms used together as one term. Here are some key features of both:

- They tend to retain the same word order – for example, “each and every” is a legal doublet whereas “every and each” is not
- Often, each word in the doublet or triplet has roots in a different medieval language – Germanic Old English, Norman French, or Latin
- They are often, but not always, alliterative – i.e.: “aid and abet”, “part and parcel”, “lewd and lascivious”, and “rest, residue and remainder”

Where are they found?

Legal doublets are everywhere in English, from the fine print on a purchase (think “terms and conditions”) to wedding vows (“to have and to hold”). In current everyday usage they may be “few and far between,” however they still appear frequently in contemporary law. Because the words in doublets and triplets are not exact synonyms, this can cause a lot of confusion for translators of legal documents.

Where do they come from?

The story begins in 1066, when William the Conqueror defeated King Harold of England at the Battle of Hastings. Following the invasion, William put French nobility in charge of the English. This created a bilingual environment where French was the language of the elite, and English the language of the working-class. Over the course of the occupation, English absorbed about 10,000 French words and evolved from “Old English” into “Middle English”. Medieval writers and lawyers felt they had to use words from both languages in order to ensure documents would be understood and respected by all. For example:

Old English/ Germanic	Norman-French	Medieval lawyers would write
Breaking	Entering	Breaking and entering
Goods	Chattels	Goods and chattels
Lands	Tenements	Lands and tenements
Give	Grant	Give and grant
Keep	Maintain	Keep and maintain

Frequently used doublets became an ingrained feature of Middle English, and eventually the habit of doubling became the fashion so that we also see French words paired together, and English words paired together:

All-French Legal Doublets	All-English Legal Doublets
Aid and abet	Have and hold
Cease and desist	Each and every
Terms and conditions	By and with

What should we do about them?

Some experts advise that legal doublets should be avoided as they cause unnecessary wordiness and confusion. This makes sense, especially considering that these terms arose in a totally different cultural context. However, it's still important to be aware of them when translating and interpreting existing documents. Due to the subtle differences between the near-synonyms in doublets and triplets, it may be almost impossible to replicate the meaning of a legal document if these are replaced with single words.

For English language learners, however, studying legal doublets and triplets can be a great way to build vocabulary, as they highlight slight differences between near-synonyms which go undetected in your standard textbook vocab lists. For example, can you explain the difference between "true" and "correct", or between "each" and "every"?

A. Complete these somewhat common legal doublets using the words in the box.

between bounds change clear conclusive correct encumbrances
 henceforth hindrance lease loss memory misdemeanors
 obligate perform satisfaction say stray supply

accord and

alter or

bind and

by and

demise and

depose and

final and

free and

from now and

furnish and

high crimes and

keep and

let or

liens and

metes and

mind and

profit and

true and

waif and

B. Match the following legal doublets to their definitions. Write the correct letter in the box which follows each doublet.

Drag the letter and drop it into the correct box.

Doublet	Definition
1. acknowledge and confess	A. Having some type of weapon and willing to use it
2. aid and abet	B. to watch over and attend
3. armed and dangerous	C. judge something or someone to
4. care and attention	D. This describes anything that cannot be enforced legally.
5. cease and desist	E. Admit to be true or as stated
6. deem and consider	F. The methods and resources used for achieving something.
7. fit and proper	G. Officially approved or verified; successfully executed or completed.
8. null and void	H. A mandate to stop allegedly illegal activity.
9. signed and sealed	I. satisfactory, decorous, good
10. ways and means	J. To assist another in the commission of a crime by words or conduct.

C. Complete the sentences below using the doublets from exercise B.

1. It also discussed _____ of establishing an enabling environment for PPPs regarding financing and legislation.
2. That the Criminal Code be amended to enable a sentencing judge to order a psychiatric or psychological assessment of the accused for the purpose of determining a _____ sentence.
3. We have introduced legislation where the government can seize the proceeds of crime, which it _____ to be proceeds.
4. Anti-immigration policies _____ traffickers.
5. Let the divines, therefore, assemble and choose unanimously one miracle, and let them stipulate in writing that once it has been performed, they will no longer entertain any doubt, but will all _____ the truth of this Cause.
6. The amount of hands-on _____ horses demand rivals that required by your children.
7. Once the contract is _____, we'll send an engineer to the house to set up the new satellite dish.
8. The most wanted fugitives on this list are all considered _____.
9. I would invite the member across the table from me to _____ these tactics that are beneath his reputation.
10. However, article 9 provides that customary practices inconsistent with the Constitution shall be _____.

D. Here are some more legal doublets with their definitions. Read through the notes and then complete the sentences which follow with one of the doublets.

all and sundry - *one and all in the sense of both collectively and individually.*

appropriate and proper - *Suited or acceptable to the purpose or circumstance.*

assault and battery - *A criminal act involving both a threat of violence and actual physical contact with the victim.*

breaking and entering - *The entering of another's premises without authorization, especially after the use of illegal means such as forcing a lock.*

covenant and agree - *A contract or written promise between two individuals that frequently constitutes a pledge to do or refrain from doing something.*

due and payable - *A specified amount of money is required, and the time has arrived for it to be requited.*

expressed or implied - *An offer in which a proposal is made verbally or in writing; a proposal inferred by the actions of the parties involved.*

goods and chattels - *The things that you own other than land and buildings.*

to have and to hold - *In marriage vows this indicates the intention of the parties to be joined together as one. (The opening words, or **habendum** clause, found in a deed to real property, which describes the ownership rights of the individual to whom such property is being conveyed.)*

heirs and successors - *Those who will legitimately inherit something in the future.*

indemnify and hold harmless - *To protect against actual and potential losses.*

law and order - *The orderly arrangement of society in which people follow laws and are not disruptive.*

legal and valid - *Having force or authority under the law; an act, deed, will, and the like, which has received all the formalities required by law.*

over and above - *More than usual; in or at a position higher than*

part and parcel - *A basic or essential portion*

perform and discharge - *To execute, to carry out, to do*

sale and transfer - *Accepting an offer of money in return for property and consigning the deed, which completes the process.*

sole and exclusive - *not divided or shared with others (exclusive rights)*

terms and conditions - *An agreement that sets the rules and guidelines that users must agree to and follow in order to access and use your business or service.*

will and testament - *A legal document that expresses a person's wishes as to how their property (estate) is to be distributed after their death.*

1. The European Union should not always be, as it were, making recommendations to _____ on the basis of our values.

2. Contributions shall be _____ in full at the beginning of each year.

3. I fail to see the harm in providing fair compensation _____ the actual expenses of a surrogate mother.

4. In her _____ written in 1411, Francesca de Llobera, a merchant's daughter, left her legacy to build a hospital for the poor.

5. If you wish to continue your insurance coverage, you must sign and agree that all other _____ of the original warranty are still applicable.

6. The filing of a complaint and the holding of an inquiry provides a process by which society determines what is _____ in the punishment of law breakers.

7. The agreement also requires that the NGO shall _____ UNDP from all claims.

8. The sale at auction of his own _____ demonstrated the transition to a new station.

9. I, Oliver Green, do solemnly swear to faithfully and impartially _____ the duties of the Office of Mayor of this municipality.

10. In his view there could be no _____ trial on the first indictment because it disclosed no offence.

11. If you do not agree with our changes to Privacy Statement, your _____ remedy will be to discontinue use of the Services.

12. I, Dorothy Anne Williams, take you, Hugh Theobald Collins, for my lawful husband, _____ from this day forward until death do us part.

13. To help maintain _____ on the island, the United Nations Forces in Cyprus (UNFICYP) mission was established.

14. The appellant was charged and convicted of unlawfully _____ a dwelling.

15. We do not make any _____ warranties with respect to the affiliate program and/or products sold at this site.

16. Acts of torture are however punished as _____ or homicide depending on the condition of the victim.

17. He enquired whether the _____ of small arms to States that made use of child soldiers was prohibited by law.

18. These fundamental rights are _____ of democratic government.

19. By purchasing downloadable music from the, site, you _____ to release, from any and all liability in case of copyright violation.

20. The pledge of allegiance is to the Queen alone, rather than also to her _____.

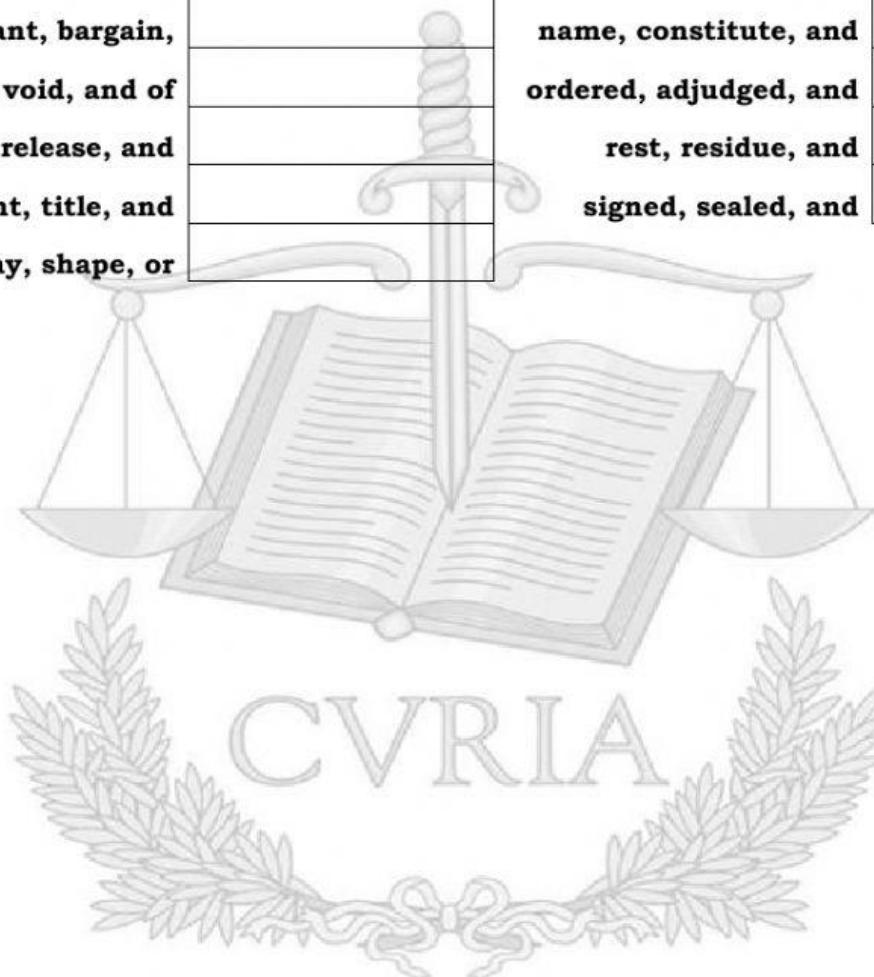
E. Now try your hand at some legal triplets.

appoint bequeath decreed delivered forever quit claim
form interest no effect remainder sell set aside (set
over) unreasonable

"set over" is used as one expression

arbitrary, capricious and
convey, transfer, and
grant, bargain,
null, void, and of
remise, release, and
right, title, and
way, shape, or

cancel, annul, and
give, devise, and
name, constitute, and
ordered, adjudged, and
rest, residue, and
signed, sealed, and



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