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Soft Skills for a Hard Profession

Soft Skills – An Art and A Science –



The art – the presenters have over 40 years of combined experience honing soft skills helpful to legal and compliance professionals

The science – there is over 50 years of experiments that show that persuasion works by appealing to a limited set of deeply rooted human drives and needs

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6 Basic Principles of Persuasion



RASSCL
Reciprocation
Authority
Social Proof
Scarcity
Commitment and Consistency
Liking

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Applying the 6 Principles



- Applying these principles together rather than separately increases their impact
- Important not to use them in a coercive or deceptive manner
- Genuine obligations, legitimate expertise, real social proof, exclusive news or opportunities, freely made commitments and authentic similarities *benefit all parties, which benefits business*
- *Think about ways to use these principles in your ethics and compliance program*

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Reciprocation

- Idea that we try to repay in kind what another has done for us
- Uniquely human – allowed ancestors to learn to share skills and goods in a network of obligation without the fear of loss
- Reciprocal relationships confer an extraordinary advantage upon cultures that fostered them
- Politics, merchandising, business are all subject to power of the principle and its abuses



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Avoiding Reciprocation

- Don't put yourself into a position of repaying an obligation - take control from the giver of the gift or other benefit



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Authority



- There is a deep sense of duty to authority in us all
- We are trained from birth that obedience to proper authority is right and disobedience is wrong
- Taking advice from those in authority is beneficial to us, allowing us to learn from those before us

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Authority



Stanley **Milgram**, a psychologist at Yale University, conducted an **experiment** focusing on the conflict between obedience to authority and personal conscience. He examined justifications for acts of genocide offered by those accused at the World War II, Nuremberg War Criminal trials.

- [Milgram Experiment | Simply Psychology](#)
- www.simplypsychology.org/milgram.html

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Authority



- Recognized authority symbols:
 - Titles – doctor prescription for an ear infection “place in R ear”
 - Clothing – man in suit vs. work shirt and trousers walking into traffic
 - Trappings, such as cars -

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Avoiding Authority Principal



- A heightened awareness of the power of authority helps to alleviate it – allows you to be properly guarded against this approach of influence
- Difficult because authorities are experts we should listen to a lot of the time
- Ask 2 questions
 - Is this person really an expert?
 - How truthful can we expect the expert to be in this situation?

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Social Proof



- A means we use to determine if something is correct is to see if others think it is – especially as it relates to correct behavior
- Results in fewer mistakes – if others are doing it, usually is the right thing to do
- But can also result in mindless and reflective responses

Social Proof



- Works well under conditions of uncertainty and ambiguity
- Downside: can cause ignorance, where each person thinks because no one is acting, nothing is wrong
- Classic example: emergency bystander
- Used more with those similar to ourselves

Avoiding Social Proof

“An automatic pilot device, like social proof, should never be trusted fully; even when no saboteur has fed bad information to the device...we need to check the machine from time to time to be sure it hasn't worked itself out of sync with other sources of evidence in the situation – OBJECTIVE FACTS, OUR PRIOR EXPERIENCES AND OUR OWN JUDGEMENTS.”

Scarcity

- Opportunities seem more valuable to us when their availability is limited
- Idea of potential loss plays a large role in human decision making
- Trades on human need for shortcuts
 - Things that are difficult to possess are better than those that are easy (more efficient decision making)
 - We hate to lose freedoms we already have so we react to their loss

Avoiding Scarcity



- Use the emotional response of wanting something scarce as a signal to stop to think about:
 - ✓ Why do we want the thing to begin with?
 - ✓ Are there any tangible merits to the thing that is wanted

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Commitment & Consistency



- We have a nearly obsessive need to be consistent with what we have already done
- Once a choice is made or a stand taken, personal pressure to behave consistently with that commitment is very strong

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Commitment & Consistency



- Consistency is a highly valued personal attribute
- People whose beliefs don't match their words and deeds are seen as indecisive, confused, and untrustworthy
- Those with high consistency are seen as logical, rational, stable and honest

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Commitment & Consistency



- The key to consistency is *commitment*
- Commitments are most effective and have the most influence when they are:
 - Active – strongest if in writing
 - Public
 - Require effort

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Avoiding Commitment & Consistency



- Listen to your gut instinct – if you think you shouldn't be doing it...
- Train ourselves to be attentive
- Ask – “Would I make the same choice again”

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Liking



- We prefer to say yes to the requests of someone we know and like
- Can be based on the friendship rule or when the compliance person gets you to like *them*

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Liking

- Factors that cause people to like another person:
 - Physical attractiveness
 - Similarity
 - Compliments
 - Contact and cooperation
 - Conditioning and association



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Avoiding Liking

- Cialdini recommends we not avoid liking but embrace so that we can ask whether we like the person asking us to comply with something we don't want to do more than we should under the circumstances



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Application Example



- Have an authority figure at the company (CEO or CFO) launch a voluntary contest relating to compliance and ethics open to all employees
- Contest could be an essay test format providing the test takers with various ethics and compliance scenarios they must consider and solve
- The contest takers must put their names and sign off on their answers which will be shared on the company intranet site

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Application Example



- Winners dubbed “Captain Compliance” for a year (complete with a cape that a man or woman can wear) and their group is treated to a group lunch every month for that year and provided an exclusive one hour session with the CEO of the company
- Get support for the contest idea from well-liked managers before it is rolled out

Which principles does this example employ?

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Sources

- Robert Cialdini, Ph.D., *Influence*, 2007
- Harnessing the Power of Persuasion, Cialdini, Robert B., Harvard Business Review, 00178012, Oct2001, Vol. 79, Issue 9

