

On the Papers

# THE STYLE PROCLAIMS THE LAWYER: YOU ARE WHAT YOU WRITE

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So often in professional life—life in any profession—we exist in the minds of others only through our writing. They know us only through their acquaintance with our letter of application or publication or trial brief. The 18th-century French naturalist Georges-Louis Leclerc, Comte de Buffon (in an age before gender-free pronouns) put it memorably:

Writing well consists of thinking, feeling, and expressing well, – of clarity of mind, soul, and taste. . . . The style is the man himself. [*“Le style est l’homme même.”*]

Man or woman, it matters not: One’s writing style proclaims to a reader who and what the writer is, personally, morally, and intellectually. It is of the utmost importance as a lawyer for your prose to proclaim accurately not only what is going on in the case but also who and what you are. Because it will convey all these

whether you wish it to or not, it makes great sense for you to be in charge of that self-portrayal.

In eight previous articles in this series, I have explained some of the details of what I call the Reader Expectation Approach to the language. To know whose story a sentence is, readers look to the grammatical subject; to know what actions are happening, readers look to the verbs; and to know what words are to be read with the most emphasis, readers look to the sentence’s stress position or positions—the moments of full grammatical closure that are indicated by the presence of a colon, semicolon, or period. Here I will use this last expectation—that of the stress position containing the most stress-worthy information—to explore an example of what great negative consequences were produced by a political speechwriter’s stylistic habit falsifying the character of a major political candidate.

Here is a paragraph from a 1984

campaign speech by Walter Mondale, who was the Democratic candidate up against Ronald Reagan seeking a second term.

A. I have refrained directly from criticizing the President for three years. Because I believe that Americans must stand united in the face of the Soviet Union, our foremost adversary and before the world, I have been reticent. A fair time to pursue his goals and test his policies is also the President’s right, I believe. The water’s edge is the limit to politics, in this sense. But this cannot mean that, if the President is wrong and the world situation has become critical, all criticism should be muted indefinitely.

Would this passage, in 1984, have made you want to jump out of your chair and find the nearest polling booth? Mondale was a long-term senator, respected by most of his colleagues on both sides of the aisle, moderate in his tone, and pleasant in his demeanor. And yet he lost that election by the largest electoral margin in U.S. history, carrying only his home state and the District of Columbia. Exit polls suggested that even a majority of Democrats felt Mondale was not strong enough to face up to the continuing threat posed by the powerful Soviet Union.

Why should this have been the case? All those voters did not know the man from long conversations with him or from a careful review of his voting history. They knew him mostly from the few sound bites they heard from him on television. I suggest that it was sound bites such as this speech—not even written by him—that proclaimed his supposed weakness.

None of the individual sentences can be considered ungrammatical or intellectually vacuous; but the weakness of every single stress position suggested a political impotence that accorded with his overwhelming defeat.

The stress position occupant of the first sentence emphasizes that our candidate has done the action of refraining “for three years.” Since that is exactly how long Reagan had been president, “three years” translates into “forever.” He might as well have said, “I have refrained directly from criticizing the president forever. Vote for me.”

It is a strange claim to make. He continued:

Because I believe that Americans must stand united in the face of the Soviet Union, our foremost adversary and before the world, I have been reticent.

The long “because” clause increases our expectation of a powerful resolution in the main clause to follow. When that main clause arrives, not only is it disappointingly anticlimactic, but it also features a stress position that once again highlights the candidate’s reticence. Putting the two sentences together, valuing the stress position occupants as the most important information, we get a strange message: “I have said and done nothing, forever.” Why should we vote for a man with this record? More tellingly, why should we vote for such a man? (The style proclaims the man.)

In the third sentence, he makes a point that at first sounds forceful: “A fair time to pursue his goals and test his policies is also the President’s right”; but then in the stress position, he backs away with the limp qualification “I believe.” Did he want his claim to be taken as mere “belief”?

If that were a sole instance of such a rhetorical retreat, it would not define his character; but he does the exact same thing in the next sentence. “The water’s edge is the limit to politics,” he declares with some force; but he then undercuts it by ending the sentence with “in this sense.” Nothing ends decisively.

The final sentence of the paragraph, given this context, descends almost to the comical:

But this cannot mean that, if the President is wrong and the world situation has become critical, all criticism should be muted indefinitely.

The negative verb (“cannot mean”) is so far separated from its resolving clause (“all criticism should . . .”) that its negative quality is undermined. As a result, we get a stress position strangely filled with “all criticism should be muted indefinitely.” It almost produces this comical argument: Because all criticism should be muted indefinitely, you should vote for me, because I have made a good start on that, having said and done absolutely nothing, forever. Of course, that was not his intended argument; nor is it a logical interpretation of his words. But because it is a compilation of everything he has put into his stress positions, it subliminally becomes part of his message.

The weak stress position poisons every single sentence. Potentially important arguments for his side appear, but never in the stress position, where they would have been most noted and most valued. The speechwriter’s prose presents the image of a man who cannot see things to their conclusions, who cannot stand up for his own insights, who is, in short, lacking in power and force—and will not be able to stand up to the Soviet Union.

Am I suggesting that if his speechwriter had only filled all the stress positions with the important material of the sentence, his “style”—that is to say, his character—would be so transformed that he would appear a man of strength and force and insight? Yes. Here is a revision of this passage in which something of import has been moved into every stress position.

B. For three years, I have refrained from directly criticizing the President of the United States. I have been reticent because I believe that Americans must stand united before the world, particularly in the face of our foremost adversary, the Soviet Union. I also

believe a President should be given fair time to pursue his goals and test his policies. In this sense, politics should stop at the water’s edge. But this cannot mean that all criticism should be muted indefinitely, no matter how wrong a President may be or how critical the world situation may become.

The style of this revised paragraph presents us with a man who is a tower of strength, a man of clear vision, a man who can lead us all forward. A forward lean is created primarily by each sentence’s leaning forward, as the structural expectations would have us do, toward the stress position.

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I am not saying he would have won; but he would not have lost by such a huge margin. In looking at several others of his speeches from that campaign, I have not found a single sentence with a strongly filled stress position. The weak stress position was a major component of his style—rather, of the style he was given.

Through this faulty stylistic habit (the weakly filled stress position), the speechwriter essentially created a literary character, lacking in strength, and falsified the character of the actual candidate. We are all creatures of rhetorical habit; and the sum of all our rhetorical habits becomes the identity of the character we show to the reading world.

How are your stress positions? ■