

Counting Each Shot

Techniques for Emphasis and De-Emphasis

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Blah blah blah and yada yada yada. Blah blah and yada yada and blah blah. **BLAH BLAH BLAH** and yada yada yada. Blah blah and yada yada and blah blah. Blah blah blah and yada yada yada. Blah blah and **YADA YADA YADA** and blah blah. Blah blah blah and yada yada yada. Blah blah and yada yada and blah blah. Blah blah blah and yada yada yada. Blah blah and yada yada and blah blah. Blah blah blah and yada yada yada. Blah blah and yada yada and blah blah. Blah blah blah and yada yada yada. Blah blah **AND YADA YADA YADA!!!!** So blah blah blah and yada yada yada.

Another frequent tactic

- “**Clearly**, blah blah blah blah.”
- “**Obviously**, yada yada yada.”
- “So and so **blatantly** did such and such, a **blatant** act of yada yada yada.”

Blah blah blah and yada yada yada. Blah blah and yada yada and blah blah.¹ Yada yada yada. Blah blah and yada yada and blah blah. Blah blah blah and yada yada yada. Blah blah² and yada yada yada and blah blah. Blah blah blah and yada yada yada. Blah blah and yada yada and blah blah. Blah blah blah and yada yada yada. Blah blah and yada yada and blah blah. Blah blah blah and yada yada yada. Blah blah and yada yada and blah blah. Blah blah blah and yada yada yada.

¹ Embarrassing fact here.

² Law I'd rather not cite here.



Stevens



Scalia

4 questions readers seek answers for

1. Whose story is this?
2. What is going on?
3. What's the point?
4. What's important?

Whose story is this?

“Once upon a time, there was
a little girl named
Goldilocks. She went for a
walk in the forest....”

Whose story is this?

- Principle:

- Reader expect that a sentence will tell the story of whoever or whatever shows up first in the sentence.
- If the sentence is complex, readers expect it to tell the story of whoever or whatever shows up first in its main clause.

Whose story is this?

- Stevens:
 - ... Atkins and William Jones, armed with a semiautomatic handgun ...

Whose story is this?

- **Scalia:**

- ... petitioner Daryl Renard Atkins and a partner in crime ...
- Their victim ... Eric Nesbitt, an airman from Langley Air Force Base ...
- They [Atkins and partner] ...
- ... Atkins (main clause)

Whose story is this?

- **Lessons:**

- To focus attention on something or someone, make it the first thing (or only thing) that shows up in the sentence's main clause.
- To deflect attention from someone or something, put something or someone else in that first position.

What's going on here?

- Principle:

- Readers expects that the action of the sentence will be expressed by its verb.

What's going on here?

Once upon a time, there **was** a little girl named Goldilocks. She **went** for a walk in the forest. Pretty soon, she **came** upon a house. She **knocked** and, when no one **answered**, she **walked** right in.

What's going on here?

- ATM robbery – Stevens:
 - ... cameras recorded their withdrawal of additional cash ...
- ATM robbery – Scalia:
 - ... forced to withdraw \$200.

What's going on here?

- **Lessons:**

- To direct attention to the action, express it in the verb.

- *e.g. "forced to withdraw \$200"*

- To downplay an action, express a different action in the verb.

- *e.g. "cameras recorded their withdrawal"*

Voice

Active voice



Passive voice



Voice

- Principles:

- Use active voice to focus attention on the actor.



- Use passive voice to deflect attention from the actor — or to omit the actor completely.



“Mistakes were made.”

- “And from my own preliminary observations, there were some very major mistakes that were made by the companies that were involved. But today is not really the day to deal with those issues.” —*Interior Sec’y Ken Salazar*
- “Very serious mistakes were made in a number of different areas, probably by a number of different companies that caused this Deepwater Horizon to have the catastrophe it did.” —*Former Sen. (now lobbyist) John Breau*

“Mistakes were made.”

- “‘Mistakes were made’ is an expression that is commonly used as a rhetorical device, whereby a speaker acknowledges that a situation was handled poorly or inappropriately but seeks to evade any direct admission or accusation of responsibility by using the passive voice.” —*Wikipedia.*

Voice - Stevens

- At approximately midnight on August 16, 1996, Atkins and William Jones, armed with a semiautomatic handgun, abducted Eric Nesbitt, **robbed** him of the money on his person, **drove** him to an automated teller machine in his pickup truck where cameras **recorded** their withdrawal of additional cash, then **took** him to an isolated location where he **was shot** eight times and **killed**.



Voice - Scalia

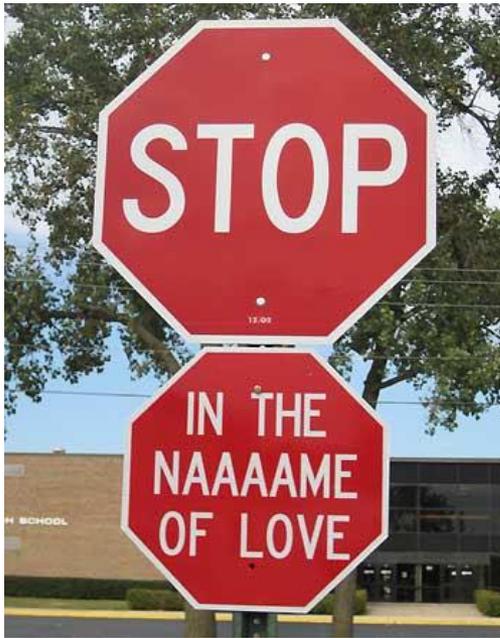
- After spending the day drinking alcohol and smoking marijuana, petitioner Daryl Renard Atkins and a partner in crime **drove** 🇺🇸 to a convenience store, intending to rob a customer. Their victim **was** 🇺🇸 Eric Nesbitt, an airman from Langley Air Force Base, whom they **abducted**, 🇺🇸 **drove** 🇺🇸 to a nearby automated teller machine, and **forced** 🇺🇸 to withdraw \$200. They then **drove** 🇺🇸 him to a deserted area, ignoring his pleas to leave him unharmed. According to the co-conspirator, whose testimony the jury evidently **credited** 🇺🇸, Atkins **ordered** 🇺🇸 Nesbitt out of the vehicle and, after he **had taken** 🇺🇸 only a few steps, **shot** 🇺🇸 him one, two, three, four, five, six, seven, eight times in the thorax, chest, abdomen, arms, and legs.

Pace

Pace

- Principles¹

- A period is a stop sign.
- A comma is a speed bump.



¹ Borrowed from Roy Peter Clark, *Writing Tools*.

Pace - Stevens

At approximately midnight on August 16, 1996,
Atkins and William Jones, armed with a
semiautomatic handgun, abducted Eric
Nesbitt, robbed him of the money on his
person, drove him to an automated teller
machine in his pickup truck where cameras
recorded their withdrawal of additional cash,
then took him to an isolated location where he
was shot eight times and killed.



Pace - Scalia

- After spending the day drinking alcohol and smoking marijuana,  petitioner Daryl Renard Atkins and a partner in crime drove to a convenience store,  intending to rob a customer. 

Pace – Scalia (cont.)

- Their victim was Eric Nesbitt,  an airman from Langley Air Force Base,  whom they abducted,  drove to a nearby automated teller machine,  and forced to withdraw \$200. 

Pace – Scalia (cont.)

- They then drove him to a deserted area,  ignoring his pleas to leave him unharmed. 

Pace – Scalia (cont.)

- According to the co-conspirator,  whose testimony the jury evidently credited,  Atkins ordered Nesbitt out of the vehicle and,  after he had taken only a few steps,  ...

Pace – Scalia (cont.)

- ... shot him one,  two,  three, 
four,  five,  six,  seven, 
eight times in the thorax,  chest, 
abdomen,  arms,  and legs. 

Pace

- Stevens:

- 1 stop sign



- 6 speed bumps



- Scalia:

- 4 stop signs



- 22 speed bumps



What's the point?

- Principles:
 - Readers expect to find important information at the end of each sentence.

What's the point?

- Principles:

- Readers expect to find important information at the end of each sentence.
- This makes the end of each sentence a stress position.

What's the point?

- Melinda Jackson died three weeks later ***in Columbus, Ohio.***
- Melinda Jackson died in Columbus Ohio, ***three weeks later.***
- Three weeks later, while visiting Columbus, Melinda Jackson ***died.***

Example stolen from Bryan A. Garner, *Legal Writing in Plain English* 31 (2001).

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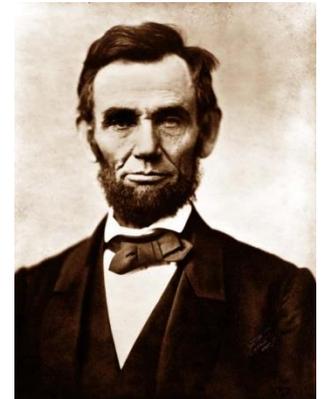
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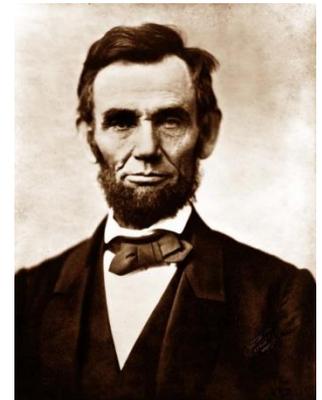
Another example

- Four score and seven years ago, our fathers brought forth upon this continent a new nation: conceived in liberty, and dedicated to the proposition that ***all men are created equal.***



Another example

- It is rather for us to be here dedicated to the ***great task remaining before us. . .***
- that from these honored dead we take increased devotion to that cause for which they gave the ***last full measure of devotion. . .***
- that we here highly resolve that these dead ***shall not have died in vain. . .***
- that this nation, under God, shall have ***a new birth of freedom. . .***
- and that government of the people. . .by the people. . .for the people. . . ***shall not perish from the earth.***



What's the point?

- Principles:

- Readers expect to find important information at the end of each sentence.
- This makes the end of each sentence a stress position.

What's the point?

- **Principles:**

- Readers expect to find important information at the end of each sentence.
- This makes the end of each sentence a stress position.

- **Corollary:**

- The more sentences, the more stress positions.

What's the point?

- **Stevens: 1 sentence, 1 stress position**
 - At approximately midnight on August 16, 1996, Atkins and William Jones, armed with a semiautomatic handgun, abducted Eric Nesbitt, robbed him of the money on his person, drove him to an automated teller machine in his pickup truck where cameras recorded their withdrawal of additional cash, then took him to an isolated location **where he was shot eight times and killed.**



What's the point?

- **Scalia:**

- 4 sentences, 4 stress positions

-  intending to rob a customer. 
 -  and forced to withdraw \$200. 
 -  ignoring his pleas to leave him unharmed. 
 -  shot him one, two, three, four, five, six, seven, eight times in the thorax, chest, abdomen, arms, and legs." 

What's the point?

- **The robbery, by Scalia:**

- After spending the day drinking alcohol and smoking marijuana, Daryl Renard Atkins and a partner in crime drove to a convenience store,



intending to rob a customer.



- Their victim was Eric Nesbitt, an airman from Langley Air Force Base, whom they abducted, drove to a nearby automated teller machine,



and forced to withdraw \$200.



What's the point?

- **The robbery, by Stevens:**
 - At approximately midnight on August 16, 1996, Atkins and William Jones, armed with a semiautomatic handgun, abducted Eric Nesbitt, **robbed him of the money on his person**, drove him to an automated teller machine in his pickup truck where cameras recorded **their withdrawal of additional cash**, then took him to an isolated location where he was shot eight times and killed.



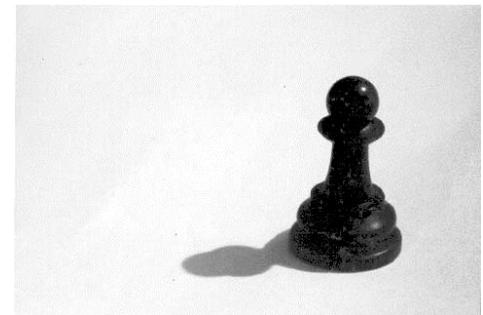
What's the point?

- **Lessons:**

- Manipulate the number of stress positions by manipulating the number of sentences (stop signs).
- To call attention to something, put it in the stress position – the end of the sentence.
- To avoid calling attention to something, keep it away from a stress position.

What's more important?

- Principles:
 - Readers expect the main clause to express the most important information in a sentence.
 - Readers expect a subordinate clause to express subordinate information.



What's more important?

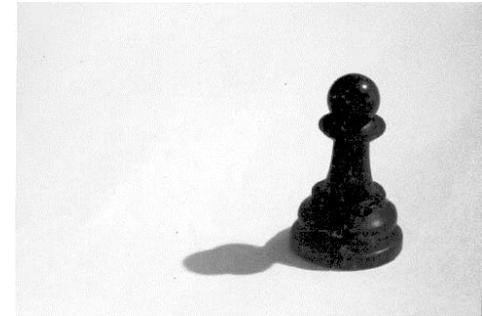
- “Although the court of appeals reversed summary judgment in favor of the insurer on a business-interruption claim, it did so because the insured, unlike Zebulon,^[1] made annual profit forecasts as a normal part of doing business”

– *From a brief seeking affirmance of summary judgment*

- ¹ Fictitious name

What's more important?

- **Stevens subordinate clause:**
 - ... where he was shot eight times and killed.



- **Scalia main clause:**
 - ... Atkins ordered Nesbitt out of the vehicle and ... shot him



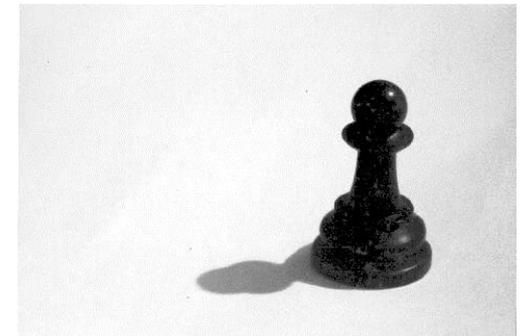
What's more important?

- **Lessons:**

- If you want the reader to think something is important, put it in the main clause.



- If you want the reader to think that something is not so important, put it in a subordinate clause.



Credits / Bibliography

- The principles explained in this presentation come from the following sources, all of which should be on your bookshelf:
 - George D. Gopen, *The Sense of Structure* (2004).
 - Roy Peter Clark, *Writing Tools* (2006).
 - Bryan A. Garner, *The Winning Brief* (3d ed. 2014).
 - C. Edward Good, *Mightier Than the Sword* (1989).
 - Patricia T. O’Conner, *Words Fail Me* (1999).
 - Benjamin Opipari, *To Boldly Go Without Bold*, 16 Perspectives 131 (Winter 2008).
 - John R. Trimble, *Writing With Style* (2d ed. 2000).