

INTRODUCTION

We did not begin this book with any evil intent towards lawyers. Initially, we envisioned it as a useful and hopefully entertaining collection of thoughts and writings about that profession. As our store of quotations grew, however, a definite pattern emerged without our conscious will or effort. In the course of our research, it became ever clearer that down through the centuries of written history and literature, as well as in the oral folk-tales, proverbs and curses of every culture in the world, the lawyer has been universally hated.

Primitive humanity lived in a state of nature —without the benefit of legal counsel. Then, as life became more complex, mankind crowded into walled cities, breeding lice and lawyers. Writing brought writs, law introduced legalities and lawyers invented fees. The hoary forebears of today's attorneys were despised by the Babylonians and Assyrians, distrusted by the Egyptians and the Hittites, and loathed by the Phoenicians and Hebrews. It is no wonder that the wise philosophers of the ancient Greeks, the greatest minds that Western Civilization has produced, detested lawyers. Likewise the greatest minds of Eastern Civilization. Even Jesus, who suffered the worst sinners, tax collectors and adulterers to come unto him, drew the line at attorneys.

There are those who feel that corruption or lead poisoning led to the fall of the Roman Empire. It is our opinion that after four hundred years of Roman Law, the inhabitants welcomed the barbarians. During the Dark and Middle Ages, both nobleman and peasant felt that the only good lawyer was a hanged lawyer.

The Renaissance attempted to enlighten humanity with ideas of justice and equality. Unfortunately, in attempting to bring Europe under the Rule of Law, they succeeded only in subjecting it to the Rule of Lawyers.

In the eighteenth and nineteenth centuries, revolution after revolution attempted to overthrow this tyranny of lawyers, often thinly disguised by

figure-head monarchs. Inevitably, though, after the dust had settled, the legislatures and parliaments filled up with those same fell attorneys.

Naturally, as we surveyed this vast and ancient stream of invective we occasionally found a positive sentiment towards the attorney. At first we were puzzled by this seeming anomaly: however, after eliminating those quotations that were clearly textually corrupt, or mistranslated, and those made by vicious criminals released through legal technicalities to prey on yet more innocent victims or by appreciative landlords who had been assisted in their exploitation of widows and orphans, we discovered that the only ones with good words for the legal profession were invariably either lawyers or their mothers.

Modern science has been unable to determine whether it is the naturally twisted and vicious soul which is drawn, by some sinister sympathy, into the practice of law, or if the study of that black science is responsible for corrupting an initially innocent spirit. This question is interesting, but in the final analysis it is irrelevant to this work, for we are concerned only with the final product of legal education: the consenting adult of sound mind and body, the reasonable man or woman, who, willfully, and with malice aforethought, becomes a lawyer.

Why, then, does the human race love to hate lawyers? What is it that is so patently offensive about attorneys?

One possible explanation is their extraordinary love of money. The courtroom — the stage on which the injury and pain of so many people is revealed, is a mere profit center for the attorney. It is not the righting of a wrong that motivates the lawyer, but rather the writing of a check.

Another reason might be their disregard for truth and common sense. While all the peoples of the earth hold honesty a virtue and lying a sin, the race of lawyers consider an over-attention to truth to be a professional weakness. They are sculptors of the truth, molding and twisting reality, twirling fact on a potter's wheel of rhetoric and sophism, until truth itself is malformed to the lawyer's satisfaction, convenience and profit.

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Or it may be a lack of scruples. Indeed, for the lawyer there is no commandment so sacred that it cannot be scoured for loopholes, no taboo so dreadful that it cannot be appealed on a technicality, no tactic or argument so offensive that it cannot be blithely tossed to a jury, and no human emotion so noble that it cannot be sacrificed on the altar of advantage. The lawyer is a mercenary in the war between good and evil. The expression "legal ethics" is an oxymoron.

Perhaps the lawyer's intentional obfuscation is the cause. As a matter of course, instead of uncovering the plain facts of a dispute, the legal cabal enshrouds them in sheets and reams of ambiguity. The language of the law is incomprehensible, its procedures inscrutable, its results all too often unfathomable.

Could it be that it is the lawyer's banality which mankind finds so offensive? For the legal mind, all the struggles of mankind, the bold enterprises and the spiritual quests, love and hate and striving, are reduced to torts and briefs and a big, fat fee. The lawyer is the least romantic of human beings.

Perhaps, then, it is that they simply do not do what they are supposed to do. We may not like doctors, but at least they doctor. Bankers are not very popular but at least they bank. Policemen police and undertakers take under. But lawyers do not give us law. We receive not "the gladsome light of jurisprudence," but rather precedents, objections, appeals, stays, filings and forms, motions and counter-motions, all at \$250 an hour.

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None of these vices, not their greed, nor their lying, their unscrupulousness, their obfuscation, their banality, not even their clamminess, nor their boorishness, nor their haughtiness, nor even all of these taken together, quite explains the world's timeless loathing of lawyers. We must admit that we are at a loss to provide a single good reason why the lawyer is so unpopular. We offer, therefore, the hundreds of good reasons that follow.

*Jonathan Roth
Andrew Roth
New York, November 1987*

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