THE LEGAL PROFESSION AND THE PUBLIC IMAGE OF LAWYERS

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I. INTRODUCTION

I am honored that Professor Harry Cohen asked me to speak this evening at the banquet of The Journal of the Legal Profession. Most lay people would not appreciate how much time lawyers spend on issues of legal ethics, professionalism and self-reform. Nor would they know that The University of Alabama sponsors a law journal that is devoted to professionalism, and that so many students freely give of their time to produce this journal.

Lay people simply do not realize that lawyers and law students study ethics, and that this topic is worth studying. I recall a story I heard a long time ago. Two law students married each other during their third year in law school. A year later, when both had graduated, they took a belated honeymoon in Scotland. There, at a picturesque country inn, the proprietress asked how long they had been married. “It’s been a year,” they said. “What! A year, and no wee little ones yet?” “Well,” they responded, “we had to finish school first.” “You mean in America you have to go to school for that too?” So, in America we go to school to study ethics.

This journal, of course, is dedicated to the legal profession, but even more general academic journals regularly publish articles on professionalism. This focus is not limited to academia. Open any practitioner-oriented law journal, and you will likely find at least one article on professionalism.

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I do not mean to belittle or disparage medical doctors, but I have looked at many of their journals, and articles on the latest tax shelters are more numerous than articles on professionalism. Yet, the general public routinely has a much higher respect for doctors over lawyers. In the popular culture, we are like piranhas. Why? That is the topic I would like to explore tonight.

The popular culture often criticizes lawyers for being too tough, for acting like a James Cagney character when Cagney played the villain. On the other hand, if any of us got into trouble, we probably would want a tough lawyer to represent us. The same people who are critical of "Rambo litigators" freely admit that, when they have a problem, they want a lawyer who plays hardball. Let the other side be represented by Mr. Milquetoast.

Society places a dual role on lawyers—in the popular culture lawyers are expected to be tough (and we lawyers are faulted if we act like pantywaists), but lawyers are simultaneously expected to be a friend, gentle and kind (and we lawyers are faulted if we act like Cagney-doubles).

Psychologists predict that these self-contradictory expectations lead lawyers to be depressed, because people internalize qualities projected on them by others. As one New York Gestalt psychologist explains: "Nobody ever says they want a nice lawyer. They say, 'I want a barracuda. I want a real throat-slitter.' So lawyers have these qualities dumped on them." We should not be surprised that lawyers will often be depressed because they are taking on society's distaste for what they do.

These expectations comport with theory. Lawyers in general, and trial lawyers in particular, lead tense lives. It is no accident that, when the Association of Trial Lawyers of America offered a two-hour crash course on stress management, it drew a healthy crowd.

One need not rely on such anecdotal evidence; more scientific stud-
ies come to the same conclusion. A 1990 empirical investigation at John Hopkins University showed that severe depression is more likely to occur among lawyers than among members of 103 other occupations. A statistical analysis, this one at Campbell University in North Carolina, discovered that 11% of lawyers in that state thought of suicide at least once a month. Yet another study, this one measuring testosterone levels, showed high elevations of the hormone in prisoners, cold-call salespeople, the unemployed, and—no surprise here—attorneys. (Ministers and farmers, by the way, were at the low end of the scale).

While the popular culture treats lawyers with contempt, we soon come to a different conclusion if we listen to lawyers talking about other lawyers. Very quickly a standard leitmotif emerges. Lawyers like—indeed, lawyers love—other lawyers and the law. If we put twenty lawyers in a room, they quickly would start patting each other on the back. The famous New York lawyer, Louis Nizer, for example, rhapsodized that “law is truth in action. It is man’s highest achievement, because it is the only weapon he has fashioned whose force rests solely on the sanctity of reason.” Another New York lawyer, Harrison Tweed, seconded Nizer’s view. Said Tweed:

I have a high opinion of lawyers. With all their faults, they stack up well against those in every other occupation or profession. They are better to work with or play with or fight with or drink with than most other varieties of mankind.

The public’s perception of lawyers is quite unlike lawyers’ perception of lawyers. While lawyers may wax eloquently about the legal profession, the general public wanes.

Artists often capture the public mood. Life reflects art. Years ago in London, I purchased a print entitled, The Law Suit. In the center is a cow, representing the law suit. On the right is the plaintiff, pulling the cow’s head. On the left is the defendant, tugging at the tail. And in the center? In the center is the barrister, milking the law suit for all that it is worth.

Poets as well as artists have their fingers on the public pulse. Carl Sandburg has this to say about lawyers:

6. Stevens, supra note 4, at B1, col. 3.
7. Anita Sharpe, Spit Testing May Be Hard to Swallow In the Workplace, WALL ST. J., Nov. 29, 1993, at A1, A5, col. 4 (Midwest ed.).
When the lawyers are through
What is there left, Bob?
Can a mouse nibble at it
And find enough to fasten a tooth in?

Why is there always a secret singing
When a lawyer cashes in?
Why does a hearse horse snicker
Hauling a lawyer away?\textsuperscript{10}

Sandburg's perception of lawyers is hardly new. Davy Crockett, the "King of the Wild Frontier," wrote in his autobiography that when he was a magistrate, his decisions were fair because he did \textit{not} know "the law," but he knew about "common justice and honesty."\textsuperscript{11} Most lay people would respond, "Amen."

The Gospel according to Luke tells us that the Lord said: "Woe to you lawyers also! You lay impossible burdens on men but will not lift a finger to lighten them. . . . Woe to you lawyers! You have taken away the key of knowledge. You yourselves have not gained access, yet you have stopped those who wished to enter."\textsuperscript{12}

Inasmuch as I am speaking tonight at the Globe Restaurant, I must note that, over a millennium and a half later, Shakespeare, in the original Globe Playhouse, echoed this leitmotif when he had one of his characters chant, "Let's kill all the lawyers."\textsuperscript{13} When lawyers protest that they are members of a noble profession, George Bernard Shaw's cynical response was that all professions are "conspiracies against the laity."\textsuperscript{14}

\textsuperscript{10} \textbf{Karl Llewellyn}, \textit{The Bramble Bush: Of Our Law and Its Study} 142 (1960) (quoting \textit{Carl Sandburg, The Lawyers Know Too Much} (1951)).

\textsuperscript{11} \textbf{Davy Crockett}, \textit{The Life of David Crockett, The Original Humorist and Irrepressible Backwoodsman: An Autobiography} 99-100 (1902):

I was appointed one of the magistrates. . . . My judgments were never appealed from, and if they had been, they would have stuck like wax, as I gave my decisions on the principles of common justice and honesty between man and man, and relied on natural born sense, and not on law learning to guide me; for I had never read a page in a law book in all my life.

\textsuperscript{12} \textit{Luke}, 11:46-52.

\textsuperscript{13} \textit{William Shakespeare, Henry VI}, Part II, act 4, sc. 2, line 68.

\textsuperscript{14} George Bernard Shaw, Preface to \textit{The Doctor's Dilemma}, 9 (1911), reprinted in \textit{I George Bernard Shaw, Complete Plays with Prefaces} (1962). Shaw was specifically talking about medical doctors, but he made clear that his complaint that
Nowadays, ethnic jokes are no longer politically correct. Jokes about disabled people similarly are no longer in vogue. But jokes about lawyers are always in good taste. Needless to say, the jokes are hardly flattering, and they reflect the view of lawyers in the popular culture.

One could easily fill hours telling lawyers’ jokes. Two people searching for grave rubbings were walking in the famous cemetery in the crowded Wall Street area. One noticed a tombstone that read: “Here lies a lawyer and an honest man.” He said to his companion, “This cemetery must really be crowded; they’re burying them two to a grave.”

Or, there was the lawyer who was questioned about part of his bill. “What is this $75 charge for?” asked the client. The lawyer replied: “That’s when I was walking downtown, saw you on the other side of the street, crossed over to say hello, and found out that it wasn’t you.”

One can access more lawyers’ jokes on my home page. A favorite of mine, which has been circulating on the Internet, is about a tourist who wandered into a back-alley antique shop in San Francisco’s Chinatown. Picking through the objects on display, he discovered a detailed, life-sized bronze sculpture of a rat. He picked up the unique sculpture and asked the shop owner what it cost. “Twelve dollars for the rat, sir,” said the owner, “and a thousand dollars more for the story behind it.” “You can keep the story, old man,” he replied, “but I’ll take the rat.”

As the tourist left the store with the bronze rat tucked under his arm, two live rats emerged from a sewer drain and fell into step behind him. Perplexed, he began to walk faster, but every time he passed another sewer drain, more rats came out and followed him. By the time he had walked two blocks, at least a hundred rats were fast upon his heels, and passers-by began to point and shout. Nervously looking over his shoulder

the medical profession is “a conspiracy to hide its won shortcomings,” is true “of all professions.” Id. He also complained:

The only evidence that can decide a case of malpractice is expert evidence: that is, the evidence of other doctors; and every doctor will allow a colleague to decimate a whole countryside sooner than violate the bond of professional etiquette by giving him away.

Id. at 8.

Cf., Hizey v. Carpenter, 830 P.2d 646 (Wash. 1992), which held that a lawyer’s violations of professional ethical standards—which are drafted to protect clients from the lawyer’s improper actions—are never admissible as evidence of a lawyer’s duty of care.

15. The URL (Internet Address on the World Wide Web) for lawyers’ jokes on my home page is as follows: http://www.law.uiuc.edu/rotunda/lawyer.htm.
he walked even faster, and soon broke into a trot as an army of rats swarmed from sewers, basements, vacant lots, and abandoned cars. The rats now numbered in the thousands, and as the tourist saw the waterfront at the bottom of the hill, he panicked and ran full tilt.

But no matter how fast he ran, the rats kept up, squealing hideously, now not just thousands but tens of thousands, so that by the time he came rushing up to the water’s edge a parade of rats a dozen city blocks long was behind him. Making a mighty leap, he jumped up onto a light post, grasped it with one arm and, with his other arm, hurled the bronze rat into San Francisco Bay, as far as he could heave it. Pulling his legs up and clinging to the light post, he watched in amazement as the seething tide of rats surged over the breakwater into the sea, where they quickly drowned.

Shaken and mumbling, the tourist made his way back to the antique shop. “Ah, so you’ve come back for the rest of the story,” said the owner. “No,” he replied, “I was wondering if you have a bronze lawyer.”

Artists, poets, St. Luke’s Gospel, Shakespeare, popular jokes—to this litany must be added the portrayal of lawyers on television. Nowadays, lawyers frequently blame television for the public’s negative attitude about lawyers. Many believe that if only television would offer a more favorable depiction of lawyers, then the world would be a better place.

II. LAWYERS’ ADVERTISING AS THE CULPRIT?

Over a decade ago, Chief Justice Warren Burger became so concerned that the general public saw lawyers in a bad light because of televised lawyers’ commercials, that he persuaded the American Bar Association to create a special Commission to study the problem. This Commission on Professionalism—an imposing and grandiose title, is it not—did study, but the popular image of lawyers has not changed much

16. When the Supreme Court first ruled that advertising is commercial speech protected by the First Amendment, Burger was in the dissent. Bates v. State Bar, 433 U.S. 134 (1977).

in the intervening years.

Burger was neither alone nor original in his complaint identifying television as one of the usual suspects responsible for the public’s poor view of lawyers. Go to any gathering of lawyers, particularly at bar association meetings, and most of the armchair analysts will point the finger of guilt to television.18

Over the years, many members of the established bar have opposed televised lawyer commercials on similar grounds, that they lead the public to have a poor perception of lawyers. This opposition, by the way, is consistent with lawyers’ pocket book values. Empirical studies have shown that lawyers’ commercials lead to lower prices for the consumer.19 Some people incorrectly assume that legal advertising must raise the costs to the consumer, because someone must pay for the cost of the advertising. But we now know that advertising lowers prices, so the cost must be taken out of the lawyer’s profit margin. This unhappy fact may explain why some lawyers have opposed televised lawyer commercials. Television commercials lead to price wars, and no consumer of legal services has ever been wounded in a price war.

Bar associations also are concerned with the portrayal of lawyers on television. Both lawyers and bar groups lashed out at a Miller Brewing Company television commercial for Miller’s Lite Beer. The commercial, called “Big Lawyer Roundup,” featured rodeo cowboys who lassoed an overweight tax attorney and a divorce lawyer.20 Later, the commercial was pulled after a gunman killed nine people (including himself), and wounded six others, when he engaged in a shooting outburst at a law firm, Pettit & Martin, in San Francisco.21

Bar associations often believe that one of their primary missions is

18. E.g., Robert D. Peltz, Legal Advertising—Opening Pandora’s Box?, 19 Stetson L. Rev. 43, 114 (1989), arguing:
   Although there are many reasons for these public image problems, advertising has no doubt played a great role. It does not take a great leap of faith to understand how television ads adversely affect the image of the profession and the ability of attorneys to act as officers of the court . . . . (emphasis added).


21. Id.
to upgrade the popular perception and general reputation of lawyers. In one recent Supreme Court case, for example, the Florida Bar argued that the "public's perception of, and confidence in, its system of justice and those who administer it is critical to the stability of a democratic society."\(^{22}\) The Bar cannot do much about the dramas or situation comedies that feature lawyers, nor can they stamp out lawyers' jokes,\(^{23}\) so they are left with regulating lawyers' advertisements.

The U.S. Supreme Court agreed that an important mission of the Bar is to protect the "flagging reputations of Florida lawyers . . . ."\(^{24}\) and thus the majority upheld the constitutionality of a Florida rule that limited lawyers' soliciting clients. The purpose of the restriction was not to protect the public from being misled about lawyers (undignified advertisements need not be misleading) but to protect the public image of lawyers.\(^{25}\)


\(^{24}\) *Went For It, Inc.*, 515 U.S. at 625. In this case, the Court held (5 to 4) that, even though a lawyer has a constitutional right to engage in targeted mailing soliciting legal employment (not just mass mailings), Florida may ban targeted mailing by plaintiffs' attorneys for 30 days after the cause of action has occurred. Justice O'Connor wrote the majority opinion in *Went for It*.

The majority in *Went for It, Inc.*, described the regulation as "an effort to protect the flagging reputations of Florida lawyers," and went on to say: "[w]e have little trouble crediting the Bar's interest as substantial." *Went for It, Inc.*, 515 U.S. at 625. It is true that the Bar also argued that it wished to protect the "privacy and tranquility of personal injury victims and their loved ones from intrusive, unsolicited contact by lawyers," id., but the Florida Rule was not well designed for that purpose because it allowed defense lawyers or insurance adjustors to engage in intrusive, unsolicited contact. During the 30 day block-out period, the victims were fair game for the defense lawyers or their agents.

The Court earlier allowed mass mailings, which are similar to newspaper flyers or handbills. *In re R.M.J.*, 455 U.S. 191 (1982). Once the Court allowed mass mailings, it made little sense to prohibit the mass mailing just because the computer addressed each envelope to a particular individual rather than to the "occupant." Targeted mailing is only a more efficient form of advertising than mass mailing. Ed McMahon and his Readers Digest™ mass mailings are addressed to millions of named people. People who camp on your doorstep may not easily be avoided, but a mailing, like flyers in newspapers, can simply be discarded.

III. TELEVISION AND LAWYERS

Even without televised commercials, it is hard to watch much television without seeing lawyers in action. Sometimes the lawyers are bad, sometimes they are the heroes, but they are nearly as pervasive as is the medium of television itself. Other than shows about police dramas (but then, lawyers are often part of the storyline in shows such as *Hill Street Blues*, *Law & Order* or *NYPD Blue*) or medical doctors (but medical doctors often share billing with lawyers and judges, who have prominent roles in dramas such as *Picket Fences*), no other profession is featured nearly as often in the storyline—not the clergy, nor the military, nor other professions, like architects (although George Costanza on *Seinfeld* often pretended to be one).26

Perhaps television is not the primary reason for the lawyers' poor public image. Or, perhaps television, like a knife that cuts both ways, is part of the solution. Perhaps television increases the public's opinion of lawyers.

Granted, television's view of lawyers in action is seldom the view of a Pollyanna. But if there is one theme in most television shows about lawyers, it is that lawyers are central to the search for justice.

It is true that surveys evaluating the public's opinion of lawyers usually show lawyers as ranking in admiration as slightly below insurance agents.27 The single most significant event in the last three decades that led to a sharp decline in the public image of lawyers was Watergate.28 It is also true that the televised Senate Watergate Hearings showed that many of the Watergate conspirators were lawyers, but those same hearings also broadcast that the people who uncovered the scandal were lawyers too, like Senator Sam Ervin, Professor Sam Dash, the Chief Counsel of the Senate Watergate Committee, Archibald Cox and Leon Jaworski, the Watergate Special Prosecutors.

26. I must confess that I have several televisions in my home, but (unless I'm watching Star Trek®), I spend more time watching my computer monitor.


However, the Watergate Hearings were unique. When people turn to television to get their view of lawyers, they do not primarily rely on the television news, C-Span, or lawyers' commercials. Instead they watch entertaining television shows.

The empirical evidence demonstrates that the primary way that people learn about lawyers is through watching fictionalized portrayals of lawyers, ranging from Rumpole of the Bailey to L.A. Law. When people were asked to name the lawyer they most admire, frequently cited names are Perry Mason and Matlock. Indeed, Matlock is more widely admired than First Lady Hillary Rodham Clinton—and that was in 1993, before Mrs. Clinton's later problems resulting in her grand jury testimony, missing billing records suddenly appearing in private White House quarters, and so forth. Many people apparently think that Matlock is a real person. And because Matlock fights for justice, many of the people who watch Matlock think more highly of lawyers. Television sometimes increases the public's respect for lawyers.

We lawyers will never win popularity contests. Even television does not have that much power. It is hardly surprising that lawyers would like to be more well liked. So also would car mechanics, tax collectors, undertakers, medical doctors, policemen, politicians, cheerleaders, movie stars, grandparents, and just about everyone else.

However, there is one important difference between lawyers and other people. We will never be widely loved as long as we are really doing our jobs. Our quest for universal popularity is as futile as the quest for the holy grail.

Surveys illustrate the dilemma that lawyers face. When people are asked, what they dislike most about lawyers, a top fault is that lawyers are “too interested in money,” (31%); second, lawyers file “too many unnecessary lawsuits,” (27%); and lawyers “manipulate the legal system without regard for right or wrong,” (26%). Now, what do people like

30. LAWYER ADVERTISING AT THE CROSSROADS, supra note 27, at 66.
33. Samborn, supra note 20, at 1, col. 1.
about lawyers? For the general public, the most positive aspect of lawyers is: "Putting clients’ interests first," (46%); second, lawyers protect people’s rights (25%).

People dislike us because we are guns for hire who manipulate the legal system, but they like us because we fight for our clients, protect their rights, and cut through bureaucratic red tape. When we fight zealously for our client, file lawsuits, and cut through red tape we do good, but when we fight zealously for our client, file lawsuits, and manipulate the legal system, we do bad. We receive accolades and denunciations for doing the same thing.

Individuals, in other words, want a Rambo-type litigator on their side, but they want the opponent’s lawyer to be Mr. Milquetoast, understanding and supportive of their (the adversary’s) position. The general public wants lawyers to be less aggressive, to compromise more, but they also know that if Rosa Parks is suing because she objects to a law forcing blacks to sit at the back of the bus, the last thing she needs is a lawyer who will compromise and find her a seat in the middle of the bus. By the way, because lawyers have been instrumental in securing civil liberties for racial minorities, it should be no surprise that blacks view lawyers more favorably than do whites; 51% of blacks say that their overall impression of lawyers is "good," but only 26% of whites come to that conclusion.

A 1986 National Law Journal survey came to similar conclusions. The top faults of lawyers, according to the average person on the streets, is that we are "too interested in money," (32%); we "manipulate the legal system without any concern for right or wrong," (22%); and we "file too many unnecessary lawsuits," (20%). What America Really Thinks About Lawyers, NAT’L L.J., Aug. 18, 1986, at S3, discussed in, Robert C. Post, On the Popular Image of the Lawyer: Reflections in a Dark Glass, 75 CAL. L. REV. 379, 380 (1987).

34. Samborn, supra note 20, at 1, col. 1.


35. Brewer & Bickel, supra note 2, at 20-21. See also Podgers, supra note 2, at 695-96 (pointing out that members of a San Diego Focus Group who blamed lawyers for being "sue crazy," filing too many law suits, were more willing to acknowledge the need for lawyers to protect their interests).

36. Samborn, supra note 20, at 1, col. 1. More than 60% of whites think that
The popular culture dislikes lawyers because we “manipulate the legal system in the interests” of our private clients, but the popular culture also likes us because our “first priority” is our client, whom we represent with zeal.\(^{37}\)

We expect lawyers to fulfill both desires, and so they are a constant irritating reminder that we are neither a peaceable kingdom of harmony and order, nor a land of undiluted individual autonomy, but somewhere disorientingly in between. Lawyers, in the very exercise of their profession, are the necessary bearers of that bleak winter’s tale, and we hate them for it.\(^{38}\)

If television is ambivalent in its treatment of lawyers, it is because society is ambivalent of its treatment of lawyers. The little black box of television to some extent molds, but to a much greater extent it reflects, the equivocal and ambivalent attitude that the popular culture has for lawyers.

We should not be surprised that medical doctors rate more highly in the public opinion polls than we lawyers do, because doctors simply represent the patient. There is no doctor fighting zealously for the disease. Not so for lawyers. Our legal system gives everyone their day in court, and some of these litigants are viewed less favorably than ugly diseases. Lawyers are the messengers who are blamed for the bad message.\(^{39}\)

Litigation is what economists call a zero-sum game. In order for one side to win, the other must lose. When lawyers represent clients in non-litigative matters, clients are much more positive about their experiences with lawyers.\(^{40}\) However, in litigation, at least one side (often called the loser) will be unhappy. Even if the other party (often called the winner) believes that he or she has been ultimately vindicated, that party often

\(^{37}\) See Podgers, supra note 2, at 695 (concluding that the people who complain that lawyers have the bad attributes of lawyers admit that, when they hire lawyers, they want lawyers with these attributes).

\(^{38}\) Post, supra note 33, at 379, 386. As Professor Post has astutely noted, lawyers are “simultaneously praised and blamed for the very same actions.” Id.

\(^{39}\) Post, supra note 33, at 388-89, carefully considers this problem.

\(^{40}\) See Barbara A. Curran, The Legal Needs of the Public: A Final Report of a National Survey 262-63 (American Bar Foundation 1977) (Clients tend to be more happy in cases involving real property matters, estate planning, and estate settlement, and least positive in cases involving torts).
still complains that justice did not come easily but had to be fought for, summoned, mustered. Even winners are upset because they had to hire a lawyer; justice and equity did not come knocking on the door, unbeckoned, and beg to be admitted. When winners and losers are disgruntled, their lawyers are like magnets for their complaints. People want to see their lawyers about as much as ancient dinosaurs wanted to see giant meteors hit the earth.

Still, there is reason for hope. Empirical studies, both here¹¹ and abroad,¹² have shown that people who use lawyers have a higher opinion of them than people who have never used them. Familiarity breeds respect.

IV. CONCLUSION

It is true that one of Shakespeare’s characters, Dick the Butcher, says that we must “kill all the lawyers,” but Dick was an unsavory character, and in context, he meant that the only way for his revolution to succeed was to kill those who represented the law.

The Khmer Rouge acted on Dick’s advice. They tried to kill all the lawyers when they took over Cambodia, and one of the first things that the new Cambodian government is doing is reestablishing the training of lawyers as a way to protect human rights. During the American military occupation of Haiti in 1994, one of the U.S. Special Forces trying to settle a dispute was quoted as saying: “When I get back to the United States, I’m probably going to hug a lawyer, because they just don’t have them here.”¹³

Granted, Luke’s Gospel does refer to lawyers in a disparaging way, but the corresponding section of the Gospel of Matthew only complains about the scribes and Pharisees.¹⁴ Matthew does not mention lawyers, only Pharisees.

¹¹ Id. at 238 (surveys showing that people who have used lawyers are more positive about them than people who have not used lawyers).
¹² Sue Farron, Margaret Llewelyn & Kath Middleton, Public Perception of the Legal Profession: Attitudinal Surveys as a Basis for Change, 20 J. LEG. PROF. 79, 87 (1995-96) (“those who have no experience of legal services have a poor perception of them.”) But, when the “measure of satisfaction was measured for users, the scores [indicating satisfaction] increased.”).
¹⁴ Matthew, 23:13 et seq.
Carl Sandburg wrote years ago:

The knack of a mason outlasts a moon.
The hands of a plasterer hold a room together,
That land of a farmer wishes him back again.
Singers of songs and dreamers of plays
Build a house no wind blows over.
The lawyers—tell me why a hearse horse snickers
haling a lawyer’s bones.45

But why should we pay attention to what horses think?

Several years ago, Justice Harry Blackmun told me that if he had his life to live over again, he would like to be a medical doctor. I related this conversation to a friend of mine, and observed that I found Blackmun’s remarks surprising. At the time he was, after all, a U.S. Supreme Court Justice. One would think that he was at the pinnacle of his career. Why would anyone want to trade that to become a doctor? My friend remarked, “People often want to be doctors so that they can help people.” I replied: but that is what lawyers do.

Admittedly, lawyers, unlike engineers, construct no bridges. Unlike doctors, we mend no bones. Unlike architects we design no buildings. Unlike artists, we paint no portraits. There is little that we do that the human hand can touch. But—if we are doing our jobs properly—we take on other people’s burdens, we relieve stress, we pursue justice. We take the veneer of civilization and make it a little thicker.46

45. LLEWELLYN, supra note 10, at 142 (quoting Carl Sandburg, The Lawyers Know Too Much (1951)).