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# Alphabet Soup: More Confusing Word Pairs

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# Alphabet Soup: More Confusing Word Pairs

Tenielle Fordyce-Ruff

I'm writing this over my Spring Break. By the time you read this, the weather will be lovely, but today it's classically blustery. I decided to make soup before sitting down at my computer. Filled with a lovely, warm homemade concoction, I realized that I didn't have a topic ready to pour out of my head.

So as sometimes happens when I have a bit of writer's block, my mind began to wander. I remembered lunches of alphabet soup on blustery spring days long before I hit law school (or high school for that matter). And then it hit me—I should write about all the odd ball confusing word pairs that didn't fit with my letter-themed past columns!

## Accord/Accordance

*Accord* is a verb that means agreement. *Accordance* is a noun that conveys conformity.<sup>1</sup>

*The parties were in accord after their successful mediation.*

*The complaint was drafted in accordance with I.R.C.P. 9(b).*

## Beneficence/Benevolence

*Beneficence* denotes the quality of being disposed or capable of doing good. *Benevolence* denotes the act of doing a good deed.

*The beneficence of the students involved with the Street Law clinic spoke to their character.*

*The clients thanked them for their benevolence.*

## Can/Could

In many circumstances, the verb *could* conveys the past tense of the verb *can*. But these two verbs can



also vary in sense: *Can* expresses a certainty, while *could* expresses uncertainty or a conditional statement.

*The clinic students can appear in court under certain conditions.*

*The clinic students could only represent low-income clients.*

## Discreet/Discrete

*Discreet* means careful or circumspect in speech, especially to avoid offending or to gain an advantage.

*Discrete* means individually separate and distinct.

*We made discreet inquiries.*

*The interrogatories covered several discrete areas.*

To remember the difference in spelling, remember that the letters E in discrete are separate, like its meaning.

## Forego/Forgo

*Forego* means to go before; *forgo* means to do without.

*The foregoing word pair has caused many spelling mishaps.*

*Use the tips in this article to forgo errors.*

To remember the difference, remember that *forgo* does without the E.

## Gibe/Jibe

As a noun *gibe* means a taunt or insulting remark. As a verb it means to jeer or to make insulting remarks. A nautical term, currently *jibe* also means to fit or agree, but it has the sense of negation.

*Some critics launch gibes at attorneys. The gibes don't, however, jibe with reality.*

## Illegible/Unreadable

Sometimes used interchangeably, the adjectives *illegible* and *unreadable* reference writings that cannot be read. But the conventional use of this two terms can convey two distinct meanings: *Illegible* text might be rendered unreadable due to poor handwriting or deterioration. In contrast, an *unreadable* writing might be legible, but so poorly composed as to be dull or incomprehensible.

Most of the notes my husband scribbles to me are *illegible*.

Some of the writing my students turn in the first few weeks of 1L is *unreadable*.

### Notable/Noteworthy

*Notable* means readily noticed or worthy of attention. *Noteworthy* means interesting, significant, or unusual.

*She had many notable clients, but none of their cases were noteworthy.*

### On/Upon

Both prepositions literally mean supported by a surface. *Upon* is more formal and abstract, however. *Upon* should be avoided unless you're expressing a condition.

*He served process on his client's former employer.*

*Upon completion of the job, the employee was entitled to compensation, but the employer refused to pay him.*

### Peak/Peek/Pique

Ahh, homophones. *Peak* means an apex (and you can remember this one because the A looks like a mountain peak). *Peek* means to sneak a look at something (think of the "ee" as two eyes glancing). *Pique* means to annoy or arouse (a feeling many people experience when having to spell words with a French origin).

### Principle/Principal

*Principle* is a natural, moral, or legal rule. *Principal* is a person of high authority or a loan amount requiring repayment.

*The principle of free speech permeates our society.*

*She diligently paid extra principal each month.*

(*Mea culpa*—this is a set I've mixed up before! In fact, this is one set of homophones that almost always gets me.)

### Purposely/Purposefully

To do something with intention is to do it *purposely* (think on purpose). To do something *purposefully* is to have a certain outcome or goal in mind. So when my two-year old nephew hits me, it's *purposely*. But because he doesn't mean to injure me, it's not *purposefully*.

### Tortious/Tortuous/Torturous

This is for my 1L students who bemoan that spell check won't catch their usage mistakes with this set.

*Tortious* relates to torts. *Tortuous* is something full of twists and turns or excessively lengthy and complex. *Torturous* involves torture or at least severe discomfort.

*She filed a complaint for tortious interference with a contract.*

*Her tortuous brief was so full of jargon it was torturous.*

To remember the difference, liken the "uou" in tortuous to twists and turns — the "u" is more curvy than the "i" in tortious! And of course, torturous has the same root as torture in it.

### Toward/Towards

These directional words have the same meaning: in the direction of. The shorter *toward* is preferred in American English. This preference also holds true for other directional pairs (upward, downward, forward, backward, and afterward).

*She was moving toward finishing the article.*

### Wrong/Wrongful

*Wrong* means immoral, unlawful, or incorrect. *Wrongful* means unsanctioned, unjust, or unfair.

*It is wrong to use wrong and wrongful interchangeably.*

### Conclusion

Now that this is done, I'm going to bundle up and head out for a walk before making dinner. I've looked a few recipes that have piqued my interest and I *could* use something a little more filling than soup. (And yes, I used those words *purposely*!)

### Source

- *The Chicago Manual of Style* § 5.220 (16th ed.).

### Endnotes

1. Technically, accordance is a nominalization. For more on nominalizations, see my article, *Cutting the Clutter: Spring Cleaning for Writing* in the April 2013 edition of *The Advocate*.

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