

To Oxford or Not to Oxford? A Serial (Comma) Dilemma

Each time I read one of my columns in this magazine, I twitch.

Yes, you read that correctly. I twitch.

Why? I am an ardent devotee of the serial (also known as “Oxford” or “Harvard”) comma. But many serial commas disappear from my columns between my final draft and the published draft. Journalism style guides—including the *Associated Press Stylebook*—favor omitting the serial comma unless it is necessary to avoid ambiguity. That may be fine if you have an expert editor scrutinizing your work, but it’s a little more perilous for a busy attorney.

Let’s rewind. What is the serial comma? It’s the comma that comes after the conjunction (usually an “and”) before the final item in a list. For example: “The defendant took two necklaces, three rings, a bracelet, and a pair of earrings.” In that sentence, the serial comma comes after “bracelet.”

Virtually every American style guide requires the serial comma: the *Chicago Manual of Style*, Wilson Follett’s *Modern American Usage: A Guide*, *Gregg Reference Manual*, and the venerated *Elements of Style* all say that where more than two items are listed in a series, a comma should precede the conjunction that comes before the final item in that series. Legal style guides like *The Redbook* agree.

Despite this consensus, many people remain unaware of this usage standard. Some of us may even have learned that “you never need a comma before *and*,” which is incorrect whether you apply the serial-comma rule or not. Those who study usage have passionate opinions on the serial comma. In fact, the debate has been so heated that *The Onion* even acknowledged it.¹

Even the *Associated Press Stylebook*, however, agrees that we should use the serial comma where necessary to avoid confusion. Many sentences communicate very different meanings without that final comma. For example

- After the incident, the defendant confessed to his parents, John Reynolds, and Sally Sanchez.
- After the incident, the defendant confessed to his parents, John Reynolds and Sally Sanchez.

The first sentence is clear: The defendant’s parents, John, and Sally are four different people. Without the serial comma, on the other hand, the second sentence suggests that John and Sally are the defendant’s parents. A missing serial comma also can induce unintended hilarity:

- Accepting her “best brief” award, Susie thanked her parents, Bryan Garner, and Mignon Fogarty.
- Accepting her “best brief” award, Susie thanked her parents, Bryan Garner and Mignon Fogarty.

Although I suppose I’d be flattered to be mistaken for the love child of Grammar Girl and Mr. Legal Writing, I’m not sure they would appreciate the misunderstanding.


Why not use the serial comma only where necessary to avoid confusion? The most practical reason is that “necessary to avoid confusion” is a judgment call. Often, meaning that seems clear to the author is not so clear to her reader. And lawyers, in particular, have times where we lose perspective on what we’ve written. You’ve heard of “trial psychosis,” where a lawyer becomes so immersed in her own theory of the case that she starts to believe that even the most hopeless case is a slam dunk?² Well, there’s a corollary phenomenon where a writer knows what she intended to write and can no longer recognize what might be ambiguous—or misleading—to her reader. It’s why it can be so difficult to proofread your own recent writing, and most of us do not have the luxury of a professional copy editor or even as much time as we’d like to review our work. Sometimes we cannot trust ourselves to make accurate judgment calls about clarity when we are so close to what we have written; better to use the serial comma to eliminate the risk.

Even professional writers fall prey to this “clarity psychosis.” A writer for the British Sky News (British usage follows the “only when necessary” approach to serial commas) probably thought the intended meaning was clear when he tweeted:

- World leaders at Mandela tribute, Obama-Castro handshake and same-sex marriage date set ...

Although we all need a good laugh now and then, I take the better-safe-than-unintentionally-hilarious approach and make the serial comma a habit.

Finally, writing should have music to it, and punctuation helps signal rhythm. A comma is like a kick to the bass drum. A list without the serial comma deprives your reader of the final down beat.

Oh, and Vampire Weekend wrote a song about it.³ 

endnotes

1. www.theonion.com/articles/4-copy-editors-killed-in-ongoing-ap-style-chicago,30806/
2. Do transactional lawyers suffer “deal psychosis”?
3. http://en.wikipedia.org/wiki/Oxford_Comma_%28song%29



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