



## Why everyone should think like a Lawyer

The unloved profession has a lot to teach managers

by Bartleby

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Lawyers are often seen as the most tedious of professionals. And the most derided (“What do you know when you find a lawyer up to his neck in concrete? Someone ran out of concrete”). Yet that damning reputation is undeserved: lawyers are in fact role models. The method and meticulousness entrenched in the legal style of thought has something to teach other knowledge workers and their managers.

In “**One I**”, a book about his first year at Harvard Law School, Scott Turow describes the slow, arduous progress of going over his first case as “stirring concrete with his eyelashes”. But legal education is not about specific cases or statutes. It is, as Mr. Turow later understands, about processing a mountain of information and exercising judgment. **It teaches how to infer rules from patterns, use analogies, anticipate what might happen next, accept ambiguity and be ready to question everything.**

The sober way of going about this is by sticking to the facts. **What matters is what you can prove.** In her final year of law school, this guest **Bartleby** gave her hairdresser of many years advice on whether another client’s behaviour amounted to breach of contract. It did not—the law did not offer an effective remedy for that problem. This left the salon owner grateful not to be spending resources on a lost cause. (She proceeded to remunerate your columnist with a free haircut.)

In a world of business that is increasingly dominated by amorphous, ever-changing markets, the interaction might sound familiar to managers, and many of their subordinates. White-collar workers, after all, also **need to remain rational in the face of unexpected situations and undeterred by initial incomprehension.** No lawyer knows every law, but by the time their training is over **they are calm in the face of the unknown and know how and where to look anything up.** Likewise, anyone running a company will never have all the



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answers. What they need is equanimity and a method of quickly arriving at conclusions that are likelier than not to be the correct ones.

Managers also have something to learn from the adversarial legal system, central to common-law jurisdictions like America's and Britain's, where advocates represent their parties before an impartial arbiter (usually a judge and a jury). In preparing for trial, lawyers attempt to identify and rehearse both sides of litigation. By putting themselves in their opponents' shoes they are forced to engage with a line of reasoning with which they may disagree.

In so far as managing employees is, like arguing a case before a court, about persuasion, managers would be wise to adopt some of the same tactics. That means avoiding emotional reactions (lawyers may try to appeal to jurors' feelings but they never let their own get in the way). It also means considering the strongest criticism of their own reasoning. This not only makes their own arguments bulletproof but is liable to look fair in the eyes of employees and fellow managers. (Plus, a friendly but thorough performance review is essentially a mock cross-examination of your witnesses.)

Law, after all, is a way of dealing with social stress. If attorneys are trained for one thing, it is on how to maintain focus, precision and a clear strategic plan in the midst of a crisis. When a team feels a wrong should be redressed, a manager should look for the rule that governs the conduct in question, how that rule was applied in the past and act in a way that seems morally defensible. If the crisis is external, a manager should also follow precedent, which is the basis of common law and much of what lawyers do in court.

The purposefulness and heady resolve that characterise most lawyers are attributes that executives, too, should cultivate. There is no room for passivity when something goes wrong, only for action.

Perhaps the most valuable lesson from lawyers is both the most obvious and the most scorned. The antidote to work anxiety is not taking your mind off work with meditation or Netflix. It is disciplined preparation. There are rewards in leaving no stone unturned.

By putting in the hours, even if these are not billable, managers can ensure they are as ready as they can be for the uncertainties that lie ahead. As an added bonus, hard graft wins them the respect of colleagues and subordinates.



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Your columnist ended up not pursuing a career in law. But she never regretted her training as a lawyer—and not just because of the free haircut. ■