

Secret of life exposed: there are no guarantees, even for lawyers

*This "fractured fairytale" by Ahmad Moosdeen appeared in the July, 1994 edition of *Insaf — The Journal of the Malaysian Bar* — and is a subtle reminder about the uncertainties of life.*

He had everything. A loving wife, two beautiful children (one of each kind, the way a modern couple likes it), a prosperous business, a big house with two cars in the garage, a handheld phone, a karaoke set.

Then one day, without prior notice, his wife went off with his partner and his partner took the partnership till along with him.

His banker called in his house mortgage on hearing of the partnership till's departure.

His son decided to come out of the closet as a full bloom gay and his daughter was on drugs.

In other words, his world collapsed.

In such bad times, the obvious thing to do was to turn to drink or religion. He turned to the first and found that his credit had been revoked.

His friendly neighbourhood pubs had also heard of the departure of the partnership till.

He then turned to religion and went to India where, he was told, the most varieties could be found and there would be one suitable for his needs.

In India, they told him of the guru. The guru knew everything, including the unknowable, they said. But the guru lived in an inaccessible cave deep in the Himalayas, naturally. If he wanted to know what happened to him, the guru was the man to see.

So he went. Up the hills and down the vales, through all kinds of imaginable and unimaginable hardships until he came to the inaccessible cave. There was a light at the end of the dark cave.

He went in. He was out in a minute, shaking his head in shock and disbelief. He had found the guru. The guru was reading a Bugs Bunny comic by a candlelight.

Was that it? His life was in shambles. He had crawled the length of the Himalayas to seek out the guru, to find from him the answers to his problems and the meaning of his life. Instead, he

found the guru reading comics.

Why not? Perhaps it was the guru's lunch break. Perhaps there was more to comics than we dream of in our philosophies.

On that rider, he entered the cave again and sat respectfully again before the guru, a supplicant before the master, waiting patiently for the right moment to pop the question. After a long while, the guru laid down the comic and looked at him in puzzlement.

"Yes?"

"Guru, I have crawled the length of the Himalayas to seek your wisdom. Please tell me, what is the meaning of life?"

[Long pause.]

"Wet birds do not fly at night."

[Longer pause.]

"What the (expletive deleted)! You mean to say that I have crawled the length of the Himalayas, suffering all kinds of imaginable and unimaginable hardships, to hear you tell me such gibberish as wet birds do not fly at night!"

[Even longer pause.]

"You mean they do?"

He came down the Himalayas sadder and no wiser. The guru was of no help. He had tried to attain Nirvana in double quick time and was on the ascetic binge a bit too long. The undernourishment had addled his brain and the guru had attained a different Nirvana.

He did not find the meaning of life. But while reflecting on the guru's example on the long walk down, he stumbled upon the next best thing. The secret of life. There are no guarantees in life. All are revocable.

With the horrendous burden of the knowledge of the secret of life, he was left with only two choices. He could follow the guru's footsteps, leave the world and join a monastery. Or, he could do law and meddle in life's affairs.

He tried the first but the monastery did not want to have anything to do with him. It was not a charity organisation for misfits.

He then did law and became a successful lawyer. Because he now knew the secret of life. From this powerful

knowledge he derived three simple, basic rules of law which he applied fearlessly and he never went wrong. The three basic rules of law are now published for the first time:

* Pay first, instruct after.

* Trust no one, not even oneself. Insist on the best evidence, no photostats.

* If the client loses, always appeal (after applying the first rule first, fearlessly, without fear or favour).

The trial judge may be wrong. Or, the appeal court may go wrong.

By the first rule he had a sure bet. He always won, whether the client won or lost. Which should be the proper practice of the law. It takes away the debilitating uncertainty of the lawyer's remuneration and leaves him with an undistracted mind to do the other fellow in. With the second rule, it prolongs the case profitably and, who knows, one may stumble upon something. The rule is self-evident.

So he prospered, building a second career and acquiring a second loving wife. The three basic rules of the secret of life at work. So he thought.

Then one day into the second successful career, without prior notice, his second wife left him. She could not live with someone who brought his three basic rules home to apply, without fear or favour.

And the law association started disciplinary proceedings against him because he did not trust the client's photostats and he had manufactured his own originals. After the client had paid, of course. There will be an appeal — it goes without saying. Once again he has forgotten the secret of life. There really are no guarantees in life. All are revocable. See Section 83 of the Contracts Act.

***NB. The above story is not original. It is a mishmash of: a story told to me by a friend; my years of trying to understand Pollock and Mulla on the Indian Contract Act and; my fondness for fairytales with smug endings.**