Correction: An R.A. by Any Other Name

Jon B. Gould’s research assistant for Look Who’s (Not) Talking, 8 Green Bag 2d 367 (2005), was Doug Brayley, not Doug Bailey.

Economics of Law & Latin

These days, the main functions of law Latin are to puzzle and annoy the uninitiated. Why else, for example, would so many judges continue to issue orders “nunc pro tunc,” when issuing the same orders “retroactively” would mean the same thing and be generally comprehensible as well? This obscurantism has a long pedigree, dating back to a time when Latin was not only the lingua franca (oops – shared language) but also the babel of Europe, as Francoise Waquet of the Centre National de la Recherche Scientifique in Paris explains:

The power that accrued to those possessing some knowledge – even a very limited one – of the old language can also be seen at work in the legal world, in the relations between magistrates and accused,