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Strengthening Your Impact:
The Always Articulate Attorney

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Listening to Yourself

To speak more articulately, start by listening more carefully to your own voice. How do you use your voice expressively when you’re engaged in natural conversation? How do you adjust your pace, volume, energy, pitch, and tone when talking to different people about different topics? You may not yet be aware of such adjustments, but you make them all the time. Ask yourself, “What do I do with my voice naturally and expressively when talking with friends and colleagues?” You have certainly paid attention to what you say in conversation: now pay closer attention to how you say it.

If you are naturally soft-spoken, you must get comfortable with the challenge of speaking consistently with greater volume. If you are naturally shy and introverted, you need to learn how to transcend those natural tendencies and perform the role of articulate attorney for your client’s cause. If you naturally talk very fast, you must be able to slow down and control your pace. Most important, you should be reliably fluent and articulate every time you speak professionally.

Another challenge is to be able to objectively evaluate your own voice during recorded playback. When you hear your own voice played back through an answering machine, voice mail, or a television set, you probably sound rather odd—to you. But it’s unlikely that you sound funny or peculiar to anyone else. Nearly everyone has the same response when listening to themselves on a recording device. It’s important that you get past this hypercritical, subjective response to hear your voice more objectively and to expand its expressive range. Some attorneys get stuck on this one point. They say, “My voice sounds so strange, and there’s not much I can do about that,” when that isn’t a remotely accurate description. Don’t get stymied by your own subjectivity. Improving your voice begins with a clear-eyed assessment of your voice as it is.

To evaluate your voice accurately, it helps to understand why it sounds funny to you when played back on a recording. The answer has to do with the two different ways that you hear yourself when you speak. When your vocal chords vibrate, not only do those vibrations travel through the air (to a listener’s eardrums or to your own), they also travel through your body. Observe this phenomenon by gently putting your index fingers in both ears and speaking a few words. Recite the beginning of the Gettysburg Address or the Pledge of Allegiance. Your fingers block the vibrations that normally travel through the air to reach your eardrums. What remains
are the vibrations traveling through the flesh and bone of your neck and skull to your inner ears. Now remove your fingers from your ears and place the palm of one hand on your upper chest right below your neck. Say a few words, or simply clear your throat at full volume. Notice that your upper torso also vibrates as you speak and that you can feel those vibrations in your upper chest. These internal vibrations seem particularly intense because your body is vibrating, not just the air near your ears.

This explains why virtually everyone thinks they sound funny on a recording. During playback, all you hear are the vibrations that rippled through the air to reach the microphone; your flesh and bones are silent. The effect is a bit like turning up the treble and turning down the bass on a CD player. We tend to describe our own voices as “nasal” because we are shocked to hear them without the lower-pitched vibrations normally conducted by flesh and bone.

An additional complication is introduced by the limitations of both recording and playback technology. When you hear yourself on a video played back through a television set, you are listening to a loudspeaker only a few inches in diameter. That speaker reproduces only a portion of the audio spectrum of your voice. In conversation, your listener hears the vibrations of your vocal chords, reinforced by your resonating sinus cavities and upper torso—a warmer and more vivid sound than a two-inch television speaker can ever capture. You could say that your voice sounds as authentic and natural on a television speaker as a rock band sounds on a clock radio. We accept the technological shortcomings of the radio and listen past them. Do the same when evaluating your own voice.

The idea that there’s something wrong with your voice is a red herring. Don’t get hung up on it. Abandon your self-critical response to your own voice so that you can tackle the real challenge: using your voice more persuasively. Once you accept that there’s nothing wrong with your voice, you can begin to use it with greater power, confidence, expressivity, and authority. Let’s continue our exploration of the physiology of articulate speech with a brief anatomy lesson.

**Your Lungs and Diaphragm**

The power to speak confidently comes from your lungs and diaphragm. The volume of your speaking voice is directly proportional to the volume of air you draw into your lungs with each inhalation. The muscles that control respiration include the diaphragm muscle and the intercostal muscles between your ribs.
When you inhale, your diaphragm does most of the work. The diaphragm is a dome-shaped muscle that lies below the lungs and above the other organs in your lower torso. When you inhale, the diaphragm moves downward and flattens. This downward movement causes the lungs to expand, creating a partial vacuum that draws air through your mouth and/or nostrils, down your windpipe, and into your lungs. As the diaphragm flattens and pushes downward, the organs below move out of the way to make room for this expansion. It feels as if your abdomen is falling downward and outward. This is called abdominal or belly breathing, because the abdominal wall moves forward slightly to give the lungs room to expand.

Observe your breathing as you read this paragraph, as your autonomic nervous system controls your breath. A small, subtle movement is taking place in your lower torso. Now begin to breathe consciously, inhaling more deeply. Notice how much more completely and efficiently you breathe when you fully inflate your lungs. Take an even longer, deeper breath. Work the muscles of respiration more vigorously, pushing against your belt. When you breathe consciously, you not only calm yourself down but you get more oxygen to your brain. You will also speak with greater power, projection, and control.

Intercostal Muscles and Your Ribcage
In addition to your diaphragm, the intercostal muscles between your ribs also help your lungs expand. Put down this essay and place your hands on the bottom of your ribcage, at the sides of your body about halfway between your waist and your armpits. Take a deep breath and feel the outward movement of the intercostal muscles as your lungs expand. Breathing consciously and deeply creates a three-dimensional expansion: your abdomen moves forward, your ribs move out to the side, and there is even an expansion backward as you take a deep breath. When the body is working especially hard—if you get up and run around the block—these muscles of respiration would move outward more vigorously and obviously. At maximum exertion both the diaphragm and the intercostals work even harder, and the upper torso heaves dramatically. While such extreme physical effort is not required for professional speaking, consciously controlling your breath is the foundation of controlling your voice.

Breathe In and Speak Out
When you speak, you breathe in and then, on the exhalation, speak out. Don’t misunderstand this discussion of breathing to mean that you should inhale, exhale, and then try to speak. That
can’t work, because your lungs will be empty when you begin to speak. Breathe in to fill your lungs, and once they’re filled, use the air in your lungs to power your voice.

**Trailing Off at the End**

If your voice trails off at the ends of sentences, you need more air available to project it. Fill your lungs more consciously, so that you have enough breath to maintain volume until the very last word. Frankly, it is natural for the voice to trail off somewhat at endings. You begin each utterance with a full breath and use up that air as you speak. This gradual loss of air results in loss of volume as you continue. It helps to imagine that you are actually trying to get louder as you approach the end of a sentence. By compensating in this way for the inevitable loss of air in your lungs, you will ensure consistent volume and audibility.

**Vocal Cords, Larynx, and Trachea**

As you speak, air rises from your lungs and flows up your trachea, or windpipe, to your larynx. Your larynx is the “voice box” in which your vocal cords are housed. Though sometimes pictured as two thick rubber bands stretched across your larynx, the vocal cords aren’t really cords. They are two folds of cartilage attached to the sides of your larynx with a space between them. When you speak, air passes through the folds, causing them to vibrate. The greater the volume of air passing across your vocal cords, the greater the volume (or, in technical terms, the decibel level) of your voice. A very soft whisper uses so little air that the cords don’t vibrate, while a full-throated shout causes them to vibrate loudly.

Manipulating your larynx will not increase the volume of your voice. If you add unnecessary tension to your neck, throat, and vocal cords, you will only limit your volume (and possibly damage your vocal cords). Keep your neck and throat relaxed so that air can pass across your vocal cords unimpeded by excess tension. The more open, relaxed, and properly aligned your neck and larynx, the more freely, easily, and loudly your vocal cords can vibrate.

Your larynx is where the Adam’s apple is located. As the name implies, men more than women have a pronounced Adam’s apple, where the cartilage at the front of the larynx comes to a V-shaped point. Find your own Adam’s apple with the fingers of one hand. Let your hand rest there lightly as you take a quick, deep breath. Your larynx may drop slightly with the inhalation. When you swallow, the larynx rises up to close off your lungs so that food goes into your stomach. When you speak, your larynx should be relaxed and open.
Since you can’t look at your own vocal cords, it’s difficult to gain technical control over them. You can’t see whether your throat is relaxed and open, so you must rely on physical sensation. Some voice teachers describe the feeling of the open throat as similar to what happens if an old friend unexpectedly walks into a room, and you inhale quickly and deeply with a gasp of amazement. With your fingers placed gently on your larynx, take in a vigorous inhalation of surprise. Feel how the larynx moves downward as the throat opens. That is the open-throated feeling that you want, allowing air in your lungs to flow unencumbered over your vocal cords. As you take a deep breath, the inrushing air helps open your throat. The combination of breath in your lungs and an open throat prepares you to speak well.

Once the air from your lungs sets your vocal cords vibrating in your open throat, those vibrations flow up into your sinus cavities and mouth. Sinus cavities are hollow chambers in the skull where the vibrations of your vocal cords are amplified in the same way that the hollow body of a violin amplifies the vibrations of a string. You form words in your mouth, where your articulators (lips, jaw, teeth, and tongue) shape the sounds of the vibrating air. Just as you work the muscles of respiration vigorously to develop powerful breath support, you must work the articulators consciously to make your words understandable.

**Articulators and Articulation**

Your articulators are your jaw, lips, and tongue (which interacts with your teeth). Articulators transform a column of vibrating air into understandable words. Articulate speakers use these muscles with energy and precision. Your face has 44 different muscles, and a large number of those muscles are involved in enunciation and articulation. The more energetically you work the muscles of articulation, the more easily the listener can understand you.

In conversational speech, articulators are often underused, if not downright lazy. Many syllables and consonants—especially final consonants—are dropped in conversation. While we would write:

\[
\begin{align*}
Q: & \text{ When are you going?} \\
A: & \text{ I'm going to leave about nine.}
\end{align*}
\]

We often say, with fewer syllables and dropped consonants:
People conversing understand each other because of the context and melodic contour of the sentence, so lack of articulation isn’t usually a big problem. To be easily understood, however, you must give each consonant its proper enunciation.

**Warm Up Your Articulators**

There will be times when you are called upon to speak professionally under pressure, when your ability to speak well really matters. The best way to achieve the clearest speech is to warm up the muscles of articulation before you speak, just as an athlete warms up prior to an athletic competition. If the muscles needed for clear articulation are properly prepared, it is much easier for them to go to work immediately, and you are much less likely to trip over your own tongue at the start of your conversation or presentation. (Fluency errors early in a presentation have two downsides: they undermine your confidence while making a negative first impression on the listener.)

Athletes warm up the particular muscles required for competition. A marathoner stretches the leg muscles before the race. A baseball player in the on-deck circle warms up the arm muscles before stepping to the plate. A golfer takes a few practice swings before addressing the ball. Before you address your listeners, warm up your articulators. The law of primacy tells us that listeners are paying close attention at the beginning of a presentation. Therefore, be especially articulate at the very beginning in order to grab and hold the listener's attention when it is keenest. This warm-up doesn’t take very much time, but the benefits to your performance are significant.

Here is a technique to quickly warm up your articulators and the small muscles of your face. Find a private place and a couple of minutes to stretch and invigorate the muscles in your face. If you are reading in a private place now, stretch the muscles of your face to learn this technique.

Open your mouth as wide as possible and simultaneously open your eyes and lift your eyebrows. (Don’t be shy; no one is watching.) Stick out your tongue as well. Follow this
stretching action by compressing the same muscles. Withdraw your tongue, and scrunch up your face by pursing your lips and squeezing your eyes closed tightly. Now alternate between those two different actions. Stretch and then squeeze, stretch and then squeeze your facial muscles several times. Next, try to move all your facial muscles to the right side of your face, then to the left side. Lift all the facial muscles up, then down. Move the muscles of your face around at random, stretching every muscle. Now stop, and feel the subtle sensation of increased blood flow into those muscles, making them feel warmer. A short warm-up will prepare you to speak articulately right from the start.

More Exercises
Repeat these nonsense syllables over and over, increasing the speed as you get more comfortable and warmed up:

niminy piminy, niminy piminy, niminy piminy, (etc.)

Notice how these consonants warm up the lips and the tip of the tongue. To form the consonant “n,” place the tip of your tongue behind your upper front teeth, while the “m” and the “p” are formed by the lips. Take a deep breath and exaggerate as you articulate this pattern again. Taste every consonant. Work the articulators crisply and vigorously, more than you will ultimately use them while speaking. This will prepare your articulators to speak clearly and easily. Say the same pattern again, this time moving the pitch of your voice from the lower register to the upper register. Move the pitch up and down to warm up your vocal cords as you warm up your articulators.

The next exercise works the articulators from front to back. Say

butta gutta, butta gutta, butta gutta, (etc.)

Say aloud the consonant “b;” feel how it is formed on the lips. “T ” is formed with the tongue and teeth. The “guh” sound is formed in the back of your mouth when the back of your tongue arches up to meet the roof of your mouth. Repeat the exercise and feel the shifting of the consonants from your lips to the back of your mouth. Exaggerate and say it again, moving the pitch of your voice from lower to higher to lower to higher.
You can also warm up your articulators by using the traditional tongue twisters:

   Peter Piper picked a peck of pickled peppers.

   She sells seashells by the seashore.

Yet another way to warm up the articulators is to begin a mental list of words that trip your own tongue. Collect those words and use them as a warm-up exercise. When you trip over words with consonants that you find personally challenging—perhaps the alternating “s” and “th” sounds of the word “anesthesiologist”—then use that word as a warm-up:

   anesthesiologist, anesthesiologist, anesthesiologist, anesthesiologist

Say it a number of times, exaggerate your articulation, and gradually increase your speed.

It is helpful to over-articulate these warm-up exercises to increase the blood flow into the muscles of the face and prepare to speak. You will not exaggerate your articulation as you speak in conversation, but it is the best way to warm up.

With the muscles of respiration and articulation warmed up and ready to work, the next step is to make choices about how you are going to channel the energy these muscles provide. To make these choices, you first need to give yourself time, which leads us to a discussion of controlling the pace at which you speak.

**Controlling the Pace at Which You Speak**

To understand how to control the pace you need to understand the concept of “chunking.” Chunking is a term from cognitive psychology. Your brain and your listeners’ brains like and need information to be transmitted and received in chunks. The chunks of language we will focus on are phrases. You… neither… think… nor… speak… one… word… at… a… time. When you think, you think in phrases, and when you speak, you speak in phrases. Sentences are formed when phrases are cobbled together to form a complete thought. Just as phrasing is critical when expressively performing a piece of music, phrasing is a critical element in the creation and expression of language.
Use another simple mantra as a reliable technique for controlling your pace while incorporating the silence necessary for thinking: Speak in phrases, not whole sentences.

**Speak in Phrases, Not Whole Sentences**

Speaking in phrases gives your brain enough time to construct each sentence or question carefully, one phrase or chunk at a time. Since the brain likes to think in chunks, this mantra fits perfectly with the brain’s natural processes. This is not the same as speaking slowly in such a way that the listener is annoyed by your creeping pace. Speaking slowly might suggest that you should move your articulators slowly, but that would sound ridiculous. *Speak in phrases* is a much more practical instruction for the brain to follow.

If you habitually talk fast, the self-instruction to “talk slower” is often impossible to conceive, much less achieve. But you can speak in phrases even if you’re a fast talker. The short gaps between phrases allow the listener to catch up with what you just said and give you a second to formulate what to say next.

If you are a really fast talker with a rapid-fire, machine-gun delivery, control the pace by constantly taking your finger off the trigger of that machine gun. Speak in phrases, and between those phrases allow the listener to process and be persuaded by what you have said. Although the words may come flying out of your mouth at supersonic speed as you form each phrase, you can still give the listener time to process those verbal bursts.

Even if you are naturally a fast talker, learn to say important sentences at a slower pace for contrast. If you say everything at the same quick pace, then everything sounds the same and appears to be of equal importance—and that is never true. Important utterances need to be spoken at a slower, more deliberate pace, one phrase at a time, to mark their significance.

**Eliminating Thinking Noises**

In conversational speech, many people constantly use the thinking noises *uh, um, or ah*. This is not an issue of intelligence or education; it’s habit. Even highly educated speakers tend to use thinking noises much more often than they are aware. And awareness, or a lack thereof, is precisely the problem. It is not uncommon for some speakers to habitually use 10, 15, or even 20 thinking noises per minute! (Try counting the thinking noises a given speaker uses; you'll be
surprised by what you hear.) If you knew how often you use thinking noises, you’d probably be motivated to stop, or at least to reduce their frequency. But like all habits, this one is subconscious and reflexive, so you have no pressing reason to stop—except when you hear yourself on voice mail or an answering machine! It’s no wonder that a problem so ingrained through daily repetition is difficult to control and eliminate.

Thinking noises are an excellent example of why you can’t simply tell yourself to be natural when speaking under pressure: being natural may very well include the excessive, annoying thinking noises of ordinary conversation. In this case, the last thing you want is to be natural. Once you’re addressing your listeners, it’s too late to begin thinking about eliminating this persistent habit. You must work at changing it far in advance. Make it your goal to use no thinking noises at all—not in conference rooms, not on the phone, and not while talking to clients. Strive to be always the articulate attorney. Eliminating thinking noises begins with understanding exactly what a thinking noise is.

**What is a Thinking Noise?**
Thinking noises typically occur when you speak in phrases but don’t allow silences to punctuate those phrases. In the place of silence, you insert a one-second, monosyllabic noise. This noise indicates that you know it’s your turn to speak but you need a second to think of what to say next. Thinking noises almost always last about one second, and they always occur on the same musical pitch in the speaker’s voice. They lend a monotone quality to speech that is both distracting and annoying.

Certain words can also function as thinking noises. The expression “you know,” often inserted between phrases and sentences, gives the speaker an additional second to think. Children, teens, and even many young adults use the word “like” in the same way. Nothing is like a clearer indication that like a person hasn’t fully acknowledged like their professional status than this like annoying and childish verbal habit. Summer associates at law firms are often shocked to discover that speaking with this accent of adolescent is like highly undesirable. If you talk like a child, people don’t take you seriously as a professional.

Another of the reasons that thinking noises are so annoying to listeners—and that some irritated listeners even begin to count them—is that these noises intrude on the listener’s thinking time. Just when your listener needs a second to consider what you just said, the thinking noise fills
the silence like static on a cell phone connection. It interferes with the listener’s cognitive processing, making it both irritating and counterproductive. Fortunately, it is also completely curable.

**How to Stop Saying *Um***

Whichever thinking noise you are trying to eliminate, realize that it is merely an audible indication that your brain needs a second to consider what you are about to say. You are verbalizing your need to stop—for one second—to think before speaking. The solution is to give your brain what it wants—a moment to think—but *not* to fill the needed *silence* with a bothersome and meaningless noise.

**Mind the Gap***

Passengers in the London Underground system hear an announcement that plays over the public address system whenever a train pulls into the station: “Mind the gap. Mind the gap.” This warning refers to the gap between the platform and the subway car. *Mind the gap* is the mantra that will help you eliminate thinking noises. *Mind the gap* between phrases and sentences. This gap isn’t a genuine pause, although to you it may feel like one at first. In fact it’s quite short. But during that brief gap, focus your mind on silence.

It is much easier to break a habit when you can give your brain a positive instruction, such as *Mind the gap*, rather than a negative one: *Don’t say um!* The negative instruction doesn’t work because it keeps your mind and your focus on the problem, not the solution. Rather than telling yourself *not* to do something, tell yourself to do something better: *Mind the gap.*

Focus on the silence. Silence is your friend. Embrace it. Hear the silence between phrases.

**How to Practice Eliminating Thinking Noises***

Find a room where you can be alone and are comfortable speaking aloud. Focus your attention on silence, and do not worry particularly about content. To do this, choose a topic that’s familiar and ordinary. Describe what you did last weekend. Talk about what you did on your last vacation. Speak at full voice; don’t mumble. As you talk aloud, your only goals are to speak in phrases and to mind the gap between phrases and sentences. A natural conversational pace is not the point of this exercise. Your aim is to activate your awareness of thinking noises and the silences that should replace them.
Before you begin, hear the silence around you. Once you hear it, begin to speak, inserting that silence into the gaps between phrases and sentences. Here is a typographical example of the pace:

Last weekend… (mind the gap)
I was extremely busy…(mind the gap)
and I didn’t stop for a minute. (mind the gap)
When I awoke on Saturday…(mind the gap)
the first thing I needed to do…(mind the gap)
was to run some errands. (mind the gap)

Do not speak at a pace that simulates conversational speech. Go as slow as you must in order to keep the silence in the gaps. The pace isn’t important; the silence is. Focus your awareness intently on silence in the gaps. Start to hear when you use a thinking noise. Then begin to hear the preferable silent alternative.

If and when you use a thinking noise, hear it and take note of it, but don’t stop speaking. Don’t mentally chastise yourself for your error. Be patient. Such a deeply ingrained, persistent habit will continue to appear periodically. Continue speaking, with your goal being to speak for longer and longer stretches without using a thinking noise. When you hear one, be aware of it, and avoid using it as you go forward.

Once you have free-associated about last weekend or your last vacation, try this same exercise while speaking about a topic related to the law. Use a topic that is currently in your head or on your desk. Again, the subject is less important than the silence. Tune your awareness to the challenge of speaking in phrases, and to minding the gaps between those phrases and sentences.

Practice for short periods of time, initially just five to ten minutes. Gradually lengthen the time you can speak with articulate control and without thinking noises. Once you have developed sufficient awareness, the next step is to practice conversational speaking without thinking noises. Become aware of using silence. The more you do this, the sooner you’ll develop a new habit: the habit of speaking without thinking noises.
Your goal is to be able to turn off the thinking noises whenever it matters. Often in everyday conversation the *ums* and *uhhs* simply don’t matter. Sitting at your kitchen table, talking with a friend in a restaurant, conversing with a colleague about last night’s big game—who cares if you say *um* then? You should care, however, about eliminating thinking noises when you are communicating professionally. Whether talking to a colleague or client, in person or on the phone, you should have the ability to be completely fluent and articulate.

So far we have described how to power your voice, speak articulately, adopt the right pace for your brain to compose clear and coherent thoughts, and eliminate thinking noises. The next step in the process is to understand how to use your voice expressively, and that requires an understanding of the technical elements of vocal expression and emphasis.

**Emphasis and Meaning**

Adopting a deliberate pace is essential if you want to speak articulately. Expressive, emphatic speech takes more time than fast-paced conversation. When you talk too quickly, you eliminate the time needed to emphasize key words. Emphasis on key words unlocks the meaning of what you are saying. With a deliberate pace, you have enough time to weigh word choice and keyword emphasis. The emphasis you place on key words can then be shaped to the maximum expressive advantage.

Emphasis is vital for understanding speech. It is the *emphasis* on the right syllable that makes words understandable. If someone speaks English with a heavy accent and places the *emphasis* on the wrong syllable, it makes the listener’s job more difficult. Intelligibility follows a clear progression: proper emphasis on the right syllable makes a word understandable, and emphasis on the right word or words makes a sentence understandable. Indeed, it is the proper emphasis on a key sentence that makes a paragraph of thought understandable, and proper emphasis on the key thoughts or points that makes your entire presentation understandable, and ultimately, informative or persuasive. Emphasis, especially on key words in a sentence, is what gives spoken language a clear and persuasive meaning.

If you speak with no emphasis on key words, you will deliver your thoughts in a boring monotone. The dreaded monotone speaker uses only one musical pitch—the monotone—when
talking. Every word is of equal weight: no words are emphasized. And when key words go without emphasis, meanings remain hazy, because emphasis clarifies meaning.

Imagine that you spoke the following sentence to your listener: “She never promised the shipment would arrive by Tuesday.” The meaning of that sentence will shift in subtle yet significant ways depending on which word you emphasize. Repeat this sentence aloud, emphasizing the key words printed in italics:

\[
\text{She never promised the shipment would arrive by Tuesday.}
\]

(maybe \textit{he} did, but \textit{she} didn't)

\[
\text{She never promised the shipment would arrive by Tuesday.}
\]

(with the stress on \textit{never} it is an absolute denial)

\[
\text{She never promised the shipment would arrive by Tuesday.}
\]

(you are waffling with the emphasis on this word)

\[
\text{She never promised the shipment would arrive by Tuesday.}
\]

(maybe she promised the invoice, but not the \textit{shipment})

\[
\text{She never promised the shipment would arrive by Tuesday.}
\]

(it's another definitive rebuttal)

\[
\text{She never promised the shipment would arrive by Tuesday.}
\]

(shipped on Tuesday, yes, but not arrive)

\[
\text{She never promised the shipment would arrive by Tuesday.}
\]

(maybe Wednesday, but not Tuesday)

As an even subtler example of emphasis affecting meaning, take one of the most famous quotations in American English, Lincoln’s reference in his Gettysburg Address to:

“…government of the people, by the people, and for the people…”

14
That line is usually delivered with the emphasis on the prepositions of, by, and for:

“…government of the people, by the people, and for the people…”

What happens to the meaning if you shift the emphasis to other words? Filmmaker Ken Burns did just that when directing actor Sam Waterston to deliver the Gettysburg Address in his acclaimed documentary, The Civil War. Burns believes that the proper emphasis is not on the prepositions but on the people:

“…government of the people, by the people, and for the people…”

This shift in emphasis effects a subtle shift in meaning. The conspicuous repetition of the word “people” puts the emphasis, both literal and philosophical, in a different place. Say it aloud to get the feel of it.

The art of acting rests largely on the power of emphasis to clarify and enrich meaning. The playwright writes the words, and the actor speaks those lines as written. But the actor (together with the director) decides which words to emphasize. In Death of a Salesman, playwright Arthur Miller has Linda, the wife of the salesman Willie Loman, say of her husband’s desperate plight, “Attention must be paid.” The playwright doesn’t indicate which of those words should be emphasized; the actor must decide.

“Attention must be paid.”
“Attention must be paid.”
“Attention must be paid.”

Or perhaps every word in that short sentence is worthy of emphasis:

“Attention… must… be… paid.”

Because acting is an art and not a science, all these choices are possible. Using their trained voices, actors make such choices by the thousands, and these ultimately coalesce into an interpretation of a role.
Speaking well, too, is an art—one in which you must decide which words to emphasize as you speak so that those emphases will convey the meaning you intend. But there is one enormous difference between acting and speaking. As an attorney, you do not recite from memory as actors do, but think on your feet (and your seat). You make extemporaneous choices about emphasis. You do this all the time in conversation without a thought. Virtually every sentence you utter has at least one and often several words that you emphasize instinctively. Start listening to yourself and to others; hear how emphasis occurs in conversation. Begin to hear how emphasis feeds expression.

**Emphasize Key Words**

Emphasis can be applied to words by varying *volume*, *pitch*, and *duration*. Often we stress the key words in a sentence by simply saying them louder. Say aloud the phrase from the Gettysburg Address, speaking the italicized words louder:

“…government of the *people*, by the *people*, and for the *people*…”

Now say it aloud the traditional way, stressing the prepositions:

“…government of the *people*, by the *people*, and for the *people*…”

Try doing just the opposite with the volume of your voice. Stress the key words by saying them more softly (but still intensely) compared to the other words.

“…government of the *people*, by the *people*, and for the *people*…”

Emphasis can be accomplished with pitch, too. Repeat our example using a higher pitch on the key words. This is the way we usually hear this famous quotation spoken. Now invert the intonation, using a lower pitch on the key words:

“…government of the *people*, by the *people*, and for the *people*…”

Repeat these words yet again, using first a higher pitch and then a lower pitch to emphasize the italicized words:
“...a government of the people, by the people, and for the people...”

Emphasis can also be effected with duration—by stretching or elongating the vowel of the accented syllable in the key word. Written language sometimes imitates this practice. Think of the different meanings of these words on a printed page:

Terse: “No.”

Emphatic: “Nooo.”

Hysterical: “Noooooo!”

The repeated letter represents a prolongation of the vowel sound. Even in conversational speech, we often emphasize a word by slightly elongating accented vowel sounds. Listen to the recording of Martin Luther King Jr.’s “I have a dream” speech: it is full of words that he emphasized by stretching vowels. Those words are indicated in italics:

I have a dream, that one day this nation will rise up and live out the true meaning of its creed: “We hold these truths to be self-evident: that all men are created equal.”

Say this quotation aloud; slowly and deliberately say it in phrases so that you have the time necessary to elongate the vowels of the words in italics. Then say it again, even slower, and stretch the vowels a bit more. Listen to how the pace at which you speak is connected to the time you have to be expressive with the words.

President John F. Kennedy elongated the vowels of the key words printed in italics:

“Ask not what your country can do for you; ask what you can do for your country.”

Say this quotation aloud, speaking in phrases, and emphasize the key words—especially the word you—by prolonging the vowels.
You can, of course, read these excerpts in two very different ways. You can simply read the words with no attempt to capture their inspirational meaning. In such a rendition, every word is given roughly equal weight. Alternatively, you can read the meaning of those words by emphasizing the key words. It is this emphatic, expressive delivery that allows you to convey the meaning behind the words, and not merely the words themselves. Don't just speak the words; you must speak the meaning of those words. Say it like you mean it. Otherwise it is just a mechanical exercise.

Unlike the orators cited above, you are not going to write out your conversations or presentations in advance and read them to the listener. You must to be able to think and to make choices about what words to say and which words to emphasize extemporaneously. You will be living, thinking, and speaking in the present moment.

**Prosody: The Music of Natural Conversation**

Prosody is a general term for the musical elements of everyday speech. It encompasses tempo, rhythm, loudness, silence, and intonation. These musical elements interact with syntax and meaning as you speak. We have already examined the necessity of finding the proper tempo or pace when speaking. Emphasis on key words gives your speech its natural rhythmic cadence. Loudness is important for projecting your voice as well as emphasizing key words. Silence gives you and your listeners time to think. This leaves intonation as the final element of prosody necessary for articulate, effective speech.

*Intonation* refers to the up-and-down movement of the musical pitch of your voice. This creates the subtle melody of natural speech. We have already discussed the necessity of avoiding monotone speech, in which your voice stays on a single musical pitch with no movement up or down. But we haven’t yet explored the desirable, persuasive alternative. No matter whether your voice is naturally pitched higher (soprano or tenor) or lower (alto or bass), you naturally and unconsciously use a range of musical pitches as you speak, encompassing a lower, middle, and upper register. To speak persuasively you need the technical ability to make periodic choices about the intonation and pitch of your voice.

Fortunately, much of the necessary variation of intonation or pitch results from simply emphasizing key words in a phrase or sentence. The very act of emphasis leads your voice to vary the pitch appropriately. That being the case, it is most valuable to focus your attention on
the intonation or pitch direction of your voice at the end of a sentence or question. Whether your voice is descending to a lower pitch or ascending to a higher one as the sentence or question ends, the intonation affects the power and meaning of your words.

**Walking Up and Down the Steps of Intonation**

To make this discussion of intonation as straightforward as possible, let's compare the movement of the pitch of your voice at the end of a sentence to going up or down the steps of a staircase. When your voice descends to a lower pitch it seems to *walk down the steps*, and when it ascends to a higher pitch it *walks up the steps*. Imagine that your voice has three levels, like a house with a main floor, basement, and attic. The middle pitches are the main floor where you spend most of your time. Your voice also has a basement and an attic where you go once in a while, but you don't spend as much time there as you do on the main floor.

Here is a familiar example of your voice naturally walking down the steps to a lower pitch to indicate finality. Say aloud the final phrase of the Pledge of Allegiance and listen to your natural intonation:

> …with liberty and justice for all.

Because that is the end of the Pledge, your voice naturally indicates finality and closure by descending to a lower pitch. The descent provides audible punctuation, with the pitch of your voice placing an audible period at the end of the sentence:

> …with liberty and justice for all [period].

To make this stepwise descent visual, we can notate the downward, stepwise progression like this:

> …with liberty and
> justice for
> all.
Say this example aloud several times until you can confidently make your own voice walk down the steps. Once you can manipulate your voice in this way, use that same pattern, walking down the steps as you say:

    Ab-so-
      lutely
           not!

Here is another familiar example of this descending pitch pattern. Broadcast journalists on radio and television walk down the steps at the end of every news report when they sign off by saying their name, news organization, and location. That descent looks and sounds like this:

    Cokie Roberts,
         NPR News,
              Washington.

Imitate this familiar pattern. Sign off as a broadcaster, walking down the steps in this descending pattern. With that intonation pattern confidently in your voice and ear, use it to say:

    Your client
         must accept
              responsibility.

Walk down the steps as you say:

    Use your
      common
           sense.

As you descend to a lower pitch, don’t force your voice into an uncomfortable or unnatural range. These variations in pitch take place within your natural vocal range and should not sound forced or artificial. If they do, you are pushing your voice too low. Allow your voice to walk down the steps rather than making it descend.
In a subtle yet significant way, walking down the steps at the end of a sentence conveys confidence and finality. If you expect to inform or persuade your listener, you have to sound like you believe what you are saying. This pattern helps to achieve that goal.

The other advantage to walking down the steps is that the finality suggested by the descending pitch buys you some extra time to think about what to say next. Both to your listeners’ ears and to your own, that descending pattern signals a conclusion. The sentence is finished. Period. Your listener has a little extra time to think about what you just said. The sound of finality will help you mind the gap between sentences because this sound makes the brain less inclined to fill in the gap with a thinking noise.

Walking down the steps is especially useful at the very beginning of a conversation or presentation when you are tempted to talk too quickly. Walking down the steps will help you apply the brakes, stop, and take control of your pace. So to our other mantras we can now add: *Speak in phrases, emphasize key words,* and on the last phrase of the sentence *walk down the steps,* then *mind the gap.* Here’s a printed notation of this pattern:

```
Compose your sentence
a phrase at a time,
and on the final phrase
walk
down the
steps.
```

Say that aloud, and do what you are saying.

```
Speak in phrases,
emphasize key words,
mind the gap, then
walk down the steps.
```

If you begin a presentation with a series of sentences that end with this descending pattern, you immediately convey a sense of confidence and control. This puts you at ease as you employ the
melody of power and persuasion, and also buys you time to think. And when you have enough time to think, you can say what you want to say clearly and articulately.

**Walking Up the Steps**

Walking up the steps takes the voice to a higher pitch at the end of a sentence, and it conveys a different meaning. When you exclaim, your voice tends to rise to a higher pitch. We denote that additional energy on the printed page by ending the sentence with an exclamation mark: “I am shocked!”

```
shocked!
am
I
```

Say that example aloud (with the energy required for an exclamation) and make your voice walk up the steps. This is the audible exclamation mark, used in conversation when you jokingly exclaim to a friend:

```
mind!
out of your
You are
```

Walking up the steps is a pattern you will use less often than walking down the steps. If you overuse it you may sound like the stereotypical used car salesman. In fact, this pattern is often used excessively in television commercials. Think of the huckster in the late-night infomercial braying:

```
tee it!
guaran-
I
```

But for our purposes, walking up the steps is useful in a number of circumstances. If you are a litigator, you can use it to energetically declare your theme to a jury at the beginning of opening statement:
You could also walk up the steps in closing argument. Walk up the steps as you say aloud to an imaginary jury:

```
responsible!
is not
Mr. Wang
```

The additional energy of walking up the steps helps build momentum, and it establishes at once that you are wholly committed to what you are saying. It can also be a useful technique if you find yourself in the middle of a lengthy presentation and you need to add some energy and spark to regain the listeners’ attention. Walking up the steps provides an intentional infusion of vocal energy to win back a listener’s wandering thoughts.

Don’t fear that you’ll be constantly thinking about the upward or downward intonation of your voice at the end of every sentence you utter. You won’t. Only periodically will you consciously use a rising or falling intonation for the specific persuasive purposes of adding energy and enthusiasm (by walking up the steps) and adding finality and conclusiveness (by walking down the steps).

The Questioning Curl
An even subtler pitch pattern occurs when the intonation of your voice suggests an upward slide. Say aloud the sound of this monosyllabic interrogative:

```
“Huh?”
```

Listen to what happens to the sound of the vowel as you speak. When your voice slides upward on the vowel sound of a word, the sound suggests a question, right? Right? We call this intonation pattern the questioning curl because the musical pitch curls upward at the end. Say
aloud the following utterances and hear the difference between the questioning curl on the vowel of the final word, and walking down the steps to answer:

Am I right?

And the affirming answer:

You are right.

Or more graphically…

You

are

right.

This can also walk up the steps…

right!

are

You

It is important to understand the difference between walking up the steps to the exclamation mark and the subtle upward slide of the questioning curl. The difference is the upward curl or slide of the pitch on the vowel. This curl does not happen when walking up the steps to the exclamation.

The questioning curl can turn a declarative sentence into a question. The declarative

You

went

home.
with the questioning curl on the last word becomes

m

You went h

Say these two examples aloud and hear the difference.

**Curling and Listing**

When you say a list of items aloud, your voice does the same kind of upward curl on the vowel sound of each item in the list.

Go to the store and get some milk, eggs, bread, and coffee.

Say that sentence aloud and hear how your voice slides upward on the vowel sounds of “…milk, eggs, bread…” and then finally descends on the last word of the list: “coffee.” This is our natural way of making an audible list, with the curl at the end of each item in the list indicating to the listener that more is coming.

This listing intonation can unconsciously affect your voice in professional conversation. When you first begin to speak, the brain begins to tick off items on your mental list of things you need to say. First on the list is the greeting, “Good afternoon.” Next is your name and perhaps your law firm, followed by the acknowledgment of your listeners, “Thanks for coming to this meeting.” Because the brain conceives these introductory formalities as a list, an upward inflection just like the questioning curl is used for every item on the list. Once established, this list-making, upward intonation pattern is apt to be extended into the first substantive sentences and potentially through the entire opening paragraph of your remarks.

Although there is no conscious intention on your part to ask a series of questions or convey a lack of confidence, the listing inflection gives that impression. The listener’s first impression is that this lawyer isn’t very sure of himself. In fact, he sounds like he is questioning virtually everything being said, including his own name and his firm’s! So beware of the trap of the repetitive listing inflection, which will make you sound decidedly unsure of yourself. To avoid this problem, use introductory comments as an opportunity to consciously and confidently walk down the steps.
Good after noon.

My name is Jane Doe.

This will embody confidence, control, and command of the room in the very first words you utter. It also helps you keep control of your pace. Instead of racing through the introduction, you are speaking deliberately, a phrase at a time, and walking down the steps to a full stop.

Along with the expressions like and you know, the upward curl can sound like another form of the accent of adolescence. The repetitive use of the rising inflection at the end of declarative sentences suggests lack of certainty, confidence, and maturity. If you wish to be taken seriously, expunge this vocal habit from your professional conversational style.

Conclusion
To become the always articulate attorney, listen to how your use voice. Lay aside concerns about the strange sound of your voice; it is just fine. You want to use the voice that you have more effectively and articulately. When you have to speak under pressure, warm up your voice and articulators in private prior to speaking. Listen to others and analyze why someone is very articulate and effective as a communicator—or not! Practice eliminating thinking noises in conversation, when there is no performance pressure on you. Use the following list of mantras as your guide:

**Mantras of Self-Instruction**

- To control the pace: *Speak in phrases.*
- Before you begin to speak: *Hear the silence, then use it.*
- At the beginning: *Use first sentences to set the pace.*
- To eliminate thinking noises: *Mind the gap.*
- To clarify your meaning: *Emphasize key words.*
- To speak clearly: *Taste every consonant.*
- To emphasize key words: *Vary the volume, pitch, or duration.*
- To sound confident and conclusive: *Walk down the steps.*
• To add energy and interest: *Walk up the steps.*
• To avoid questioning yourself: *Beware the questioning curl.*
• To end conclusively: *Go slower as you go lower.*
Brian K. Johnson coaches more than 1,000 lawyers annually to improve their communication and persuasion skills. He works with attorneys exclusively. His international consulting practice includes teaching advocacy skills to trial lawyers and public speaking skills to transactional attorneys who need to be articulate, confident, and compelling communicators.

A keen observer of human behavior, Johnson is able to offer individualized, immediately useful suggestions for improvement to each attorney he coaches. His teaching is both technical and practical, drawing on techniques from sports psychology, linguistics, and cognitive science. He helps attorneys speak fluently, think clearly, and behave confidently in high-stakes situations. Whether working with senior partners or junior associates, his constructive comments help speakers polish their skills and reach their full potential as communicators.

Johnson has worked as a freelance communication consultant to the legal profession since 1979. Since 1981 he has served as communication specialist for the National Institute for Trial Advocacy. In 2000 in recognition of his unique contribution to the teaching of advocacy skills, he was presented with NITA’s Honorable Prentice Marshall Faculty Award—the only non-lawyer in NITA history to receive this honor. NITA participants consistently rate his teaching as one of the most useful aspects of their NITA training.

His clients in the U.S., Canada, and Europe include Kirkland & Ellis; Arnold & Porter; Kaye Scholer; Duane Morris; Robins, Kaplan, Miller & Ciresi; Dorsey & Whitney; Fulbright & Jaworski; Hogan & Hartson; O’Melveny & Myers; Morgan, Lewis & Bockius; Woodcock Washburn; and Borden Ladner Gervais in Canada. He has taught for the Law Society of Upper Ontario and the Law Society of Northern Ireland.

For the United States Department of Justice, Johnson lectures and coaches Assistant United States Attorneys at the National Advocacy Center in Columbia, South Carolina. Johnson also teaches annually at the Philadelphia Academy of Advocacy and the Hillman Advocacy Program in Grand Rapids, Michigan. He has been a visiting lecturer in trial advocacy at the University of Tennessee, Temple School of Law in Philadelphia, University of Minnesota Law School, McGeorge School of Law in Sacramento, and the Queen’s University Institute for Legal Studies in Belfast.

As a trial consultant, Johnson works with trial lawyers preparing witnesses to testify at trial. He has consulted on cases involving computer patent infringement, Internet browsers, breast implants, medical devices, financial services, and the airline industry. In 2003 and 2004, his work on patent infringement cases helped two clients win jury verdicts that exceeded $500 million each.