

# Using Intensifiers Is Literally a Crime

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The State *clearly* had legitimate reasons for excluding the two panel members herein discussed. The trial court was *clearly* of the opinion that in both cases the State exercised its peremptory strikes in a racially neutral manner. The matters quoted above *clearly* demonstrate that there were very good nonracial reasons that the State would not wish to have either panel member on the jury. Because the trial court's ruling is *clearly* well supported by the record, its decision should not be overturned.

## What are intensifiers?

blatant	egregious	substantially
certainly	highly	totally
clearly	manifestly	very
completely	obviously	wholly
extremely	plainly	undoubtedly

## Intensifiers aren't wrong ...

clearly erroneous  
highly offensive  
egregious harm  
substantially outweigh

“[*Clearly*] is so overused in legal writing that one has to wonder if it has any meaning left.”

“Doctrinaire adverbs such as *clearly* and *obviously* are perceived as signaling overcompensation for a weak argument.”

“When most readers read a sentence that begins with something like *obviously*, *undoubtedly* ...and so on, they reflexively think the opposite.”

Anne Enquist & Laurel Currie Oates, *Just Writing* 123 (3d ed. 2009).  
Bryan A. Garner, *The Winning Brief* 523 (3d ed. 2014).  
Joseph M. Williams, *Style: Lessons in Clarity and Grace* 123 (9th ed. 2007).

## Data

A recent law-review article suggests that overusing intensifiers is bad—*very bad*. In a study of U.S. Supreme Court briefs, the authors found that increased intensifier use was correlated with losing, especially for appellants. The authors allege no causal connection—they couldn’t prove it was the intensifiers that lost the cases—but the correlation is interesting.

Lance N. Long & William F. Christensen,  
*Clearly, Using Intensifiers Is Very Bad—  
Or Is It?* 45 Idaho L. Rev. 171, 180 (2008).

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