Communicators-in-Chief

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Lessons in Persuasion from Five Eloquent American Presidents

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To my family

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Preface

As I tell my law students, it is impossible to look ahead and know which people and experiences will shape your life, so it is best to assume that each person and every experience might play a role. Some of those people and experiences will be the surprises that enrich our lives. It is immensely fun to look back and take note of those surprises.

But it was actually neither a person nor, strictly speaking, an experience, but a thing—a shoelace worn by a very small person—that started me on the road to writing this book. After several years practicing law, I spent 13 years at home raising my family. I knew I was ready for something new when I was volunteering for playground duty at my children's school and a kindergartener asked me to tie his shoe. I wanted to, but of course didn't, reply, "Tie it yourself."

My reaction to that perfectly reasonable, but nonetheless surprisingly frustrating, request for help with a shoelace inspired me to pursue something I had long been interested in—an academic career. After joining the faculty at the University of St. Thomas School of Law in Minneapolis, Minnesota, I spent my first few years researching and writing about a variety of topics including professionalism, state constitutional law, and legal writing. A few unexpected surprises were about to combine to give me a focus for my work on the presidents and persuasive writing.

Eight years ago I was in the Milwaukee airport on my way home from a conference in Indiana. Abraham Lincoln was on my mind because Indiana (along with many other states) proudly claims him as its own. Just three weeks earlier, my brother sent me his old Smithsonian magazines, and I was immediately captivated by the April 2002 issue covering Ronald C. White Jr.'s book *Lincoln's Greatest Speech: The Second Inaugural*. A cancelled flight led to a seven-hour layover in the Milwaukee airport and a magical time spent in the Renaissance Books bookstore browsing through the Lincoln books. Two weeks

later, I was waiting for a child at the dentist's office while I paged through a *National Geographic* article about Lincoln's writing. Like countless authors before me, I was unable to resist the call of Lincoln, so I wrote an article about his use of brevity to persuade his audiences.

That could have been both the beginning and the end of my foray into presidential eloquence, but a peer reviewer for my Lincoln article noted, "It would be interesting to read a series of articles about persuasive writers." I thought, "What a fabulous idea. I'd like to try that with other eloquent presidents." So I spent the next several years researching and writing my series about eloquent American presidents.

Five American presidents make up my presidential writing dream team: Thomas Jefferson, James Madison, Abraham Lincoln, Ulysses S. Grant, and Teddy Roosevelt.

Modern presidents have not made the list, not because there have not been some very effective communicators among them (as clearly there have been), but because only with some distance can we fairly evaluate the strong qualities of any person, including writing qualities. Also, as presidential staffs have grown in both size and influence, it has become increasingly difficult to determine what a president wrote on his own and what speechwriters wrote for him. That was true as far back as George Washington whose First Inaugural Address was ghostwritten by James Madison. But it is even more difficult in our modern era, when it has become common for presidents to hire several professional writers in fulltime positions. In the end, I chose these five presidents because they wrote with the qualities that modern legal writers still use to persuade.

My family recently spent long hours together in a car. We started talking about the three people, living or dead, we would each invite to dinner. That game usually proves too hard for us, so we have to further refine the rules to provide a category such as relatives, social activists, artists, naturalists, athletes, or teachers. My middle child said, "Mom, if it was three eloquent presidents you would pick Jefferson, Madison, and Lincoln, wouldn't you?" I hesitated a minute and responded, "No, I would have to beg for a further modification of the rules so that I could invite five guests because I would want Roosevelt and Grant at the table. I think five guests would be just right for my dinner."

My list may be shorter, or longer, or otherwise different from your list of a presidential writing dream team. And I am okay with that. Sometimes it is enough to start the discussion.

This book is the result of many generous hours of work by many people. I am indebted to the editors at *Legal Communication & Rhetoric: J. ALWD* who

published earlier versions of my articles on Jefferson, Madison, Lincoln, Grant, and Roosevelt. My peer reviewers were generous in accepting the articles, and one made the comment about a series which prompted my work for the next eight years. All were anonymous, so I can't thank them by name, but I am sincerely grateful for their contributions to what has become a major portion of my scholarly life's work. The editors at every level were outstanding, and this book is far better than it would have been without their input. A very heartfelt thanks to Melody R. Daily, Joan Ames Magat, Suzianne D. Painter-Thorne, Ruth Anne Robbins, and Melissa Weresh who worked on several of my articles. Thanks also to Sara R. Benson, Linda Berger, Timothy D. Blevins, Jessica Clark, Ian Gallacher, and Sara Gordon. They set their own scholarship aside to help me with my work. That is the biggest sacrifice one can make in the world of academia, so I will forever be grateful.

I am also indebted to my co-authors on the Madison chapter—Professor Thomas C. Berg, James J. Oberstar Professor of Law and Public Policy, and Joseph A. Orrino. Professor Berg is a Madison expert, so if that chapter seems particularly thoughtful it is all because of him.

Other members of the faculty supported my work, including Ben Carpenter (thanks for friendship), Jenny Cornell (thanks for listening), Mitchell Gordon (thanks for the title and for editing), Rob Kahn (thanks for great advice), Tom Mengler (thanks for the encouragement), Mike Paulsen (thanks for recommending Grant), Chuck Reid (thanks for telling me about Renaissance Books), and Rob Vischer (thanks for the sabbatical).

I also thank many others from the St. Thomas community. Henry Bishop is a fabulous administrative assistant. The St. Thomas law librarians are intelligent, creative, persistent, and dedicated. Thanks to Dean Ann Bateson, Megan McNevin, Molly Butler, and John Giesen for proofreading this book. I also thank Valerie Aggerbeck, Nick Farris, Megan McNevin (again), and Mary Wells for finding sources and for providing endless research assistance. Thanks to Paddy Satzer for creating the index. My former students Subia Beg, Al Heavens, Mark Spooner, Franz Vancura, Jeff Wald, and Christopher White provided additional research assistance, plus their enthusiasm was invaluable. Ed Edmonds, our former Library Director, and Rick Goheen, our former research librarian, encouraged me throughout this project.

Thank you Chief Justice Lawton Nuss and Justice Carol Beier of the Kansas Supreme Court. Both took an interest in my work and gave me opportunities to speak at the Kansas Judicial Conference and at the National Judicial College. Thanks also to Linda Lacy; the day I learned that Carolina Academic Press would publish the book was a very happy day for me. I also thank Ryland Bow-

man, Scott Sipe, TJ Smithers, and the rest of the wonderful team at Carolina Academic Press.

My family played a significant role in the creation of this book. My brother, Professor Stephen D. Easton at the University of Wyoming College of Law, started it all when he shared his Smithsonian magazines. I'm lucky that he has helped guide me through teaching and book writing. My mother Zonie Easton took over many of my home duties during the early years of this project. My children, Kelsey Oseid Wojciak, Danny Oseid, and Olivia Oseid, were teenagers when this project started and they are now independent adults. We added Nick Wojciak as a son-in-law along the way. All encouraged me at every step, and they even claim that they will read the finished product. Finally, thanks to my husband Jeff Oseid for his support, encouragement, loyalty, and wry smile. We have been together for 40 years. Yes, that means we started dating when we were 15. We sure couldn't have predicted all of it. But one thing is certain—this family is the very best surprise in my life.

Introduction

Add presidential style to your legal briefs by using the writing qualities perfected by five eloquent American presidents. These five presidents each mastered one persuasive writing quality that is still critical for persuasion today. Thomas Jefferson used metaphor so effectively that his famous metaphor of the "wall of separation between Church and State" has replaced the literal language of the First Amendment in the minds of most Americans. James Madison wrote with rigor that, to our good fortune, helped him develop some of the most significant political theories—and practical proposals—shaping our government. Abraham Lincoln's brevity in his speeches persuaded his audiences, and it continues to persuade and inspire us. Ulysses S. Grant's clarity made him an astonishingly effective writer and military leader. Teddy Roosevelt combined his energy with his conviction to write with zeal that moved his audience. These five presidents should be our writing heroes.

This book examines why each president, at his very best, was so persuasive. Although parts of the presidents' stories will be familiar, I hope that my focus on one writing quality—and the habits the presidents used to achieve that quality—will bring new insight to the stories. The book also provides examples of each president writing with his signature quality, lists each president's favorite books, and shows how the presidents influenced each other's writing styles. Each featured president had some natural writing talent, but each also worked hard to hone his writing. The real stories are not as glamorous as the myths that the presidents dashed off perfect writing without any effort. But the real stories offer us hope that we, too, can become more persuasive writers by adopting the character traits and writing habits of our eloquent presidents.

Chapter 1 examines why each of these writing qualities is important today for those who want to increase their persuasiveness. It won't come as a surprise that

the use of metaphor, rigor, brevity, clarity, and zeal are the writing qualities emphasized. These have long been the hallmarks of great persuasive writing.

Chapters 2–6 each focus on one of the presidents and his signature writing quality. I focus on the influences in the president's life that shaped his writing style. Jefferson's use of metaphor was rooted in his classical education. Madison's rigor resulted in large part from his shy personality and his hesitation to speak extemporaneously. Lincoln's brevity emerged from his experience practicing law for 25 years. Grant's clarity was honed during his years as a military commander. Roosevelt's zeal was simply who he was as a passionate and enthusiastic person.

In each of these five chapters, I also include the habits that helped each president develop his particular writing skill. I want this collection to offer hope. If the five featured presidents had strong writing wired into their DNA, then we could not believe that we, too, could develop a skill that would make us more effective. It is encouraging to learn that someone as inspiring as Lincoln had to work very hard for his eloquence.

Several examples of the president using his signature writing quality are also included in each chapter. The presidents' own words demonstrate the quality more than my paraphrasing or analysis. It is enriching to read these examples of the use of metaphor, rigor, brevity, clarity, and zeal at work.

I feature only one writing quality for each president to highlight how the president mastered that particular, essential quality. Of course all the presidents in this collection wrote with more than just one quality. Abraham Lincoln has often been called our most eloquent president. I write about his use of brevity, but he was also a master at metaphor, alliteration, and the measured antithesis. Thomas Jefferson used many metaphors effectively, but he also used elegant and vivid language. James Madison's rigor alone would not likely be enough to make his writing memorable, but in combination with his organization, logic, and direct style his writing becomes superb. Grant's clarity is remarkable, but his use of the active voice and short words also made his writing sparkle. Roosevelt's zeal jumps from the page, but he could also capture a concept in pithy and memorable phrases. My focus is on the one quality I have selected for each president, but I also point out the other effective features of each president's writing.

Chapter 7 analyzes the reading habits and preferences of all five presidents. Reading influences writing, so the presidents' reading habits offer some insight into their writing styles. The chapter includes a list of the authors and books preferred by each president. It then provides a combined list of the authors and books read by multiple presidents. These reading lists can provide some inspiration for our own reading.

Chapter 8 analyzes how the five presidents influenced each other's writing. The thirty-year collaboration and friendship between Jefferson and Madison was a political partnership that influenced how many early American political issues were decided, and their influence on those issues remains today. Their extensive letter writing to each other also affected their writing styles, including word choice and tone. Lincoln and Grant respected and admired each other. Their relationship would have become one of the great friendships in our American history, had John Wilkes Booth not been in Ford's Theater on the most fateful Good Friday in American history. Still, even in the short time that they knew each other, each was impressed and influenced by the writing style of the other. Lincoln's brevity and Grant's clarity are complementary writing qualities; each also wrote with the quality I analyze in the other. And the presidents continued to influence other presidents even after their deaths. Lincoln was influenced by Jefferson's writing. Roosevelt, who believed Jefferson was overrated, admired both Lincoln and Grant, and adopted some of their writing habits to increase his persuasiveness.

Chapter 9 reviews the character traits and writing habits of all five presidents. The presidents were hardworking, determined, confident, realistic, and creative. These character traits helped them persuade, and they would help us as well. All of the five presidents shared several writing habits, including starting writing projects early, visualizing audiences, editing ruthlessly, and asking others for editing help. By adding these habits to our own writing practice, we will be able to write more persuasively.

Theodore C. Sorenson, former special counsel to President John F. Kennedy, studied all previous 20th century inaugural addresses to help Kennedy prepare his inaugural speech. Sorenson noted, "Lincoln was a superb writer. Like Jefferson and Teddy Roosevelt, but few if any other presidents, he could have been a successful writer wholly apart from his political career."[1] He is right, but Madison and Grant should be on the list, too.

Not all five presidents would acknowledge that they had a particular writing skill. It would not be false modesty that prevented them from thinking they should not make the list, but simply that they did not think of themselves as particularly gifted writers. Lincoln's personal secretaries John G. Nicolay and John Hay remarked, "Nothing would have amazed him [more] while he lived than to hear himself called a man of letters."[2] We know better—Lincoln was a brilliant writer. So were Jefferson, Madison, Grant, and Roosevelt. This book celebrates them.

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1. Theodore C. Sorenson, *A Man of His Words*, Smithsonian, Oct. 2008 at 96, 98.

2. Douglas L. Wilson, *Lincoln's Sword: The Presidency and the Power of Words* 9 (2006) (citing 10 John G. Nicolay and John Hay, *Abraham Lincoln: A History* 351 (1904)).