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## In Defense of Lawyers

Alfred C. Aman Jr.  
*Indiana University School of Law*

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## In defense of lawyers

Alfred C. Aman Jr., Dean  
*School of Law — Bloomington*

**E**veryone has a favorite lawyer joke. These days a career in law takes a sense of humor.

But it takes courage too — not only the courage to stand up for someone else, to do for that person what needs doing and cannot be done by other means. It also takes courage to stand up for the legal profession.

I'll explain what I mean.

The stock antipathy to lawyers we hear so much about these days is not new, except in its virulence.

We hear a lot about lawyers' greed and incompetence, but surely avarice and incompetence are randomly distributed across the population, and our profession has no more than its share. Of course we should worry about those among our numbers who discredit their profession by misserving their clients and their society, but these numbers are, thankfully, small.

We hear a lot about the overuse of courts in this country, but contrary to the common stereotype, the United States is not a society where the courts are overused. The latest figures show that some 70 percent of Americans have consulted a lawyer for one or more matters, but contrary to popular opinion, these matters are not all lawsuits, or even disputes.

This is a society in which lawyers are intimately involved in the everyday business of life. They are part of the fabric of a society that lives by the rule of law.

And so far as litigation goes, once U.S. litigation rates are compared to those of other industrial nations, we are not at the top of the list. We come in only somewhere at the top of the middle third.

These myths are propagated by well-meaning people, I'm sure, but their effect is deeply undermining.

I started this column with a reference to lawyer jokes, but while I recognize the importance of being able to laugh at ourselves from time to time, I'm glad these jokes seem to be losing popularity. I'm hoping the lawyer-bashing that is in such vogue these days will do likewise.

When people laugh at lawyers, I worry that they may be laughing at the causes lawyers serve. I worry that when they call

lawyers ambulance-chasers or compare them unfavorably to snakes, they are really laughing at the ordinary people who want and deserve redress for their injuries.

I worry, too, that when they say lawyers are responsible for weakening our social fabric, they are decrying the importance of rights — even constitutional rights — as a basis for a civil society. I worry that when they lament what they erroneously believe to be this country's high rate of litigation, they are dismissing the reality of people's grievances and the legitimacy of their disputes.

The fact is that we live in a complicated world. People's need for law exceeds their own abilities to negotiate relationships on their own.

My prediction is that more and more of lawyers' work will take place at negotiating tables rather than in courtrooms. I also predict that lawyers will be increasingly involved in the affirmative task of building global relationships that will shape the future.

Lawyers are already involved in deeply constructive ways. Not only are they protecting individual Americans against the unruly demands of a mass society, but also they are helping other nations build their own democracies from the ground up. American lawyers are helping nations work together to protect the global environment and other world resources, human and otherwise.

People who attack the legal profession may wish that they could turn back the clock to the days when lawyers were local professionals. Today they are also global professionals, serving entirely new purposes. I firmly believe that our world needs its lawyers — their courage, creativity, and service.

The IU School of Law, founded in 1842, has been providing legal education to students for more than 150 years. That education has changed as the challenges facing the law have changed. But our pride in what we do is a constant. I and my colleagues can hold our heads high. Law is an honorable profession, at the very core of our democracy and the rule of law, here and around the world.