

Bolt: A Man for All Seasons

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inundated." My friend is now dead, and I feel his kind is also dying, being inundated by the floodtide of so-called progress. However, it is sad to reflect that with this flood, something else is being washed away—the old-time general practitioner—the result of which must be detrimental to society.

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A Man for All Seasons. By ROBERT BOLT. "The New Theatre of Europe," edited by Robert W. Corrigan—Delta, 1962. \$2.25.

For too long, the true meaning of legal ethics has eluded too many lawyers. It is thought that legal ethics is an assortment either of rules of etiquette or of rules to augment the individual lawyer's income. In this view, it becomes unprofessional to solicit clients because such conduct resembles the distasteful, ungentlemanly conduct of street hawkers. And information from the client is privileged from disclosure in order to encourage persons to call upon lawyers, which will enhance the lawyer's financial position. In fact, many lawyers hold the canons of ethics in low esteem out of a feeling of animosity toward what they claim to be unrealistic standards foisted upon them by those who can afford to obey their dictates.

This evaluation misconceives the role of legal ethics by eroding its importance as the proper functioning of the lawyer's right conscience. In this light, the business of solicitation is condemned because it encourages frauds upon hapless defendants and equally hapless victims. Powers of attorney are given without understanding; retainer forms are signed without complete explanation and under the stress of injury; settlements are made without the client's participation or consent; civil actions are instituted for exorbitant or fraudulent amounts. So, too, communications from the client are held in confidence because, without the protection of secrecy, the client would be more circumspect in making incriminating revelations. Such reluctance would strike at the heart of the lawyer-client relationship.

That legal ethics is but the rule of conscience is made painfully clear in Robert Bolt's drama of St. Thomas More's martyrdom. To St. Thomas, obedience to conscience came before life itself. To lawyers today, the promptings are less crucial since conscience is more often in conflict with the desire for wealth or esteem than any other temptation.

This play, an international success, speaks in words that can appeal to every man and portrays the life of a man for all ages. Gentle humor marks its progress at every stage. Observe, for example, the banter between St. Thomas and his wife as she urges him to drink his medicine:

Alice: "Drink it. Great men get colds in the head just the same as commoners."

More: "That's dangerous, leveling talk, Alice. Beware of the Tower."

Prophetic words. In time of crisis, when the strain on conscience is greatest, just as in moments of prophecy, humor informs the occasion illuminating it without distortion and making it more endurable. Otherwise, how explain St. Thomas' moving acceptance of his execution:

More (to the executioner): "Friend, be not afraid of your office. You send me to God."

Cranmer: "You're very sure of that, Sir Thomas."

More: "He will not refuse one who is so blithe to go to Him."

But, more to the point, it is profound without intending to be more than thoughtful. Thus, at the climax, St. Thomas can lecture his daughter Margaret that

"Death comes for us all; even at our birth . . . even at our birth, death does but stand aside a little. And every day he looks towards us and muses somewhat to himself whether that day or the next he will draw nigh. It is the law of nature, and the will of God. . . ."

"And it is the will of God that commands each man to observe his conscience." St. Thomas did and it meant death, in "willful indifference to realities," as the Common Man declared in words of worldly wisdom. Yet, strangely, his life was spent in the exposure of true reality of conscience which, once illumined by his searchlight, was less hidden and impractical.

And yet I believe the concluding lines, although couched in the conciliatory language of the Common Man, best sum up the lawyer's responsibility.

"It isn't difficult to keep alive, friends—just don't *make* trouble—or if you must make trouble, make the sort of trouble that's expected."

The ultimate issue, then, is deceptively simple—Will conscience be the lawyer's guide or expedience? "A Man for All Seasons" points out the right direction.

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