

A Few Words About That Ten-Million-Dollar Serial Comma

By Mary Norris, who drove a milk truck in Cleveland, Ohio.



- 1 The case of the Maine milk-truck drivers who, for want of a comma, won an appeal against their employer, Oakhurst Dairy, regarding overtime pay (O'Connor v. Oakhurst Dairy) has warmed the hearts of punctuation enthusiasts everywhere, from the great dairy state of Wisconsin to the cheese haven of Holland.
- 2 Nothing, but nothing – profanity, transgender pronouns, apostrophe abuse – excites the passion of grammar geeks more than the serial, or Oxford, comma. People love it or hate it, and they are equally ferocious on both sides of the debate. Individual publications have guidelines that sink deep into the psyches of editors and writers. *The Times*, like most newspapers, does without the serial comma. At *The New Yorker*, it is a copy editor's duty to deploy the serial comma, along with lots of other lip-smacking bits of punctuation, as a bulwark against barbarianism.
- 3 While advocates of the serial comma are happy for the truck drivers' victory, it was actually the lack of said comma that won the day. Here are the facts of the case, for those who may have been pinned under a semicolon. According to Maine state law, workers are not entitled to overtime pay for the following activities: "The canning, processing, preserving, freezing, drying, marketing, storing, packing for shipment or distribution of: (1) Agricultural produce; (2) Meat and fish products; and (3) Perishable foods."
- 4 The issue is that, without a comma after "shipment," the "packing for shipment or distribution" is a single activity. Truck drivers do not pack food, either for shipment or for distribution; they drive trucks and deliver it. Therefore, these exemptions do not apply to drivers, and Oakhurst Dairy owes them some ten million dollars.
- 5 Judge David J. Barron's opinion in the case is a feast of subtle delights for anyone with a taste for grammar and usage. Lawyers for the defense conceded that the statement was ambiguous (the State of Maine specifically instructs drafters of legal statutes not to use the serial comma) but argued that it had "a latent clarity." The truck drivers, for their part,

pointed out that, in addition to the missing comma, the law as written flouts “the parallel usage convention.” “Distribution” is a noun, and syntactically it belongs with “shipment,” also a noun, as an object of the preposition “for.” To make the statute read the way the defendant claims it was intended to be read, the writers would have had to use “distributing,” a gerund – a verb that has been twisted into a noun – which would make it parallel with the other items in the series: “canning, processing,” etc. To the defendant’s contention that the series, in order to support the drivers’ reading, would have to contain a conjunction – “and” – before “packing,” the drivers, citing Antonin Scalia and Bryan Garner, said that the missing “and” was an instance of the rhetorical device called “asyndeton,” defined as “the omission or absence of a conjunction between parts of a sentence.”

- 6 Lest we lose perspective, this law on the books of the State of Maine applies to people who work with perishables, and the point is that pokey employees should not be rewarded for taking their sweet time getting the goods to market. Possibly (but improbably) for this reason, in an effort to illustrate (or not) ambiguity in a series, the coverage of *O’Connor v. Oakhurst Dairy* 15. *The Times* noted that it would break with style and add the serial comma in the following sentence: “Choices for breakfast included oatmeal, muffins, and bacon and eggs.” *The Guardian*, too, would avoid ambiguity at the breakfast table: “He ate cereal, kippers, bacon, eggs, toast and marmalade, and tea.”
- 7 Contrast these with a dinner described in a recent e-mail from John Pope, the author of a collection of obituaries that ran in the *New Orleans Times-Picayune*, who remains adamant in his rejection of the serial comma: “The next day, I enjoyed pan-roasted oysters with a tomato sauce over rice, broccoli salad and bread pudding with chocolate sauce.” A comma after “broccoli salad” would have cleared the table before dessert.
- 8 The case of the dairy-truck drivers’ comma has got several things going for it. It’s got David and Goliath in the story of the little guy sticking it to a corporate boss. It’s got men driving around in trucks with copies of *Strunk & White*¹⁾ in the glove compartment. And you know what else it’s got? Of course you do. It’s got milk. For all the backlash against the dairy industry – the ascendance of soy milk, almond milk, hemp milk (note the asyndeton), none of which, by the way, are really milk, because you can’t milk a hazelnut – there is something imperishably wholesome about cows and milk.
- 9 Got milk? Got commas?

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noot 1 *Strunk & White* is an American English writing style guide

Tekst 5 A Few Words About That Ten-Million-Dollar Serial Comma

- 1p 11 What is the point made in paragraphs 1-2?
- A A labour conflict drew the attention of language fans.
 - B A lawsuit filed by a group of linguists was settled out of court.
 - C A newspaper misquoting a legal document had to pay a hefty fine.
 - D A recent trial underlined the relevance of checking contracts for errors.
- 1p 12 What did truck drivers have a legal right to, according to paragraphs 3-4?
- A a bonus for doing chores in addition to transporting wares
 - B a higher salary for managing to transport wares without delay
 - C extra money when taking longer than scheduled to transport wares
 - D financial compensation for transporting certain types of wares
- 1p 13 Wordt verderop in de tekst uitgelegd waarom 'these exemptions' (alineea 4) ingesteld zijn?
Indien nee, antwoord dan 'Nee'. Indien ja, citeer dan de eerste twee woorden van de zin waarin dat gebeurt.
- 1p 14 Which of the following is a correct definition of "the parallel usage convention" (paragraph 5)?
- A Conjoined sentence components must be separated through punctuation.
 - B Enumerations are made by listing all the items belonging to a collection.
 - C Semantic ambivalence can be avoided by positioning essential content in a prominent place.
 - D The elements in a sequence must grammatically match the other elements in the sequence.
- 1p 15 Which of the following fits the gap in paragraph 6?
- A can be hard to digest for gourmets
 - B fed people's appetite for drama
 - C rehashed some fundamental truths
 - D served up a lot of food imagery
- 'a dinner described in a recent e-mail from John Pope' (alineea 7)
- 1p 16 Wat gaat er fout tijdens dit diner als gevolg van het interpunctiegebruik van John Pope, volgens de schrijfster van dit artikel?
Geef antwoord in het Nederlands.

'It's got men driving around in trucks with copies of *Strunk & White* in the glove compartment.' (alinea 8)

- 1p 17 In welke andere alinea wordt beschreven dat de expertise van taalkundigen daadwerkelijk is ingezet voor chauffeurs?

Noteer het nummer van deze alinea.

- 1p 18 What is the purpose of paragraphs 8-9?

- A to demonstrate that having an interest in proper punctuation transcends all classes
- B to explain the appeal of a case that backs both proper punctuation and the dairy industry
- C to imply that employees in the dairy industry should be schooled in using proper punctuation
- D to make clear why grammarians are willing to come to the aid of the dairy industry

Bronvermelding

Een opsomming van de in dit examen gebruikte bronnen, zoals teksten en afbeeldingen, is te vinden in het bij dit examen behorende correctievoorschrift.