



THE IMAGES BEHIND YOUR WORDS

Words, sentence structures and punctuation: language is a legal professional's weapon. But what actually happens in our brain when we process language?

Interestingly enough, our brain creates a visual representation of the words we hear or read when we process language. Think of it like a schematic reproduction of the information we've heard or read. Or look at your brain as a filing cabinet – filled with visual representations created by the conversations we have and the texts we read. Linguists think of language as a set of processing instructions. Linguistic features, like words and sentence structure, indicate what 'the picture in your head' (or mental representation) looks like. It is this visual translation of the text that we store in our memory and retrieve at a later stage when we need it. The mental representation that we store and use again later functions as a frame for the thoughts that we have, opinions we form, decisions we take, and so on.

So basically your brain changes words into images which we later use as a reference point to process new information. But what if you hear the word 'not'?

"That did not happen."

"This is not a correct representation of the facts."

"It was absolutely not a matter of...Your Honour."

Something we often see in law is negation; a party puts forward an argument and the other party refutes it. Negation is used to assert that something is different from what is expected. Much research has been done into the mental representation

of negation, because how do you create a mental representation of something that isn't there?

Research has shown that the mental representation of negation is indeed special. In a study conducted by a group of cognitive psychologists, human test subjects read short sentences like 'There was no bird of prey in the sky.' After reading this, they were able to recognise a bird of prey with its wings spread faster than a bird of prey with its wings folded up. The conclusion: the word 'no' could not avoid a mental representation of a flying bird of prey! The way you say something therefore has a direct effect on the mental representation someone creates in his or her brain.

The question then is, how can you let this 'bird' fly for your benefit? Because if you say that you did not do something or something never happened, you actually create a mental representation that will benefit the opposing counsel. And that is precisely the visual representation you do NOT want to make!

The solution? Put forward the argument without the negation. Create a mental representation that actually represents your point of view. Don't be tempted to negate things, but tell your own story with text and images.

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