

# THE BARD, ANARCHY & THE ATTORNEY

## May 1. Law Day.

While lawyers statewide participated in public events to help citizens, someone somewhere was bound to quote the famous line from *Henry VI, Part II*, act IV, scene ii: “The first thing we do, let’s kill all the lawyers.”

Can we set the record straight?

The Bard was not disparaging or criticizing lawyers. Instead (and recalling the historical analysis of Charles W. Hemingway), Shakespeare was showing the folly that would exist without lawyers, or in the absence of the rule of law.

Historically, Henry VI’s reign was in trouble. The Duke of York wanted his throne. The Irish wanted independence. His queen didn’t want him. Close advisers and relatives had been murdered. And 30,000 peasants were marching on London demanding land reform—the 1450 historical uprising known as Cade’s Rebellion.

That rebellion was named for John Cade, a commoner who made a claim on the throne. Cade was a supporter of the Duke of York—who had conveniently been sent north to quell the Irish uprising. The history is compelling; Shakespeare brings it to life for us.

The playwright always loved a good pun, clever dialogue and comic asides, and he uses them all to great effect to ridicule Cade’s royal claims.

When Cade announces that his name comes from his father, Dick the Butcher notes that his father stole a cade, or small barrel, of herring. When Cade proclaims that his father was a Mortimer—a descendent of Edward III—Dick agrees that he was a good bricklayer, a play on the word “mortar.” When Cade notes that his wife is descended from the Lacies (the surname of the Earl of Lincoln), Dick remarks that she was a peddler’s daughter and sold many laces. Cade concludes that he is from an honorable house, and Dick wryly notes that Cade’s father never had a house, only a cage—a small portable prison

used for minor criminals.

It is then that the lawyers get their due. Cade describes his future rule as king: It will be a felony to drink weak beer. All citizens will be able to buy four quarts of beer for the price of one. Money will be abolished because he will pay for all food and drink. Everyone will dress alike. And there will be no more disputes, because everyone will live like brothers.

“The first thing we do, let’s kill all the lawyers,” shouts Dick, plunging a sly dagger into Cade’s grandiose plans. Cade readily agrees, and he soon directs the mob to destroy the Inns of Court, the center of legal training and practice.

The rule of law takes a new twist as Dick then sarcastically beseeches Cade to create a new legislative system: “Only that the laws of England may come out of your mouth.” Cade is ready to adopt the new plan, and he replies, “I have thought upon it; it shall be so. Away, burn all the records of the realm! My mouth shall be the parliament of England.”

The rabble continues on, but the rebellion disintegrates after learning that the King will pardon anyone who puts down his arms and goes home. Dick the Butcher scurries off into literary oblivion, never to be heard from again. Cade briefly escapes but is mortally wounded. As Cade dies, a noble speaks a fitting epitaph:

erary oblivion, never to be heard from again. Cade briefly escapes but is mortally wounded. As Cade dies, a noble speaks a fitting epitaph:

Die, damned wretch, the curse of her that bare thee;  
And as I thrust thy body in with my sword,  
So wish I, I might thrust thy soul to hell.  
Hence will I drag thee headlong by the heels  
Unto a dunghill which shall be thy grave,  
And there cut off thy most ungracious head;  
Which I will bear in triumph to the king,  
Leaving thy trunk for crows to feed upon.

A harsh result? Perhaps. But the next time someone quotes the phrase, remind them what happened to John Cade and his followers for speaking ill of lawyers and the rule of law. 

