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Alliteration, Restraint, and a Mind at Work

By Patrick Barry

Patrick Barry is a Clinical Assistant Professor at University of Michigan Law School.

Alliteration is great—until it’s not. You can pretty quickly overdo it, though I don’t think any major professional sports franchise has yet. The Boston Bruins, the Seattle Seahawks, the Cleveland Cavaliers: these names all have a nice ring to them. As do countless others, from the Washington Wizards to the Tennessee Titans to the Buffalo Bills. The sounds run quickly off your tongue and not unpleasantly into the air. They’re not irritating or obnoxious—unless maybe you’re a fan of the opposing team.

I once played for a team, however, that pushed the appeal of alliteration perhaps a bit too far, even for the home fans: “The Rochester Raging Rhinos.”

At the time, the Rhinos—they have since dropped the “Raging” part—were members of the A-League, a minor-league soccer division now folded into the USL, which itself recently partnered with the country’s top soccer division, the MLS. I was, without question, the worst player on the team.

I was probably also the only one who eventually traded in soccer cleats for a backpack: once my playing days were done, I headed off to both graduate school and law school.

In each of those academic environments, and now as a professor at the University of Michigan Law School, my experience with the Rhinos has come in handy, not because I have been asked to join any intramural soccer teams. (I haven’t.) Nor has it been handy because I am responsible for teaching Sports Law. (I’m not.) My experience has come in handy because the name Rochester Raging Rhinos gives me a playful way to teach students about the perils and promise of alliteration, which in turn gives me a chance to teach them about the perils and promise of effective language more generally.

The perils spring to mind the most quickly when it comes to alliteration. For every *Pride and Prejudice* or *Sense and Sensibility*, for every *Mad Men* or *Breaking Bad*, there are countless alliterative constructions that really irk people. Several come from the books of Amanda McKittrick Ros, an Irish writer who once earned the following headline from Britain’s *The Daily Telegraph*: “Awful Author Addicted to Alliteration Achieves Acclaim Again.” The article includes a sample from Ros’s first novel *Irene Iddesleigh*.

The living sometimes learn the touchy tricks of the traitor, the tardy and the tempted; the dead have evaded the flighty earthly future, and form to swell the retinue of retired rights, the righteous school of the invisible and the rebellious roar of the raging nothing.

No wonder the entry for Ros in the *Oxford Company for Irish Literature* reads: “uniquely dreadful.”

Falsehoods and Fallacies

Alliteration does have its fans. For example, some past and present members of the Supreme Court have shown a penchant for it.

Note how Justice Louis Brandeis relies on it to add a little extra rhetorical flourish to his concurrence in *Whitney v. California*, an opinion that civil
liberties scholar Vincent Blasi has called “arguably the most important essay ever written, on or off the bench, on the meaning of the First Amendment.”

If there be time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, the remedy to be applied is more speech, not enforced silence.

Brandeis didn’t have to pick two words that start with “f” to make his point. Nor did Chief Justice John Roberts when he summed up the Court’s unanimous position in Riley v. California. “Modern cell phones are not just another technological convenience,” he explained. “With all they contain and all they may reveal, they hold for many Americans ‘the privacies of life.’ The fact that technology now allows an individual to carry such information in his hand does not make the information any less worthy of the protection for which the Founders fought.”

The alliteration in these sentences is obviously only a small part of the overall opinions. Neither Brandeis, nor Roberts, nor any other Supreme Court Justice has ever quite reached the fact that technology now allows an individual to carry such information in his hand does not make the information any less worthy of the protection for which the Founders fought.7

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proposed powers of the federal judiciary. Here's how he explained the concept of “judicial review,” the notion that the courts—not Congress and not the President—are the ones who, as Chief Justice Marshall would make clear about 25 years later in *Marbury v. Madison*, “say what the law is.”

The interpretation of the laws is the proper and peculiar province of the courts.

Those three Ps are not an accident.

A. Restraint
What distinguishes the use of alliteration by Hamilton, Ginsburg, Gorsuch, Roberts, and Brandeis from the use of alliteration by Amanda Mikittrick Ros is an important writerly quality: restraint. You need to know when to pull back, to withhold, to resist the pull of literary pyrotechnics. Just because you know how to string together five words that begin with “t” doesn't mean you should. Although this point might sound like the oft-repeated advice that good writers should know how to eliminate their own unnecessary prose, or, in other words, to “Kill your darlings,” I don't mean it to. Nonetheless, good writers should know the difference between when to eliminate certain flights of literary fancy, such as unnecessary alliteration, and when a certain eloquence in prose is beneficial.

Stephen King really emphasizes the point in his wonderful book *On Writing* when he highlights the at times self-indulgent quality of a lot of writing when the reader seems to be pushed out of the way and replaced by the writer's own ego. This is a paraphrase, but when King repeats the “Kill your darlings” mantra in his book, he directly targets that kind of narcissism. “Kill your darlings,” he says. "Kill your darlings. Even when it breaks your egocentric little scribbler’s heart. Kill your darlings.”

It's sort of like an observation the journalist Ben Yagoda makes in another book on writing, *The Sound on the Page*. "Writers who are unaware of or uninterested in readers are like people who don't look at you when they're speaking to you." If you are going to use alliteration, or any other writing move, it should be with the reader in mind. Will this construction help my audience better understand and remember what I am trying to communicate? Will it inform them? Will it persuade them? Will it entertain or improve them? If not, then by all means: go ahead and kill your darlings. A darling without a specific purpose is not much of a darling at all.

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12 5 S. U.S. 137, 177 (1803).
13 The Federalist No. 78 (Alexander Hamilton).
16 Id. at 222.

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**Micro Essay**

**No AI Needed.**

Not long ago, my nephew, Derek, told me I would soon be obsolete. Lawyers will be replaced by computers. With his new college degree, he felt righteous. I explained that algorithms are only tools. They do not replace a lawyer's skill or creativity. Computers cannot argue in court, cross-examine a witness, or counsel a client. Derek enrolled in a law course taught by my husband who does not use technology in the classroom.

“Did you miss the visuals?” I asked Derek.

"Without Powerpoint, there was more interaction and discussion, I learned so much," he confessed.