

# In Defense of Shakespeare

## An Open Letter to All Lawyers Who Think Shakespeare Said: "Let's Kill All the Lawyers."

By John Mayer

It was dismaying to hear a participant in a panel discussion at last year's State Bar Annual Meeting refer to enduring popular disaffection with our profession by saying: "Shakespeare said, 'Let's kill all the lawyers.'" These words should never pass the lips of any lawyer, much less an advocate of national repute.

Reference to your favorite dictionary of quotations will show that most of the quotes attributed to Shakespeare are of great moral force, poetic beauty, or linguistic dexterity. Therefore, the words "Shakespeare said" endow a quotation with great weight. It be-

came imbued with a persistent hatred of lawyers or legal process, which were perhaps even more a fact of life in his time than they are in ours. As a mature man, he was party to the lawsuits of a property owner of his time, but they never caused him to suffer the deprivations his father had suffered.

The offensive language under discussion here comes from Henry the Sixth, Part 2. It should not be confused with the better-known plays featuring Prince Hal (Henry the Fourth) and Falstaff. Henry the Sixth has been produced only twice in the 48 years of the Stratford Festival's existence.

Cade's chief henchman. Cade became so deranged by the heady business of rabble rousing that he started to envision himself as king. Speaking to the mob he said:

*CADE: Be brave, for your captain [himself] is brave and vows reformation. There shall be in England seven halfpenny loaves sold for a penny, the three-hooped pot shall have ten hoops, and I will make it felony to drink small beer. All the realm shall be in common, and in Cheapside shall my palfrey go to grass. And when I am king, as king I will be—*

*ALL CADE'S FOLLOWERS: God save your majesty!*

*CADE: I thank you good people!—there shall be no money. All shall eat and drink on my score, and I will apparel them all in one livery that they may agree like brothers and worship me their lord.*

*DICK THE BUTCHER: The first thing we do let's kill all the lawyers.*

*CADE: Nay, that I mean to do. Is this not a lamentable thing that the skin of an innocent lamb should be made parchment? That parchment, being scribbled o'er, should undo a man? Some say the bee stings, but I say 'tis the bee's wax. For I did but seal once to a thing, and I was never mine own man since.*

—Henry VI, Part 2, Act 4, Scene 2

*To say that Shakespeare said "Let's kill all the lawyers" is to say that all authors who ever wrote said all of the words that came out of the mouths of all of their characters.*

hooves anyone who says Shakespeare said something to get it right.

Shakespeare did not say, "Let's kill all the lawyers."

As the son of an alderman and justice of the peace in Stratford, Shakespeare grew up aware of legal matters and processes. His father's own legal difficulties later in life were presumably painful to the young man, but there is no contemporaneous evidence that

The play is set in the period of the War of the Roses (mid-1400s) and was originally entitled "The First Part of the Contention of the Two Famous Houses of York and Lancaster." The Duke of York was not content to confront Lancaster on the field of battle. He thought it would be useful to stir up civil unrest behind the lines. Jack Cade, a leveler who believed in equality for all, was the *agent provocateur* York chose. Dick the Butcher was

Authors and playwrights create scenes and characters. The characters say what they need to say to advance the action. No writer ever did this better than Shakespeare. To say that Shakespeare said "Let's kill all the lawyers" is to say that all authors who ever wrote *said* all



of the words that came out of the mouths of all of their characters.

Take your favorite novel off the shelf. If it is a story of any breadth or depth it probably has in it one or more bad or crazy characters who say bad or crazy things. Would you tolerate anyone attributing those words to the author personally?

Jack Cade was a trouble-maker who happened to be in the right place at the right time to further a political conspiracy the full extent of which he himself probably could not imagine. In a mob scene that fills the stage, his toady, Dick the Butcher, eggs him on by saying: "First thing we do let's kill all the lawyers."

It was good for a laugh then. It is still good for a laugh today. But Shakespeare did not say: "Let's kill all the lawyers." Dick the Butcher said it. And anyone who says Shakespeare said it does the legal profession harm. And anyone knowing it to be false who says Shakespeare said it does the legal profession intentional harm. ◆

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