

# The 2020 ASA Prize for Advocacy in International Arbitration A Laudatio of Dr. Christopher Boog

*Prof. Dr. Mohamed S. Abdel Wahab*

More than 2310 years ago, Aristotle's seminal treatise "*On Rhetoric*" saw the light as the **most important single work on persuasion ever written**. This ancient Greek (seminal) treatise on the *art of persuasion*, dating back to the **4<sup>th</sup> century BC**, has unlocked the secrets to persuasion and public speaking. These secrets revolved around three pillars: **ETHOS, PATHOS, LOGOS**.

In simplest terms, they correspond to:

- **Ethos**: credibility (or character) of the speaker.
- **Pathos**: emotional connection to the audience.
- **Logos**: logical argument and reasoning.

In other words, these are the three essential qualities that will facilitate positive reception of your views or presentation by any audience. Some suggest that **pathos** is the most critical of the three. Aristotle believed that **logos** *should be* the most important of the three. As a philosopher and a master of logical reasoning, Aristotle believed that logos *should be* the only required persuasive appeal. That is, if one demonstrated logos, one *should not* need either ethos or pathos. **Lucky enough Chris combines all three!**

I do not intend to lecture on or address all three pillars, but will only address the ETHOS pillar because it is of direct relevance to all of us who work in the field of dispute resolution (*where credibility matters or let me say one would like to think that it does!*) **and** also directly relevant to our prize winner!

Simply put, before you can convince an audience to accept anything you say, they have to accept you as *credible*. Credibility requires: **respect, trustworthiness and appeal**. It isn't enough for *one* to know that he/she is a credible source; the **audience's perception** counts. Ethos is thus one's level of credibility as perceived by the audience. Our winner today "**Chris**" ticks this box *par excellence!*

I will say that it is a rare treat to get to deliver an award-related-speech not only to a winner that one respects, admires and holds in high esteem, but more importantly to a colleague, a friend and a person of high moral fiber (*one who not only knows what is right, but does it elegantly and in style no matter what the temptations are!*) *One who combines qualities demonstrative of*

*commanding the necessary ETHOS, PATHOS and LOGOS when it comes to the art of persuasion and global advocacy.*

Moving on to showcase Chris' background that has contributed to shaping his rich character, pleasant personality, and facilitated his acquisition of excellent dispute resolution skills, I will say the following about Chris:

- Born in Switzerland in 1976 to a Swiss father and Australian mother and with two younger twin sisters, who taught Chris the art of dispute resolution since he had to resolve deep-rooted disputes between twins! They deserve a kudos for they have contributed to Chris' receipt of this highly deserved world-class award!
- Schooled mainly in Switzerland, however with an Australian mother who made sure Chris' family did not become "*too Swiss*", Chris and his sisters experienced extended travel every summer to what their mother called "*exotic*" destinations (*with their father having little say in selecting those destinations*). These were places where robberies, political unrest and even abductions were not uncommon – little did Chris know then that the cultural awareness this instilled in him at a very young age would later be of great relevance and value to his chosen profession in which he excels!
- Quite interestingly, Chris is a lawyer by accident, but an ASA prize winner by your well informed choice! By exclusion of everything he disfavoured – including science – Law seemed the reasonable choice, so he enrolled in law school.
- First, though, he spent some 15 months working and traveling throughout Asia and Australia. Then he chose the **University of Fribourg** to study law mainly because it was far enough away from home, but when he was interviewed for his first job – some years later after his graduation – he then asserted that it offered the best program.
- Chris was mildly interested in his studies for the first two years, and even contemplated quitting law and starting international relations or alike. He then studied International Law at the University of Amsterdam for a year, an opportunity he found too good to miss, and that is where his senses sharpened and his soul energized. It was then when he saw the light and focused on the international aspects of the law combined with issues of sociology, politics and culture. Even at that time, he had not yet heard of international arbitration, as it was not taught at law school. His focus was on private and public international law.
- Following his Amsterdam year out, Chris returned to Fribourg to finish his degree and was then at a crossroads, not being able to decide whether to go into private practice or continue in academia by writing a doctoral thesis. He was at the time working for a professor who very much encouraged me to do the latter, so he chose to do the former!

- He also secured the obligatory “stage” in view of taking the Swiss bar. Having studied in Fribourg (as opposed to Zurich or Geneva), he had no clue of the “big” firms in Switzerland, and was frankly convinced that he would never work “for a big business law firm”. However, a friend dragged him along to the job fair in Zurich, where he interviewed with around ten of the biggest firms at the time. He recalls that he had a good impression of this firm called Schellenberg Wittmer, mainly because – unlike any other firm at the time – he was interviewed by a man and a woman partner.
- Chris was then offered a job the next day and he said yes, but he had still never heard of international arbitration at the time! He trained with Schellenberg Wittmer and that is where and when he first came in contact with arbitration. He was very fortunate that some of the world’s most renowned arbitration practitioners were at the firm at the time (including Professor Gabrielle Kaufmann-Kohler)
- Chris rediscovered himself and got immersed in international arbitration, which is today considered his passion and not just profession! He then got back to his “second love” – academia – for a year in between, and took a sabbatical and went to Columbia Law School in New York as a visiting scholar, where he wrote his PhD thesis under the supervision of Professor George Berman; and that is also where he met Professor Franco Ferrari, who was teaching arbitration at Columbia at the time.
- Shortly after his return to Switzerland and Schellenberg Wittmer, I got to meet Chris in Verona at a conference organized by Professor Franco Ferrari (March 2010), where he was presenting the findings of his thesis – that was his first speaking engagement at an international arbitration conference by the way! He was petrified and ridiculously over-prepared – something I attribute to his “Swiss-side”, and something he still strongly believe in also in advocacy (*the preparation, that is, not the fear*).
- Chris was then promoted to the partnership at a fairly young age in 2012, and in 2014 was given the opportunity to move (at least partly) to Singapore to build up Schellenberg Wittmer’s Asian practice, something that was a great motivation to him and has given him (*and continues to give him*) great joy until this day.
- Just so you know, some of his associates call him the “*formatting Nazi*” for caring about things like the length of dashes and the spacing in submissions as much as about the content...
- His Hobbies include snowboarding – preferably in Japan (which is where he will be during the Gala dinner); hiking; traveling to exotic places (an acquired habit since childhood)
- Amongst his Pet peeves: bad formatting; people who do not know how to use Microsoft Word properly (especially formatting), arbitrators who insist on receiving everything including evidence appended to expert reports in hard copies, and his greatest weaknesses (apart from Science) are impatience and queueing (which is quite interesting given his current presence in Asia!)

Chris is a true role model who has achieved a lot over the years, which led to his deserved winning of the prestigious ASA prize, but I am certain that his greatest achievements are yet to come! With his Swiss attributes of punctuality, precision, diligence and care, and, with his good healthy Australian attitude, the arbitration world will see more from Chris as he rises and shines!