

Zen Lawyer

CHAPTER 8



“Yeah, well, you know, that’s just, like, your opinion, man.”

The Dude in *The Big Lebowski*, a Coen brothers crime comedy, says this in response to threats and accusations from a poorly-dressed bowler. The Dude, played by a long-haired and red-eyed Jeff Bridges, became an American pop culture icon.

Accusations are the subject of the Zen story, “Is That So?” One day it was discovered that a beautiful girl who lived near Zen Master Hakuin was pregnant. Her parents were upset. At first, the girl would not say who the father was, but after relentless questioning, she named Hakuin.

In great anger, her parents went to Hakuin and told him the accusation. All he said was, “Is that so?”

After the child was born, the mother’s parents brought the child to Hakuin. His reputation had suffered because he was thought to be the father, but he did not seem bothered by this. Hakuin took good care of the child. He obtained milk, food, and everything else the child needed.

Eventually, the child’s mother could not stand it any longer and told her parents the truth – the real father was a young man who worked in the fish market.

The parents went to Hakuin and told him the story, apologized, and asked his forgiveness. They also wanted the child back.

As the Zen Master yielded the child, he said, “Is that so?”

Opinions, stories, facts and the truth are sometimes tangled together, especially in the storytelling arena of law where advocates competitively pitch their version of the truth. There is an American saying about opinions – everyone has one.

Arguing vigorously, in or out of court, can be entertaining and exhilarating, but the danger comes when an advocate starts to believe opinions, stories and facts are the same as the truth.

We make up stories to explain the world to each other and to ourselves. This is human, dating back to pre-historic traditions around a campfire. As Joan Didion noted, “We tell stories in order to live.”

Facts without a storyline can be unsatisfying. In the words of the great Talking Heads, “Facts are simple and facts are straight, facts are lazy and facts are late, facts all come with points of view, facts don’t do what I want them to.”

So we sometimes make the facts do what we want them to do. For example, we start with a fact, perhaps someone did something. We form an opinion about that fact, and then we make up a story about the person’s motives and character and, finally, we present our view as the truth.

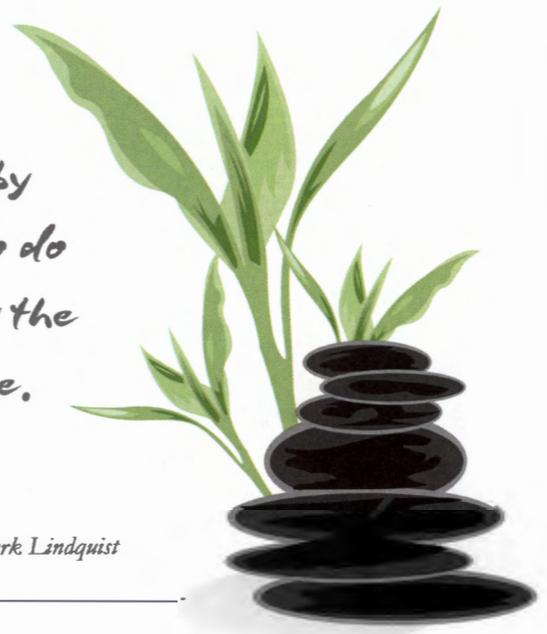
But, “That’s just, like, your opinion, man.”

The Big Lebowski, though not commercially successful upon its initial release, has become a classic. The Dude’s line is a standard retort to accusations and conspiracy theories on internet message boards.

Our information age is teeming with misinformation. As a result, people have developed a healthy skepticism about what they read and hear. News is entertainment. We have learned to distrust other people’s “truthiness,” as Stephen Colbert calls it, but generally believe our own. This, by the way, is my opinion and it may or may not be the truth.

As a Zen lawyer, know the difference between opinions, stories, facts and the truth.

And do not be bothered by those who do not know the difference.



Mark Lindquist is our Pierce County Prosecutor. Copyright 2015 Mark Lindquist