

Career Path: Persuade Like Aristotle

Career Development



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If you want to know which students will become successful lawyers, it turns out the law school admissions test is not the best predictor. A few years ago professors Marjorie Schultz and Sheldon Zedeck identified 26 lawyer effectiveness factors that serve as better predictors of career success.

The whole list makes for interesting reading. Today, I want to focus on one set of skills the professors grouped under the “Communications” heading:

Influencing and advocating. Persuades others of position and wins support.

Writing. Writes clearly, efficiently, and persuasively.

Speaking. Orally communicates issues in an articulate matter consistent with issue and audience being addressed.

Listening. Accurately perceives what is being said both directly and subtly.

Master Skills to be Effective In-house Counsel

- Why It's So Hard Being a Good In-house Lawyer (the challenge);

- The Day You Became Smarter (writing plainly and clearly);
- Write Better Emails Today (taming the email monster);
- Maybe Don't Go to that Meeting (avoiding time-wasting meetings);
- Influencing others (this article); and
- Listen Up Already! (engaging with others).

You can be well-liked, rigorous in your legal analysis, and correct in your conclusions. But inevitably, someone whose pay depends on disagreeing with you is going to challenge your views. It thus will come as no surprise to all of you practicing law in the real world that being persuasive is pretty important.

With all this in mind, I was annoyed that no one told me the secret to effective persuasion is no secret at all. That, in fact, it has been known for over 2,000 years thanks to Aristotle's Rhetoric. I spent the better part of 20 years watching, teasing out best practices, and honing my own skills at being the Gary Spence of the boardroom.

Time-tested advice with modern tweaks

One of the things I learned is that no matter how strong your persuasion skills, you can get better. Although I bet you're already pretty good, today I will give you a condensed version of time-tested advice on how to persuade, together with a few modern tweaks. I personally put the lessons here into practice every time I have to teach or present.

> You build credibility by never lying or shading the truth, even when it hurts your case.

Here are five elements Aristotle believed were critical to effective persuasion,* to which I will add a few observations:

1. Ethos (Credibility)

Ethos is that part of your talk where you give the audience insight as to why you are credible. This can come by virtue of your position or from your specific experience. I find you build credibility by never lying or shading the truth, even when it hurts your case. Admitting a weakness up front is a great way to show you can be trusted. It also helps to be transparent about your interests. People know you are representing a position, so go ahead and tell them what you want.

2. Logos (Appeal to reason)

Having set the stage about your credentials as a person, this is where you use facts and data to form a rational argument. Everyone likes to think they are logical, rational thinkers. So help them see a clear path to your point of view. Think of it as a fact-based hook for people to hang their hat on, something that allows them to agree with you.

3. Pathos (Human emotion)

Notwithstanding what we just said about the appeal to reason, the most powerful persuasion is carried on the wings of emotion. And the single best vehicle for arousing emotions is the story. The bulk of your presentation therefore comes in the form of storytelling. This doesn't have to be a fully fledged plotline. You do well to call upon a simple anecdote or episode from your life.

> People know you are representing a position, so go ahead and tell them what you want.

4. Be tangible

Particularly when you are trying to get your audience to accept or understand a new idea, analogies and metaphors are great tools. They give the impression that the new thing is really just something the audience already understands. And they make otherwise abstract ideas tangible and vivid.

5. Be concise

People have short attention spans, now more than ever. Don't fight it. Instead, make your argument short and simple. Start strong and end strong.

In the business context, I assume your audience knows you and knows why you are there. Don't waste time and valuable attention on introductions, background, or other unimportant topics. I say jump right in to the heart of your story and grab the audience's curiosity. Storytelling is so important to persuasion that I start with it always, even when I have to take pains to later build credibility and the logical argument.

Practiced prepared remarks enough so that you can speak fluidly. Speak written remarks out loud at least once, even if only to yourself. This will help you catch awkward phrases that don't sound right.

Be animated, speak with energy, and show interest and enthusiasm in your subject. Your excitement shines through to your listeners. But don't let your enthusiasm carry you away. Speak clearly and pace yourself. Get a friend to point out your "ums" and "ahs" and similar empty words.

Watch your audience carefully for clues as to how you're doing. Help them keep the thread of your story by stepping back on significant transitions: "This is where we are. I just discussed X, and now I am going to move on to Y."

I hope the law and the facts will always be on your side. When they are not, you need to be the best persuader in the room. And that is more a matter of preparation than anything else. I hope today's discussion arms you well for the battles ahead.

Be well.

* I was inspired in the discussion of Aristotle's Rhetoric by The Art of Persuasion Hasn't Changed in 2,000 Years.

Question, comment? Contact Career Path columnist James Bellerjeau.

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James Bellerjeau



Lecturer

James Bellerjeau is a lecturer in the LLM program of the University of Zürich and for the Europa Institut of the University of Zürich.

Bellerjeau served for two decades as group general counsel for Mettler-Toledo International Inc., an S&P 500 company with its worldwide headquarters in Greifensee, Switzerland. He then led Mettler-Toledo's global Sustainability program for several years through June 2021.

Bellerjeau shares thoughts on how to live a good life at Klugne. You can also follow him on LinkedIn.