

Career Path: I Miss Shaking Hands

Career Development



When I started working in Switzerland, I was struck by what seemed like an annoying, old-fashioned custom. In most business settings, a person joining a meeting is expected to individually greet each person in the room. You would say hello, shake each person’s hand, and perhaps give the three cheek kisses to women, left, right, left.

And you were not done with the ceremony. Upon departure, the proper procedure is to once again shake the hand of each person in the meeting. You can understand why I soon learned to come to meetings early and leave late.

Does this seem anachronistic to you? I resisted. I never got comfortable with cheek kisses, which requires a European flair and elegance I do not possess.



In many European countries, three cheek kisses — right, left, right — are a customary greeting.

Although the custom waned, with the advent of the #MeToo movement, I advised management that cheek kisses were not OK anymore. (Did I have my own ulterior motive in relegating check kisses to the compliance bad list? Maybe.)

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As to the procession of handshakes, for some time I tried an airy wave at larger groups of people instead of individual greetings. This was probably an unwelcome move by a relative newcomer to a country. Then again, as a stranger in a strange land, my colleagues probably had but minimal expectations for me.

Why the handshake is so important

The Swiss themselves are resoundingly successful in doing business in foreign countries. I sense they hold themselves to a high standard, from learning the local language to spending time understanding and following local customs and practices. Plunk a good Swiss manager down almost anywhere in the world, and he or she will thrive. I saw this over and over again, and I am deeply impressed.

The common thread between the handshake ceremony and success in foreign settings may be a

simple acknowledgment of, and respect for, others as individuals. You hear Americans described as individualistic, and I agree. But the difference is that Americans prioritize themselves as *individuals*, while Swiss customs indicate they value *others*.

It is certainly both acknowledgment and respect to take a moment to shake each person's hand. Maybe this helps set the tone for productive meetings because each person feels individually welcomed. You are there for your personal attributes and so you feel more comfortable contributing.

The contracting process helped me evaluate the importance of handshakes. I'm not ashamed to admit I love contracting and I hope I've gotten good at it. I've certainly had a lot of practice, overseeing more than 10 million commercial agreements. Of course only a tiny fraction of those had in-depth review and negotiation, but it's still a big number.

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> going forward.

I started teaching contracting principles to masters of law students several years ago. When I was creating materials, I thought about how businesspeople make deals, and have done so for centuries. You signal agreement by shaking hands. The handshake represents so much more, though. On an individual level, it signals trust, personal commitment, and a certain responsibility for the relationship going forward.

Honor the spirit of an agreement even if legally you could challenge it

In observing my business colleagues in practice, I realized that handshakes are powerful. If a person agrees to something and shakes hands on it, the agreement becomes more meaningful than the strict enforceability of the words from a legal perspective. This translates into better contract drafting by following a simple principle: Always ask for what you want, and make sure the business parties acknowledge what's been agreed upon, with a signature or a handshake or both.

An example: It was important to me that we limited our liability when selling our products. I wanted to use the same simple and clearly written contract clause in all jurisdictions, even though in some countries this was not always enforceable as written. However, we found that our business partners almost always honored the spirit of the agreement even though they could have made a legal argument challenging its enforceability.

Why? Because we could say to them, we had a deal. You signed the agreement (handshake or not), and the deal is clear. The lawyers in the background would make their arguments, but the business sense, the unwritten honor code, usually prevailed.

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I hope you agree there are many solid business reasons to respect the handshake. It took the pandemic to drive home how important the handshake is on a personal level as well. How many times did you catch yourself holding out your hand in greeting or farewell, only to realize that social distancing forbid it? I did this over and over, and it made me realize the handshake is key to forming

emotional bonds.

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I miss handshakes, and I look forward to their return.

Very belatedly, I have come to see the wisdom in my Swiss colleagues' practice of starting and ending meetings. The next time I go to a meeting, I will gladly shake everyone's hand. Just don't expect me to kiss anyone.

Be well.

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