THE LEGAL WRITER

Parallelism Can Change Both Meaning and ToneAvoiding AwkwardnessBy Eliz

By Elizabeth Ruiz Frost



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Parallelism, or parallel structure, is a grammatical structure in which similar elements or clauses of a sentence are expressed in similar — or parallel — terms. In short, parallelism is the difference between "I came, I saw, I conquered," and "I went there, then I was seeing, and conquered."

A lack of parallelism in a sentence or closely related group of sentences can make writing seem awkward. To achieve parallelism, look for uniformity of parts of speech. Adjectives go with adjectives; nouns go with nouns; gerunds go with gerunds; phrases go with phrases; sentences go with sentences.

Three grammatical red flags signal a need to consider parallelism. First, a sentence that has coordinating conjunctions requires parallelism. Second, sentences with correlative conjunctions require parallelism. Third, sentences that compare require parallelism. Even where parallelism isn't required, writers can employ it as a rhetorical device.

Coordinating Conjunctions

Do you remember that Schoolhouse Rock song that goes, "Conjunction Junction, what's your function?" I don't either, so allow me to explain coordinating conjunctions first before explaining how they relate to parallelism.

A coordinating conjunction is a word that connects two or more words or phrases of equal importance in a sentence. There are seven coordinating conjunctions: *for, and, nor, but, or, yet, so.* (Note, FANBOYS is a helpful acronym for remembering the seven coordinating conjunctions.)

When you see a coordinating conjunction, remember that the parts of the sentence on either side of that coordinating conjunction must be parallel: It can connect noun to noun, verb to verb, clause to clause and so forth.

Here are some examples of sentences that lack parallelism around the coordinating conjunctions and suggestions for revising them. The paired items that must be parallel are in bold; the coordinating conjunctions are in italics.

My two favorite activities are **resting** *and* **naps**. My two favorite activities are **resting** *and* **napping**. (Corrected by pairing two gerunds)

I'm well rested yet feeling sleepy.

I'm **well rested** *yet* **sleepy**. (Corrected by pairing two adjectives)

Parallelism is implicated frequently in legal writing because of all the long, multipart rules and provisions we read and draft. Most of these contain coordinating conjunctions. That means that each part of the rule or provision that surrounds the conjunction has to be parallel. Look at the following sentence:

To prove that a social host is liable, a plaintiff must prove four elements: (1) the host provided alcohol to her guest, (2) knew or should have known that the guest was intoxicated, (3) foresaw or should have foreseen that the guest was likely to drive while intoxicated, and (4) the guest drove and injured a third-party.

This lacks parallelism. The first and fourth parts are independent clauses; the second and third parts are phrases without subjects. The subject shifts here between the first three parts and the fourth. The easiest fixes are to turn this into multiple sentences instead of one long one, or to make each part of the list an independent clause. Here's the latter:

To prove that a social host is liable, a plaintiff must prove four elements: (1) **the host** provided alcohol to her guest, (2) **the host** knew or should have known that the guest was intoxicated, (3) **the host** foresaw or should have foreseen that the guest was likely to drive while intoxicated, and (4) **the guest** drove and injured a third party.

The more a sentence has going on, the harder it seems to be to maintain parallelism. Here are a few more examples of incorrect sentences and ideas for improvement. Again, the terms that implicate parallelism are in bold.

Example: The defendant described his pain as **sharp**, **throbbing**, and **said** it ranked as a three to four on a scale of 10.

Revision: **The defendant described** his pain as sharp and throbbing, **and he said** it ranked as a three to four on a scale of 10.

Example: **There was** no bruising, **the victim** did not seek medical





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Revision: The victim **did** not bruise, **did** not seek medical attention and **was** able to work next the day.

In the next example, the writer has tried to achieve parallelism but failed.

Example: The defendant pushed her husband in the chest, causing him to **fall** backward in the chair and **hitting** his head on the windowsill.

Revision: The defendant pushed her husband in the chest, causing him to **fall** backward in the chair and **hit** his head on the windowsill.

In the original sentence, the writer created parallelism between "causing" and "hitting," but by identifying the wrong terms to pair, she changed the meaning of the sentence. She intended to say the defendant caused two things to happen to him (he fell and hit his head), but the failed parallelism says instead that the defendant did two things (caused him to fall and hit his head on the windowsill). Identifying the correct terms to pair makes all the difference. As you write and revise, ask: Which terms surrounding the coordinating conjunction are equal parts of the sentence?

One final note about parallelism with respect to coordinating conjunctions: Be consistent with articles, prepositions and pronouns. Take a look at these sentence triplets below:

Both correct:

She loves **to** read, write and research. She loves **to** read, **to** write and

to research.

But not:

She loves **to** read, write and **to** research.

Both correct:

I have **a** cough, **a** sore throat and **a** runny nose.

I have **a** cough, sore throat and runny nose.

But not:

I have **a** cough, sore throat and **a** runny nose.

Correlative Conjunctions

A correlative conjunction is a pair of words that, together, shows how one part of the sentence relates to another part. *Either/or*, *neither/nor*, *both/and*, *whether/or*, *neither/nor* and *not only/but also* are all correlative conjunctions.

Just as with a coordinating conjunction, the two parts surrounding the correlative conjunction must match. A verb must be related to a verb in the same tense; an adjective must be related to an adjective, and so forth. You probably get the gist by now, so I'll provide just a few examples.

The following two sentences are incorrect. As before, the related terms that should be parallel are bold; the correlative conjunctions are italicized.

I am *neither* **interested** in Civ Pro *nor* **understanding** the material.

And yet, I expect *not only* **to be** a successful civil litigator, *but also* **I expect** to be paid well for it.

Revisions: I am *neither* **interested** in Civ Pro *nor* **successful** in it.

And yet, I expect *not only* **to be** a successful civil litigator, *but also* **to be** paid well for it.

Sometimes the writer tries to achieve parallelism but a problem arises because the correlative conjunction is in the wrong place. Take the following sentence, for example:

Either **Kate** must plead guilty *or* **stand** trial.

The lack of parallelism is evident in the previous sentence because on one side there is a noun (Kate), and on the other there is a verb (stand). The positioning of *either* changes the sentence's meaning. The writer intended to lay out Kate's choices. Instead, because *either* precedes the noun, it seems more like an incomplete thought awaiting another subject and verb: Either **Kate must** plead guilty or stand trial *or* her **evil twin must**.

To fix the original sentence, the *either* has to move: Kate must *either* **plead** guilty *or* **stand** trial.

Comparisons

When comparing items, the items must be parallel for the comparison to be logical and precise. Legal writers do

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a lot of comparing, so it's worth taking a moment while editing to double-check that the items compared are parallel. People should be compared to people, and the parts of speech on both sides of a comparison should be parallel.

In the following example, which is extraordinarily common in student writing, the writer inadvertently compares a person to a judicial opinion. The compared terms are in bold.

Example: Like *Makynen*, the **defendant** in this case purchased alcohol for her guest.

Improvement: Like **the defendant** in *Makynen*, **the defendant** in this case purchased alcohol for her guest.

In a somewhat loftier example, Alfred Lord Tennyson properly employed parallelism in his comparison when he wrote: "Tis better to have loved and lost than to never have loved at all." He achieved parallelism by using a consistent verb tense on both sides of the comparison. That's better than this earlier draft¹: "Tis better **to have loved** and lost than **being lonely** from the get go."

Parallelism for Rhetorical Effect

Parallelism can do more than avoid awkwardness in writing. Parallelism can be employed for rhetorical effect to make writing more beautiful, more urgent, more dramatic. Writers use it to create rhythm and balance. Lawyers can use it to highlight differences or similarities and to persuade.

Parallelism is a common device in literature. Charles Dickens employed parallelism when he wrote: "It was the best of times, it was the worst of times." Alexander Pope employed parallelism when he wrote: "To err is human; to forgive is divine." In both, the writers use antithesis, which is a literary device that uses parallelism to contrast opposing ideas. The contrast is made more stark because it is juxtaposed in such similar terms.

Martin Luther King Jr. used parallelism for rhetorical effect in his "I Have a Dream" speech. The repetition of "I have a dream" in each stanza creates a moving, inspiring rhythm. Earlier in the speech, Dr. King employed the same tool:

This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism. Now is the time to make real the promises of democracy. Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice. Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood. Now is the time to make justice a reality for all of God's children.

The rhythm of "now is the time" lends urgency to his call. Note also his use of antithesis. Through parallelism, he sets up vivid contrasts between what they could not do and what they must do; from what the present held to what the future could.

Presidents (and their speechwriters) love to use parallelism, too. John F. Kennedy used parallelism for emphasis when he said: "Ask not what your country can do for you; ask what you can do for your country." George W. Bush, also a known rhetorician, used it in a post-9/11 speech to show bold resilience and strength: "We will not tire, we will not falter and we will not fail." Barack Obama used it in his inauguration speech for its rhythmic beauty: "My fellow citizens: I stand here today humbled by the task before us, grateful for the trust you have bestowed, mindful of the sacrifices borne by our ancestors."

You might not be writing a literary classic or an inauguration speech (or maybe you are!), but parallelism can be used in everyday writing for persuasive effect. A comparison that employs parallelism might be more convincing than one without it because the similarity appears so obvious. Consider the following two examples:

With parallelism: The host in *Pollard* placed the keg out on her patio, a common area, for her guests to serve themselves. Here, the host placed the alcohol on her counter, also a common area, for her guests to serve themselves.

Without parallelism: In *Pollard*, the host made alcohol available for selfservice by guests when she placed it on her patio. In the current case, guests served themselves from a bottle of alcohol that the host had left on her counter.

The writer tells the reader virtually the same thing in the two examples above, but in the first, the parallel structure of the sentences makes the two cases seem more obviously similar. The same would be true when distinguishing two cases. If two sentences seem to flow in the same way and then suddenly one diverges, that dissonance highlights the distinction for the reader.

Parallelism can also create dramatic effect. Consider the following two ways one might describe an uneven division of labor in a marital dispute.

She did the laundry. She mowed the lawn. She did the grocery shopping. She kept the house clean. She made the cookies for the school's annual bake sale. She cooked dinner. She bathed the children. And she put them to bed every night.

She did the laundry and was also responsible for taking care of the lawn and cooking meals. When the annual bake sale would roll around, she'd bake the cookies. Housekeeping was also her responsibility, as were bathing the kids and putting them to bed.

Parallelism changes the tone, doesn't it? In the first example, it creates a monotony that makes the first list seem long and oppressive, with the focus remaining on this woman and all she's doing. When the subject shifts to the bake sale and housekeeping in the second version, some of that is lost.

Conclusion

Parallelism can change what your writing means, as well as how it sounds. I suspect we unwittingly create parallelism issues when we hastily cobble together our thoughts by copying and pasting within drafts — a little from here and a little from there can yield sentences like the weak examples above.

The kind of parallelism issues that lead to ungrammatical sentences can likely be rooted out just by listening to one's writing. Writers who read their writing aloud when editing are more likely to catch it. ■

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ENDNOTE

1. Not true (as far as I know).



Oregon lawyers supporting civil legal aid programs statewide

