

To Go Boldly Without the Bold (and Italics and Underlining and All Caps)

By Benjamin R. Oipari

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CTRL-B

CTRL-B, CTRL-I

CTRL-B, CTRL-I, CTRL-U

CTRL-B, CTRL-I, CTRL-U, CAPS LOCK

In order of increasing importance, these are often the most popular keystroke combinations for writers wishing to emphasize a word or a phrase. A writer, then, who emphasizes the word **absurd** says that opposing counsel's position is ridiculous, while the writer who calls the same motion **ABSURD** believes that opposing counsel's position is pure, unadulterated lunacy. But does the reader really assign the same degree of emphasis as the writer? And more importantly, does it really make the writer's points more credible?

Before we begin, I want you to perform a short exercise. Go to your bookshelf and pick up that favorite book of yours by your favorite author. Flip through the pages and pick out the bold, the italics, the underlining, and the all caps. You probably can't find any. That's because good writers know how to create emphasis without resorting to visual gimmickry. I dare say that Hemingway would never have entertained the idea of boldfacing any of his text!

Our tools for creating oral emphasis are different from those in written rhetoric because we usually can't plan our sentences to create emphasis in

extemporaneous speech. When we write, however, we can craft sentences through multiple drafts and revisions until they contain our precise intended message. In speech, we do not have this luxury, and we have one shot to get it right. To put it bluntly, our words come shooting out. So our tools for creating oral emphasis are somewhat limited, ranging from inflection to volume to fist pounding. When it comes to written emphasis, novice writers create the print version of fist pounding: the keystroke combinations listed above.

There are three problems with these methods. One is that few writers look at the word **ABSURD** and decide that it possesses greater intensity than just plain old **absurd**. Readers do not assign greater emphasis based on keystrokes the way that the writers do; no judge will say, "Well, that's really absurd, not just absurd!" The second is that it is distracting. Argumentative writing is difficult writing to absorb because it involves both the accumulation of new information and the taking of a position. Distractions confuse readers and cause them to lose their focus. On a page filled with bold and underlining, the eyes of the reader almost instinctively turn from the top of the page, where they should be, to the bold and underlined words dotting the page (much in the same fashion that our eyes are immediately drawn to the red dot in the center of a blank white canvas). Lastly, keystroke emphasis can seem like crying wolf; overuse will condition the reader to ignore the seriousness of the message if the CTRL-B combination has been used too often. Seen once, it might catch the reader's attention. Seen several times, and it might not be taken seriously. Does anyone really believe, for instance, that opposing counsel's position represents "**the absolute zenith of hypocrisy**," that nothing else has ever been so hypocritical?

We can learn a great deal about written rhetoric when we compare it to oral persuasion because there are some similarities. If my keystroke

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examples represent stages of heightened anxiety and importance, does anyone believe more sincerely or take more seriously the speaker who shouts and preens and finger waves? Are you more apt to listen to Clint Eastwood or Bill O’Reilly? The speaker whose emotions remain in check always appears more credible. Their points notwithstanding, all talking heads would be taken more seriously if they just quieted down. They would appear more in control, more rational, and more authoritative, all traits that help sway an audience.

Before discussing some effective ways to create written emphasis, I have some bad news for fans of that other great method of emphasis: the dash at the end of the sentence. It’s horribly overused. Like all stylistic conventions, it loses all force, all credibility, all panache when it becomes commonplace. But overuse is not the main problem with the dash. Instead, its main problem is misuse. First, a bit of history. The word *dash* comes from the Middle English word *dasshen*, in the sense of “strike forcibly against . . . probably symbolic of forceful movement,” according to the *New Oxford American Dictionary*, which defines the current use as “to strike or fling (something) somewhere with great force, especially so as to have a destructive effect.” Further, the *Oxford English Dictionary* defines it as “a sudden impetuous movement, a rush; a sudden vigorous attack or onset” or “a violent blow, stroke, impact, or collision, such as smashes or might smash.” Accordingly, the dash as a mark of punctuation should only be used to destroy the natural direction of the sentence, to forcefully move it in another direction so that what comes after is a sudden shift in meaning and a surprise to the reader. In other words, the dash should break the readers’ expectations of what they thought was coming. Dashes at the end of a clause should reveal something surprising, ironic, or shocking. For example, this is not worthy of a dash:

After five years of imprisonment, he had only one request when freed—to sleep in his own king-sized bed.

But this is:

After five years of imprisonment, he had only one request when freed—to sleep on a thin cot.

We should hardly be surprised that the prisoner would want his own grand bed once he is released. But a thin cot? That’s surprising.

The writer who uses five or six dashes on a page for any reason forfeits any expectation of surprise. Dashes are dramatic. Anything dramatic that is used too often loses its intended dramatic effect. Think about the classic slasher movies from the 1980s: how many times can the poor sorority girls look into the dark, empty closet before [pick one: Freddy Krueger, Mike Meyers, Jason¹] no longer scares us because we know he’ll be waiting inside? A reader shocked too often will soon not be shocked, so save those dashes for when you really need them. Moreover, because they signify an abrupt change in movement or meaning, dashes create a choppy effect. Use them sparingly as a diversion from your normal course of punctuation.

Now that I have hopefully debunked the two most overused methods of emphasis, let’s look at some effective ways to provide emphasis through sentence construction. Perhaps the easiest way is word placement within the sentence, or what rhetoricians call “end focus.” Rhetorical theory holds that the last words of sentences carry the strongest degree of emphasis and the most weight. During the minute pause after a period, the last word lingers. I’m not talking about a chin-stroking rumination on that last word. Instead, the period provides for the slightest of moments when that last word stays positioned in the reader’s mind. Readers look to sentence endings for important information. That’s why people want the last word in an argument. In fact, we are conditioned to look to the end of anything for important information, whether it’s the climax of a play or the chocolate mousse for dessert.

¹ Characters from *A Nightmare on Elm Street*, *Halloween*, and *Friday the 13th*, respectively.

Sentences should build up and move toward strength and anticipation.

To test for effectiveness, read your sentences aloud and provide obvious, almost melodramatic, emphasis at the end (the words in caps are meant to be read with intonation, not written in all caps). If it sounds foolish, rewrite. For example:

*Two days ago, while riding his bike, he
COLLAPSED* or

*He collapsed while riding his bike two days
AGO*

Or perhaps I would like to call someone a jerk. Which sounds more emphatic, more forceful?

You are a JERK or

I think you are a jerk, in my OPINION

The second insult hides the offending word in the center, protecting it from exposure and attention. We end on the harmless *opinion*, reinforcing the idea that it's only something that I believe, and not a universal fact. Also noteworthy is the harshness of the /k/ sound in *jerk* in the first instance. To further emphasize a word at the end of a sentence, pick one that ends with a hard consonant like /k/ or an explosive sound like /p/ or /t/ because these sounds reverberate in the reader's mind (say both aloud and you'll see). These strong, even jarring, sounds come at the end of the two most common expletives in American English, and that's no coincidence; it's the force of these sounds that gives these words their punch. Try yelling *funny* or *shiny* in their place next time. Not quite the same.

Much of this depends on context and on what you are trying to emphasize. In my above example, you might want to end with *in my opinion* because it is less harsh, and it reinforces the uncertainty surrounding the reader's jerkiness. In his book *Understanding Style: Practical Ways to Improve Your Writing*, Joe Glaser discusses two sentences that someone might write in an e-mail or memo regarding an upcoming project. If we are trying to rally the group to our cause, leaving them to mull on "task" will not generate much enthusiasm:

*Your efforts will be much appreciated as we
undertake this crucial task.*

However, a sense of gratitude might win them over:

*As we go about this crucial task, your efforts
will be much appreciated.*²

In the first sentence, *appreciated* is buried in the middle. Furthermore, the first example emphasizes the drudgery with its hard consonant ending of *-sk*; we've not only ended the sentence with incorrect emphasis, but we've doubled the effect when the last sound ends harshly. The second example ends on a more inviting note, burying the drudgery in the middle (though a small quibble would be that the comma allows for a smaller pause after *task*).

The idea of end focus also holds on the paragraph level. Material at the end of a paragraph receives emphasis thanks to the even longer pause after the concluding sentence. This point also reinforces the importance of the concluding sentence in any paragraph. Moreover, the end of the paragraph receives emphasis because it is surrounded by white space, naturally drawing attention to the words. Use this white space to your advantage: when it envelopes a short paragraph or even a one-sentence paragraph, we can't help but be drawn to it. One-sentence paragraphs are not common to the formality of legal briefs because they represent a departure from the method of normal paragraph development in closed-form prose. Used sparingly, however, they command attention and could be effective in delivering an especially potent point in an argument. Used too often, and your writing might look like a first draft in a creative nonfiction class.

Once writers master the idea of end focus, they can become more creative in their sentence structure to emphasize important points. For instance, writers create **transformations**³ when they restructure

² Joe Glaser, *Understanding Style: Practical Ways to Improve Your Writing* 114 (1998).

³ Lynne Truss, after her blockbuster *Eats, Shoots & Leaves* came out, was butchered in the press by writers unable to contain their glee upon discovering that she broke, in her own book, many of the rules that she so pedantically espoused. I say this to defend against those who would rush to accuse me of a similar crime. My use of bold type on these pages is not for emphasis, but instead to highlight important terms for easy reference.

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sentences to subvert the expected word order of subject-verb-object (SVO). With transformations, writers create emphasis by shifting words that normally receive little attention, thus altering the reader’s expectations. Put more informally, transformations throw readers for a loop by rearranging sentence structure, demanding that readers perk their ears up and say, “Wow, that looks unusual.” Anytime you shift word order, you draw attention.

While countless texts on legal writing argue against its use, the *there is*⁴ construction shifts emphasis to the subject through the use of an **expletive**⁵ that creates a sense of anticipation. For example:

There is a large dog outside my door

There were fifteen people in the room when I left

According to C. Beth Burch in her book *A Writer’s Grammar*,

Expletives give the writer a chance to delay using a word, perhaps to gain greater impact by using it later in the sentence. The *there* front-loaded in the sentence tells the reader that something emphatic and interesting is coming later, thereby lending more importance to the subject that is wrenched from its normal place in the sentence.⁶

Of course, the *There is* construction breaks the rule of end focus since it places the emphasis in the middle of the sentence. In this transformation, the emphasis is on the subject, which comes after the *to be* verb. So what we might have is *There is a man with grey hair breaking into cars on Stillwater Avenue* (the location receives some stress here as well). These transformations work well when the subject is a number or a rather surprising subject, like the *large dog* above.

⁴ This construction is so common that grammarians refer to it as the There-V-S construction.

⁵ In grammar, an expletive is a word that fills a space in a line or sentence that adds no meaning.

⁶ C. Beth Burch, *A Writer’s Grammar* 74 (2002).

What transformations also pique the reader’s interest by withholding information until the end of the sentence, as in

What the woman really wants is a free night at the hotel or

What the man had in his hand was a .45 caliber handgun

These constructions create suspense. When we see the opening *What* construction, we know that something good will be waiting for us at the end of the sentence: *What he saw at the end of the hallway, after walking for what seemed an inordinate amount of time, was the green light.*

Similarly, the *It* transformation can also be effective. Glaser notes that “putting a sentence in the form ‘It was (something) that ...’ or ‘It was (someone) who ...’ automatically assigns stress to the word in the ‘something’ or ‘someone’ slot.”⁷ *It* and *What* transformations are also called **cleft sentences** because the writer cuts the sentence in half and rearranges the word order to create emphasis. In *It* transformations, the emphasis is in the middle of the sentence. Like the others, the *It* transformation adds an element of anticipation to your writing. For example:

New: *The man with the blue shirt entered the courtroom*

Cleft: *It was the man with the blue shirt who entered the courtroom*

The advantage of the *It* construction is its ability to emphasize either the subject or the object: both can go after the *It* + [to be] construction. For example, we have:

It was for fifty dollars that Tom sold the book
or

It was Tom who sold the book for fifty dollars
or

It was a book that Tom sold for fifty dollars

⁷ Glaser, *supra* note 2, at 123.

The concept of end focus plays a role in two grammar debates. One is the idea of ending a sentence with a preposition. Students have been told for years to avoid this error, yet writers and rhetoricians often ignore this rule on account of the awkward constructions it can create. And few people, including those who espouse the rule, know why it's bad. With the principle of end focus, we have learned that it is most effective to finish a sentence with a word that carries meaning. Some parts of speech are more descriptive and meaningful than others, and this is why prepositions get such a bad rap: they carry little meaning. When classifying parts of speech according to their strength, from top (strongest) to bottom (weakest), we have:

Nouns/Verbs

Adjectives/Adverbs

Prepositions

The stronger words are typically more objective, easier to define, and more concrete. That is why, without drawing Kant into this debate, we can agree more easily on the definition of *chair* than on the definition of *very* or *beauty*. When you end a sentence with a preposition, you end on the weakest note possible.

To the dismay of many, end focus also gives us an excuse to use the passive. Again, “avoiding the passive” is a rule that has been around for years. Unfortunately, many students do not know how to define it and cannot recognize it (most mistake it for past tense, as in *he was going to the store*). Passive voice is abhorred because it is deceptive in its omission of the agent. Readers see it as an abdication of blame, an evasiveness.

Dismissing the passive becomes a little trickier if you want to end your sentences with emphasis. After all, in passive construction, the subject of the sentence comes at the end. And shifting the sentence to passive often makes it more concise. Using end focus, the passive voice puts emphasis at the end of the sentence, if the subject is what you want to emphasize:

The victim was shot by a .45 caliber handgun

*She was left by the side of the road by
a man with grey hair*

Babies should not be fed peanuts

Note also that shifting the sentence to passive actually makes it more concise. Most rhetoricians accept the passive voice. Burch even goes so far as to say that “certain rhetorical occasions call for passive voice—and the passive transformation is not a structure to be avoided, but one to be used wisely.”⁸ Railing against the passive is a 20th century phenomenon; rhetoricians before then saw nothing wrong with it. In 1874, Samuel Greene said, “The passive voice may be used when we wish to conceal the agent, give prominence to the event, or reconstruct the original.” Brock Haussamen, in his book *Revising the Rules: Traditional Grammar and Modern Linguistics*, states it well:

The fact is that even though active sentences state action quite directly, they do not necessarily throw the spotlight on the agent.

Contrary to what the handbooks say, if emphasis on the agent is really what the writer is interested in, the passive construction is often better suited, because it makes the agent the focal point of the clause ... *The car was driven by the woman* is a very different statement than *A woman drove the car*.⁹

So if you want to emphasize the agent, use the passive.

Wayne Scheiss, in his excellent legal writing blog <www.legalwriting.net>, proclaims, “Passive voice. Avoid it” after listing several examples of passive construction from a grammar handbook that itself preaches to avoid the passive. Any such blanket declaration, however, ignores the stylistic advantages of the passive. The passive is also appropriate when the actor is unknown, obvious, or irrelevant. Consider:

A car was broken into last night on campus
Office mail is now delivered twice a day

⁸ Burch, *supra* note 6, at 67.

⁹ Brock Haussamen, *Revising the Rules: Traditional Grammar and Modern Linguistics* 54 (2000).

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“Writers can also create emphasis through short sentences. We can accentuate such emphasis by surrounding short sentences with long sentences.”

Lunch is served at noon

Streets filled with potholes should be avoided

In the above examples, we can assume that burglars broke into the car or that we don't know the identity of the burglars. We can probably also say (and it's probably also irrelevant) that the mailperson delivers the mail. And does it matter who serves lunch? Lastly, of course everyone should avoid potholes. Scheiss' own examples from the handbook prove this point:

Fractions of a dollar are written as cents or

Numbers that begin a sentence are spelled out.

Avoiding the passive in these two sentences would make *write* and *spell* active verbs, and any subject accompanying them would almost certainly be obvious or irrelevant (writers? students?). These sentences would draw more attention to their construction than to their content with a writer who goes great lengths to avoid the passive.

I also find the active voice distracting in these two examples because the focus of the sentence is not on the writers but on the numbers, and removing the subject altogether makes this sentence more concise in its idea.

The other construction that sends shivers up the spines of prescriptive grammarians is the split infinitive. This construction is commonplace, though truthfully it never should have fallen out of favor.¹⁰ Unsplit infinitives cause trouble because they often place stress on the morphemes¹¹ that contain the least meaning, usually the *to* and *-ly* parts. They can throw off the natural rhythm of spoken English with their two stressed adjacent morphemes. Split infinitives, on the other hand, often sound better by creating the natural unstressed-stressed pattern, called the **iamb**, that

¹⁰ The split infinitive has been used for almost 700 years, and every great writer, from Donne to Wordsworth to Hemingway, uses it. The rationale often given by those opposed to split infinitives is that because the Latin infinitive is a single word, so we must consider the English infinitive *to+verb* a single unit. But English is not Latin. It is far beyond the scope of this article to list the many who favor split infinitives, but suffice to say their comments are endless.

¹¹ A morpheme is the smallest unit of language that contains meaning and that cannot be further divided.

sounds like spoken English. The split infinitive with its iambic pattern places stress on the morphemes that contain the most meaning, the important parts. The little voice in our head is unhappy with two consecutive stresses because the combination does not sound as rhythmic. As an example, say the following phrases aloud, stressing the morphemes in all caps. The DUM-de-DUM-de-DUM rhythm of the second one mimics the way we usually talk:

to WRITE QUICKly or

to QUICKly WRITE

As you can see, we DUM elements in a sentence that we naturally want to emphasize because they carry meaning. We stress *quick* and *write* because they are meaningful. Again, try the following:

HE beGAN to BOLDly WALK inTO the BUILDing

HE beGAN boldLY to WALK inTO the BUILDing

HE beGAN to WALK boldLY inTO the BUILDing

There is logic behind why we should split the infinitive. As I mentioned at the outset of this piece, we engage most eagerly with writing that sounds good, and often writing that sounds good is writing that mimics the way we talk.

Writers can also create emphasis through short sentences. We can accentuate such emphasis by surrounding short sentences with long sentences. For instance, look at the following:

Before discussing some effective ways to emphasize, I'd like to talk about the horribly overused dash at the end of a sentence.

This sentence was in the first draft of this article. I was not happy with it because I didn't think it emphasized my thoughts on this type of punctuation. With revision, it became in the final version

Before discussing some effective ways to emphasize, I am going to be the bearer of bad news for lovers of the dash at the end of the sentence. It's horribly overused.

The short second sentence is Clint Eastwood-esque in its power and brevity. There are few words, but its emphasis is clear because it stands alone, bookended by pauses and without baggage.

The same principle applies here:

His wife was killed when the tire blew on her car and she hit the retaining wall.

In revising the sentence to emphasize her death, we now have:

His wife's car hit the retaining wall after her tire blew. She was killed.

This revision also illustrates why short sentences are so punchy: the less distance between subject and verb, the more emphatic the point. This is not to say that all of your sentences should be short. Instead, vary your sentence length. If your writing is full of short sentences, you'll end up emphasizing nothing in your quest to emphasize too much. Use moderation.¹²

Now that we've extolled the virtues of short sentences, let's give long sentences their due. Long sentences can be powerful in their ability to build to a crescendo, keeping the reader waiting to see what emerges at the end:

After walking through the building, wandering through the dark and encountering broken glass, destroyed furniture, unhinged doors, and torn up carpeting, he found the package.

The build-up is noticeable, made even more palpable by the numerous commas that make us slow down. When written like this

He found the package after walking through the building, wandering through the dark and encountering broken glass, destroyed furniture, unhinged doors, and torn up carpeting.

the sentence emphasizes destruction, but we lose the drama and anticipation. This type of sentence is also called the **periodic sentence**, where the main point does not come until the end. It is a variation

on end focus because it's not the word at the end that receives emphasis, but the entire main clause. There is a fine line between making your audience impatient and making them hinge on your words, but Lyndon Johnson gives us a good example:

Until justice is blind to color, until education is unaware of race, until opportunity is unconcerned with the color of men's skins, emancipation will be a proclamation but not a fact.

While we've spent our time so far discussing how to emphasize good points, we can use these same principles when talking about how to bury bad facts. Bad news or bad facts are easy to hide. Put them in the middle of a long paragraph. Make sure they're in the middle of a long sentence. Even better, put them in the middle of the page. Whatever you do, limit the amount of white space around them so that the reader's eyes are not drawn to them. Human resource departments do this when they soften the tone of rejection letters by surrounding the rejection with pleasantries:

*Dear Ben,
It was a pleasure meeting with you last week. Unfortunately, we are not able to pursue your candidacy at this time. Best of luck in your future endeavors.*

or

*Dear Ben,
Unfortunately, we are not able to pursue your candidacy at this time. It was a pleasure, however, meeting with you last week. Best of luck in your future endeavors.*

Assuming you had to get one, which one would you rather get?

So let's summarize. I've said that to emphasize your desired points, you should:

- Write short sentences
- Write long sentences
- Use the passive
- Split infinitives
- Place emphasis at the beginning
- Place emphasis in the middle
- Place emphasis at the end

“Long sentences can be powerful in their ability to build to a crescendo, keeping the reader waiting to see what emerges at the end.”

¹² Short sentence used deliberately.

“Our aim in writing should also be to achieve the tonal quality of conversation that keeps the audience in rapt attention.”

In other words, I’ve given you conflicting advice as well as advice that goes against some conventional wisdom. But these wildly disparate pieces of advice fit neatly into one giant bit of wisdom: vary your sentence construction to keep your reader entertained.¹³ We engage with writing that sounds inviting, not writing that sounds like a monotonous template with little structural variety. As with the boring or talkative or obtuse conversant, we don’t like dull or verbose or pompous writing either. When we read a piece of writing, we meet the reader, and the personality that greets us will determine our response to the piece. We’ll engage with the reader if what we hear is lively, unique, friendly, and even somewhat unpredictable. A writer’s goal should be to achieve a unique voice, a voice that everyone can recognize without ever seeing the name at the top. The best writers have this quality; we instantly recognize their words.

Our aim in writing should also be to achieve the tonal quality of conversation that keeps the audience in rapt attention. The advice I’ve given you does not fit neatly into discrete rules, and some even flout the conventions of good writing. But the English language is messy like that, and it’s an uncommon rule that begins with the phrase, “You should always . . .” For instance, long sentences are bad when they run on but not when they are used

stylistically to build suspense to a powerful ending. “Keep sentences to 25 words” or “keep sentences to two lines or fewer” is generally good advice, but should be met with a caveat. Sometimes rules must be broken to maintain a captive, satisfied, and interested audience.

To that end, use the techniques above with a measure of restraint, like you would any sentence construction. And let me be clear that I am not dismissing the use of bold text and dashes; both have their uses but are only effective when used sparingly. The paradox of some of these constructions is that few can please all the people all the time. For example, the passive can trim sentence length while creating end focus, but it’s, well, the passive; and cleft sentences create end focus and grab the reader’s attention, but they often increase word count. The most important technique to remember is variety. The best speakers—and the best writers—do this by surprising the reader with new constructions and by adding a sense of unpredictability to their rhetoric, rather than simply by raising their voice (CTRL-B) or slamming their fists down on the table (CTRL-B, CTRL-I, CTRL-U, CAPS LOCK).

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Another Perspective

“Every author has a ‘voice’ that he or she brings to an article. The voice may be objective, passionate, professional, strident, caring, sarcastic, haughty, energetic, cavalier, friendly, hesitant, or cynical, to name a few. It also can be a combination of two or more of these attitudes. In other words, voice is the personal stance that the author has taken toward his or her topic, thesis, and readers; it is the human being behind the words.

Editors need to consider and comment on voice as part of the substantive editing stage, but they should do so with a great deal of care and diplomacy. After all, asking an author to change his or her writing voice is tantamount to suggesting that the clothing they are wearing is not quite appropriate.”

—Anne Enquist, *Substantive Editing Versus Technical Editing: How Law Review Editors Do Their Job*, 30 *Stetson L. Rev.* 451, 457 (2000).

¹³ “Entertained” might be a stretch, so at least keep your reader reading.