

**It Shouldn't Happen to a Legal Beagle**  
(stories from an attorney's office)

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**How to Become a Lawyer**

Family lore claims that my first ambition what I wished to become was related to the military, or to be exact that I wanted to join the artillery. Why I fancied this or whether it's actually true I do not know. My first real career I intended to pursue when I was eight was to become an Egyptologist. That wasn't in the sense of the 'Egyptologists' found in the novel by Kingsley Amis and Robert Conquest whose existence naturally I had no knowledge of, even less did I have any idea of nuances the term 'Egyptologist' may incorporate, but in the original sense of the word. With some sorrow I must concur today in my ripe old(er) age with the opinion expressed then by my parents that to study Egyptology under the Communists was simply daft. My mamma, brought up in the finest Victorian tradition, pointed out tactfully that to be an Egyptologist doesn't just mean learning three types of hieroglyphics but Arabic as well (including the script) as in Egypt one would have to work along Arabs. Also, tactfully, she indicated that such co-operation might not be appropriate for me, not because one is dealing with Arabs but because it concerns MEN, and the idea that I should order labourers around wearing traditional loose shirts didn't quite correspond with my Mother's notion of the kind of lady I was to become, realist socialism ruling the waves notwithstanding. Get it! – virtue above all. Nonetheless, mamma was compassionate and waited for my childlike dreams to be driven out by the reality of everyday life. That happened pretty soon with 1978 on the doorstep. The press was claiming everywhere that the “wave of revulsion against Charter 77 continues to gain in strength”, when I stumbled across an interesting scene which, although it took place behind closed doors of our living-room, I remember extremely well. I heard my beloved Mother telling my Father in most uncompromising of tones: „... and if you sign anything again don't count on me ever divorcing you!

Fact is, I'll kill you whereby the child will become an orphan but she WILL get into High School! " Well, well, adults do sometimes have strange worries, hey? How come a pupil with A's across the board doesn't get into High School? I did try and lighten mamma's burden and told all and sundry within the wider family circle that I wanted to be a seamstress as I'd been sewing since I was five years old (perhaps earlier as I don't actually remember not sewing). And, to boot, what's wrong in wanting to be apprenticed as a seamstress on Brno's Cejl, where the residue of Brno's former textile empire was on its last legs, and to top it all my best friend's mother worked having in the past showed us around the Mosilana factory. And all ye hear the way all members of the family clan grabbed their university diplomas and started to beat me with them, for I was contemptibly disavowing academic traditions of all my elders and betters and they would not allow it.

So, I really did find myself at a High School with an emphasis on maths because (I have a feeling) someone somewhere did sign something, and it was only thanks to some precious diplomatic efforts on my mother's part that they accepted me anywhere but the gardening vocational school where she taught (having been removed from her prestigious librarian college)... well, because she once again signed something somewhere. By now I had a bit more sense and so I was sorry that my parents didn't sign more things as I could have been a seamstress and wouldn't have had to struggle with those horrific mathematical thingamajigs – it must be said here that I termed 'horrific' anything that went beyond the rule of three. I had a few extra-curricular lessons in maths a week and when descriptive geometry came on the scene five times a week I cried and cried but managed to pass the exams. Nevertheless, one of my scariest dreams remains to this day the completion of a piece of work relating to the cone's penetration of a ball-like sphere – and please don't look for any erotic nuances here.

As at that time I was a well-brought young lady who obeyed her parents I didn't find the strength within me to stand firm and oppose their choice of my future studies – organic chemistry. My elders and betters explained that chemistry is the same the world over and if I ever decided to emigrate I could always make a living. Apart from that we knew people in the Chemistry Department which meant a good chance of being offered a place – which in 1981, when I passed my school-leaving exams, was of enormous value as a chance to get into a university (any university) wasn't an opportunity to be treated lightly, but I was a little sad as I had the notion that a seamstress could also make a decent living but kept my opinion to myself as I knew full well that it was no use arguing. Thus it came to pass that I desecrated Brno Science Faculty's lecture theatres with my presence for an entire four months, and for which I belatedly apologise. It was awful, and after one single term I took a letter to the admin office declaring that I was finished with this experiment. My desperate mother corrected one wrongly placed comma for which she upbraided me in the most severe terms but found out that as an eighteen year old and thus of age and of sane mind she could do nothing regarding the termination of my studies. Not even the door jambs in our flat spoke to me for some six months, and it was only mild heart-searching on the part of my parents (who were led down this path by certain family friends who gently indicated to them that insisting on a daughter of art historians to study chemistry was nonsense from the start) that led them at least to feed me and not throw me out.

But what was to be done with me? The Philosophical Faculty was prohibited thanks to its two graduates at home and I didn't want to study at the Pedagogical Faculty, being a teacher at the grammar school. Being descended from four generations of teachers, starting with my great great grandfather who was a headmaster of a village school during the Czech revival era in Domamili in the Vysočina hills, carrying on with his daughter who graduated from Brno's Teachers' Institute in 1885 and subsequently co-founded a girls' school 'Vesna' (as well as the Friends of Cremation Association and the Association of Womens' Ballooning – by the way, not flying balloons but practicing swimming on dry land), and via my grandmother and her three sisters – all elementary school teachers, a mother who was a High School teacher and the male gender including a few university professors, you'd expect that even Jan Ámos Komenský would take pity on me. At that time the saying went, „Every cow studies for a legal vow“. Well, so off I went... Which again was a slight problem as it was assumed that co-operation with the communist regime was necessary and in our family the accepted norm was that a decent human being doesn't touch wires lying on the ground, doesn't step on excrement and doesn't collaborate with the regime – in that order.

Being diplomatic, one would say my career as a law student was one of ups-and-downs but I graduated having completed my first year in Brno and the rest in Prague. I absolved all this, including eight hours a week of Marxism-Leninism, without the classes having had much effect on me. In fact, it was the Marxism-Leninism tuition that finally made my family come to terms with my law studies as I spent all those hours secretly but diligently knitting under the desk resulting in my entire family being supplied for a number of years. When recently my mother was throwing out the last of the surviving creations she sighed that perhaps I should start studying again – and I graciously let her live upon hearing it. As you see, we all eventually grow up. I graduated with a perfect set of marks in my final exams, having been saved by my splendid knowledge of Marxist political economy – unlike my classmates I did after all read Marx's 'Capital' – and I entered the work process marked out by an absolute absence of a helping hand on the way. I started in dealing with misdemeanours at Prague 1's municipal offices where every new employee earned (as of 1 January 1987) the total of 1 713 CZK (before tax). (This was about 50GBP – per month!!!). This even then wasn't much to crow about, so in the following years I earned a fair bit of money by regularly earning cash on the side by cleaning the stairs of our apartment block, a job put my way by a girlfriend from the Technical Services Department of the District Housing Administration, basically property management, albeit a socialist version. It's as far removed from a professionally-run facility management as is ghetto in Bronx from condominiums on the 'old money side' end of New York's Central Park – mind you, both provide accommodation, right? This above-mentioned girlfriend had already had a divorce arranged successfully by me on the sly and, as a result, I benefited from a bit of work paying 700 CZK (another about

20GBP) a month, an hourly rate far above what I earned by being a qualified lawyer. Soon enough I entered the choppy waters of Prague 1's misdemeanours and became an expert as to where members of the public pee in public the most (Nekázanka Street) and what is being pilfered and where (rum in the May shopping centre). I must say that I look back on this period with some affection and belatedly thank my then boss, Dr. Eva Baráková, for having taught me more aspects of the legal system than she thought likely. In those days there were no printing machines and everything was typed using carbon paper and whenever I made a typing error the verdict in its entirety got chucked in the bin. She also taught me how to organise my workload. I learnt how to interrogate, how to get hold of evidence, call witnesses – and, to boot, the whole administrative process from the first summons right through to the final verdict. After almost a year I was considered to be highly capable and Prague's City Hall requested my presence in the Housing Department where my task was to find the right legal jargon with the weight of the administrative procedure behind me and inform in writing my fellow citizens that their application for a flat hasn't a cat in hell's chance as there aren't any. The problem was that my line manager was a lady who was a drunk with lesbian tendencies who regularly sent me out to buy an alcoholic beverage called "Raider" and then she'd fawn all over me. On top of that her direct boss was a lover of communistic boss Antonín Kapek who, for those who are in the dark, was one of the signatories of a letter on whose basis Czechoslovakia received 'brotherly assistance' from Soviet army in August 1968 to ensure that we didn't stop taking seriously the construction of a socialist state and didn't come up with some third way. Well, and the things that went on after work (to be honest even during working hours) is too lurid to set on paper. Euphemistically it is described as wine,



women and song. The one advantage it did bring me was that while the local communist cell was stiffening its moral base under the leadership of Comrade Kapek (as the Secretary of Prague's Communist Party) I had ample time to learn English which came in very handy later on.

I was shown the door of the City Hall when it was discovered that I used the organisation's postal service to distribute a pamphlet called 'A Few Sentences' which I not only copied on work typewriters but also on an almost unique copy machine whilst the door was being guarded by a certain colleague by the name of Roman Bělor. This friendship proved to be extremely useful as after 1989 Roman packed in technical things and administration and for a number of years was the Director of the Prague Spring Festival ensuring that lamentations at the lack of tickets were, thanks to him, a thing of the past. I should say though that I was removed from my last (yes, really my last) normal job fair and square as following that ideologically (and otherwise) footloose madam a new gent was appointed to the post of my boss by the name of Josef Škoda, a most decent fellow who covered up my youthful indiscretions most tactfully and I was able to leave 'by joint agreement'. A few years later I took revenge by acting as a witness for him when he married my colleague at the City Hall, Jiřina Kytková, who used to give me notice whenever some steel-plated managerial dragon raced to check whether I was swotting up the imperialist English language again.

There followed my law career's golden age as I began to provide legal advice on the basis of some ordinance which was to guarantee small scale services for people at large and was probably originally meant to cater for plumbers and similar scarce services. But in Prague about twenty of us lawyers latched on to it and went 'freelance', i.e. offering legal

services outside of the remit of the Law Association. That fine body immediately protested most vociferously ensuring that my relationship with the Czech Bar Association was set in stone already in the time of socialist realism. I obtained the relevant licence to carry out this activity and regularly every fortnight visited the “Lidová Demokracie” daily newspaper (which does not exist any more) and their advertising department which obliged by printing a small ad: „Lawyer offers advice in housing matters“ – a telephone number I inherited from the previous tenant of my flat was included. I must add that unless I had a licence for this no newspaper would have printed the ad as one after all couldn't have someone working without official permission. The consequences of these few sentences were absolutely marvellous. Folk turned up by the dozen and looked at me as if I touched down from Mars when I insisted that according to the relevant regulation the most I could charge was 50 CZK (about 1,50 GBP) per hour and really couldn't accept more. My office was my one-room apartment of the worse category in a dank block of flats near the National Theatre where I had a row of slippers arranged for my clients in a common hallway. Grateful clients totally flummoxed by my fees kept leaving extra cash on the sly and if I was looking and they were embarrassed they stuffed it under the front door. As this period of my entrepreneurial career is time-barred long way back I can openly admit that I never paid even one crown in tax, and as 17 November 1989 came along before I found my bearings as far as social security was concerned (and health insurance was free) I never paid anything here either... Such time of plenty has never been seen again, although I must say that some of these clients are with me to this day... For example, my regular client is a certain Mr. Rak who printed my first business cards in the early summer of 1989. They

were gorgeous – with a blue silk surface. After many years he admitted that they were printed on printing machines at the Communist Party's Central Committee building (that is, at the back of today's Ministry of Transport) where he was not only tolerated but welcome as every communistic boss from the Státní Foreign Trade Company wanted the silk business cards as well and only Mr. Rak was able to get hold of the paper with the compressed textile... Oh gosh, those were the days... And so November 1989 came to pass, I had a flat in the centre of Prague and relatively lots of money – so I invested and helped to start up new political party, the Roma Civic Initiative. Clearly, even then political projects were close to my heart. In June 1990 I was elected on behalf of this party on the Civic Forum's slate as an MP in the Czechoslovak Federal Parliament. But the whole thing was quite ticklish as my mandate was given to me on the basis of what is called 'second scrutinium (phase)', i.e. after the first round of votes were counted as well as the counting of 'remainders' from various local wards which gave two more seats to the Civic Forum.

There followed two years in the Federal Parliament (working in the Constitutional and Legal Affairs Committee), a time where it would be apt to tell the old English joke in which they try persuade an old lady to write her memoirs, that it'll be a bestseller and whether she knows how much she'd get for it. The old lady replies whether the questioner knows how much they're paying her not to write them... I'm not being paid by anyone in this case, but with these recollections it's similar to when I'm being threatened with expulsion from the Law Association. If I was being fair I couldn't recommend this as a sensible step for the Law Association to take because the consequence of such action would be that I'd no longer be bound by the obligation to remain silent and my approximate

70 linear metres of archives really contain lots of gems. We'll see. I can only say as regards work itself on the Constitutional and Legal Affairs Committee that we, in effect, were responsible for all the legislative work as at that time only three legislators were employed by the Federal Parliament – which was shocking. I still think that having been so overstretched during that time I'll find a bulging lump one day as one really couldn't survive those revolutionary days without it being detrimental to one's health. Detrimental effects did come anyhow, thanks to Michal Prokop, the singer and musician, with whom I shared a bench which was assigned according to the alphabet. During a debate dealing with a law concerning restitution of the agriculture property he sang socialist songs from the 1950's under his breath particularly the one suitable to the theme of the day „...white bread there'll be...” and worked up female members of a farm co-operative, whom we were depriving of property with our decision in the chamber, kept chucking peels at us as well as whole fruit of uncertain smelly provenance. Thus, the lesson learnt was that work of an MP is tough.

Let me get back to my political activity: sometimes in March I received an offer from the conservative ODS party, having already been a member of their parliamentary group, whether I fancied standing on their ticket in the forthcoming June elections. I retorted that it surely was out of the question for me to enter Parliament representing one political party and then in the same parliamentary term accept an offer to stand on behalf of another political party – and I declined. When you look around today and the merry-go-round of moving from one party to another in the middle of a parliamentary term I can't but think that I was being extremely naiive. As things turned out my refusal meant the end of my political career.

When my mandate came to an end I received an invitation to visit America from Jim Denton, son of an eminent Republican Senator and veteran of the Vietnam war, and his small charitable foundation and spent a few months as an intern (no innuendos please) in the USA Congress, to be exact in the office a well-known Republican Congressman, Christopher Cox. But because it was the autumn of 1992 and in November started Bill Clinton's first term of office the mood wasn't much to shout home bout. And anyway, I wasn't really in favour of the Republican candidate as in my view Republicans died out with Ronald Reagan, so I grieved, and by taking part in Ross Perrot's election campaign I got my conviction-shaping political puberty over and done with (entitled „managing a country like a company“). I also took up an invitation by the Canadian Bar Association in 1991 and completed a three-month study visit in the Canadian Parliament and so after both of these sets of experiences I knew exactly how an MP is supposed to function...

When I got home I joined the Ministry of Foreign Affairs where the Deputy Minister, Jarek Suchánek, protected me from all ills. But lest we both underestimated one factor, the breakup of Czechoslovakia. Very soon it became apparent that there is a dearth of jobs for the boys (and girls) as the Federal authorities were abolished and once one is used to the trough in a Ministry it must surely be a cert to find another spot, or perhaps not? It looked like I was to be given notice from the Ministry of Foreign Affairs' Institute of International Relations where I hardly had the chance to settle in and having to start looking for an alternative. I was given the hint that my expertise was really not in demand. Thus, I requested some unpaid leave and flew to New York where, with other members of the International Romani Union, I won for this organisation observer status at the UN. Then I moved on to

Washington where together with the Democrat, Tim Lantos (member of the House of Representatives), I organised a hearing in front of the Joint Senate and Congress Commission for Human Rights (Human Rights Caucus) on the subject of „The Position of Roma in Central and Eastern Europe“. Then I came back home, signed the notice given to me by the Ministry of Foreign Affairs and began to focus on commercial law, and as of 1 January 1994 advocacy. And that is my work to this day. I represent clients; my legal assistants are younger than my Law Association membership card. I listen to laments of strangers and without considering my own, not particularly successful, life I advise them how to live. Hmm – life’s contradictions...

And because I am a good observer and thousands of human tales have passed my way I started to write. I humbly put before thee the first few short stories from the legal milieu. Be tolerant when reading them and if at all possible be amused by them.

My best wishes,

Klára

## **1. To Be Entrusted Into the Care of Whom?**

I wheezed into the office of a certain highly placed government public servant with some silly triviality. I think it was some minor legislative proposal. The man in question was sitting behind his desk and strenuously tried to pretend that he wasn’t there. To disappear in a puff of smoke when comprising of hundred and twenty kilos of live weight is quite a problem and I watched in astonishment as to why he was making such an effort pretending he doesn’t exist. After all, we got on wonderfully well and my visit had been arranged well ahead!

Then it sunk in.

The gent wasn't just from the same town but from the same suburb as the about to be divorced couple R. in whose case I represented the father... No, no, no, no!!! I haven't come to discuss the R. couple!!, I shouted having suddenly seen the light, and lo and behold the man in question became focused right away. Subsequently I found out that my assessment of the situation was quite correct.

Husband and wife R. were both doctors. The politician in question and his wife were patients of both doctors and a heated argument flared up as to the rights and wrongs, whether lady doctor or gent doctor. Whilst the honourable representative of the people was for the gent, doctor wife of the honourable gentleman was for the lady doc... Similarly divided was the town's suburb, by and large respectable folk. The consequence of the divorce proceedings being in the public domain meant that the appeal proceedings regarding their 12-year old being entrusted into the father's care resulted in an unusually large court attendance on both sides of the divide.

Some fifty people crammed into the public seating area meant to accommodate around twenty, and now and then it looked as if fisticuffs would ensue between supporters of the opposing camps. Even though I am not normally averse to public speaking my nervousness exceeded a tolerable level and I started making mistakes. In my final speech a typically Freudian slip of the tongue came to the fore when I proposed that the parents be placed in the care of a minor. Presently it seemed as if my client was ready to throttle me there and then. But the lady judge saved my skin: she interrupted my feeble attempts of trying to correct it and commented that this was truly the only sensible suggestion she had heard during the three hours of proceedings. She was terribly, but terribly, sorry she was unable to comply with it. Fortunately, my client's son

was placed in his care otherwise I'd have been a gonner. Bathed in sweat I remembered in the corridor outside the courtroom the works of James Herriot depicting his veterinary practice and the guidance he received as a young vet from his slightly older boss: that veterinary work allows for countless of possibilities how to appear like an absolute idiot. I think that in this regard advocacy is on par with veterinary work. In any case, when one fulfills the role of a lawyer one sometimes feels like being in a pigsty...

## **2. Malign influences of TV soaps**

By and large I represent men in civil family cases but this time I stood alongside a lady. Basically, a banal affair: the father in question had been set alimony payments which just about covered the kid's lollipop outlays and he was not amenable to increasing the amount voluntarily. So, a court hearing followed where the mother demanded an extra few hundred crowns. The father wasn't legally represented but all the more was he irate: it's clear as daylight that children belong to the mother: and if she's got them let her feed them...

Taking into account his share of the burden in raising the children I proposed that the maintenance payments should bear comparison to the level of the Orphan's Pension. And, without being put on the rack, I readily admit I was a wee bit acidic and now and then this slightly poisonous spittle took on such shape that its wording ended up as part and parcel of the court's protocol.

The esteemed father, whose vision of his wallet being drained of finances resulted in him turning green (and promptly red thereafter), was left at a loss how to parry the inevitably approaching verdict in favour of the mother (or, rather, his



own children) and banged the table he was sitting at with a mighty blow and using no less a mighty roar cried: „objection!“ The consequences were dire. My client sitting beside me cowered in fear and I froze. The reaction of the lady judge was of a similar nature. Quietly she began to slide behind her raised bench and subsequently hid her head behind her files. Noticing the slight tremors of her shoulders covered by her robe I assumed that like me she was dealing with the problem of stifling laughter and trying to maintain the court’s dignity.

It was fairly clear as to what had happened: during the proceedings the TV soap ‘Dallas’ was being transmitted and the opposing side came to the conclusion that if the course of action taken by JR in his defence was effective it could well be useful as well at Prague 4’s District Court.

Many-a-time have I come across such pernicious impact of American soap operas on the judicial awareness of Czech citizens. Clients wished above all that I became more of ‘a woman of action’. When I tried to fathom as to what they envisage a woman of action to be, I found out that they considered the right approach to be the one presented by Perry Mason. My objections that the Californian Criminal Code cannot by any means be applied to Czech civil proceedings were swept away as an insignificant excuse. Quite simply, Paul Drake is meant to burst into a courtroom with the case reaching its zenith holding in his hands a crucial piece of evidence - and it’s purely my business how I arrange this. And if I fail to arrange it I’m just an incompetent legal beagle. Fortunately, with the arrival of Czech film and TV productions dealing with legal topics the situation has improved somewhat, nonetheless the malign influence of Melrose Place and Mexican soaps still lingers: what other reason can there be for parents to name their babies Vanessa, Mário and Manuella.

### **3. Pitfalls of an Indian summer**

Divorce between Mr. and Mrs. L. was a real treat. It took a long time and was demanding organisationally as well as emotionally. The lady client was the one who filed for divorce for reason of repeated infidelity on the part of her husband and at that time used the services of another lawyer. Eventually formalities were overcome and everyone in the courtroom breathed a sigh of relief, including the young lady judge. The marriage was dissolved and participants gave up their right to appeal.

But for the procedure to be valid the protocol had to be signed by all contesting parties as well as the lawyers. The extremely youthful female recorder swiftly completed the document and it was up to all the interested parties to stroll to the judge's bench and sign. I went first as I was sitting at the end. I should perhaps add that the longed-for completion of the divorce took place at the beginning of autumn, on a lovely September day denoting an Indian summer. It was pretty hot and I chose to wear something I felt was sufficiently dignified for the courtroom as well as sufficiently airy. This meant some black trousers and black lace top.

Lest, I forgot that both bits of gear were exceedingly tight and the black leather belt around my waist emphasised my figure to an extent that my dignity was somewhat under threat. The effects of my outfit were quite destructive. When I was returning to my place, having signed the document, I noticed my client going red, fighting for her breath and sliding under the table. It flashed through my mind that that the divorce had taken its toll on her and, to boot, taking into account the stifling atmosphere in the courtroom I'd have to provide first

aid. I leapt across to her and in vain tried to comprehend what she was discreetly trying to show me. Then I got it. Across from her the freshly divorced husband rose, and because of the warm front coming in waves to the Czech Republic from the Mediterranean, wearing light loose cotton trousers, meant he had everything on show. The trousers were enviably bulging in the appropriate places whilst the men in question's eyes were focused on my charms. At long last I understood my lady client as to why she wanted to get divorced and in my thoughts apologised to her.

The judge and the recorder became quite immobile in their places as the situation had become crystal clear to them too. Only the wretch of lawyer representing the other side was sitting besides the divorced husband and was completely oblivious. In fact, it was he who interrupted the „freeze“, into which state the four present women descended into and swiftly set off to add his signature passing his client who was still standing in all his glory but not seeming to make any move to go and sign anything.

Fortunately, the lawyer in question was a hunk, his briefs and trousers were narrow and clingy and an accident that befell his client wasn't on the cards. It must be said that even though I consider the compulsory wearing of gowns in criminal cases as quite idiotic it does occur to me now and then that in civil cases it wouldn't be altogether a bad thing. At least it would ensure that neither party would be discriminated against.

I have a little addendum to this tale. After many years I came across my client and asked her how she was doing. For one thing if she had known what she'd have to go through in the divorce process would she still have gone for it – and I got the following answer: „Whether I'd do it again with all the knowledge? Today I'd even make the bed for my husband and

his lover... I'd just ask politely that they be so kind and not do it in my bed..."

As one can see, fundamental views on life can alter very radically with time.

#### **4. BELFAST**

##### **a historical lesson arising out of Henry VIII's divorce**

The streets of Belfast are gloomy. Heavy iron shutters on shop fronts roll down with a racket and by five o'clock in the afternoon the streets are devoid of life. Only tourists gone astray gape at Titanic's monument as a reminder of its manufacture here. The city has twenty-seven kilometres of walls several metres thick besides which our wall in Matičná Street in Ústí nad Labem, which had to divide Czech houses and their Gipsy neighbours, looks like decorative fencing on an allotment. End of each street is barred by five-metre long gates comprising of steel bars. Electronically they shut specific streets within a few seconds, in the same way that they can divide the Ring Road motorway into several hundred metres long sections from which there is no escape. All and sundry are nicely kept apart.

Protestants live in better properties at the foot of small hills rising above the town. They were settled there as the loyal followers of the English Crown some five hundred years ago. Irish Catholics who refused to convert to the English Protestant Church live lower down – near the old docks. The houses of supporters of both camps are painted over with belligerent graffiti proclaiming that the foe will not conquer „their“ country. From time to time a bomb is placed in a department store (be it by Catholics or Protestants), and from time to time another new Doctor of Political Sciences or

International Law emerges from jail having been dragged there willy-nilly at the age of nineteen as an apprentice who had been throwing those bombs and set free at the age of thirty-five festooned with academic titles and a cool head. How did this situation come about? In my view as follows: Henry VIII's first wife didn't bear the King a son after eighteen years of marriage and the King wished to divorce her. For that he needed the Pope's approval and he didn't get it. That is why he founded the Anglican Protestant Church, set himself up as its head and declared his marriage to Catherine of Aragon invalid. But the reason why he didn't father a son with his Queen was not the responsibility of his wife but in the syphilis he ended up with during his exuberant youth, a fact attested to during the course of his future marriages. He did have a son in the end, Edward VI, but thanks largely to his congenital syphilis he died at the age of sixteen. The deadly struggle between Catholics and Protestants in Ireland, and indeed affecting Belfast, the capital city of Northern Ireland, is in my view due to the syphilis caught five centuries back by a certain conceited King who wasn't prepared to admit that to keep European peace and the unity of the Church he'd have to keep his willy in order.

When I brought this thesis before a mixed Catholic-Protestant audience within the hallowed grounds of Belfast University, and added that taking this into account one might have thought that both sides might fundamentally reconsider their position on the issue, I was confronted by a phenomenon which I am intimately acquainted with in my Czech motherland: both sides loathing each other 'til death do them part suddenly closed ranks and in unison and with a common voice declared that Samková is a scoundrel and a rogue with no respect for history. To be frank, showing respect to official authorities isn't my cup of tea but this doesn't alter the fact that some private

hanky-panky may lead to consequences lasting hundreds of years and causing the suffering of millions of people. When I mull over my performance years later I must conclude that I am hardly surprised why folk can't stand lawyers. Brush away three hundred years of history and reduce a conflict of the same duration using one single argument in such a way that the parties involved must feel like morons – who else but a lawyer could achieve this? So, drawing a lesson from history: suffice that they are left to cause severe damage in the courtrooms, in no way allow them anywhere near history or you'll end up crying over the outcome.

## **5. Black Gai-Jin or a social faux pas on the horizon**

He wanted a divorce. Not such an unusual request, but the circumstances were less run-of-the-mill. He was about one metre ninety tall, a tonne of real meat, an absolutely unpronounceable non-European and un-American first name as well as surname, black as soot and holding a Canadian passport. OK. Even such folk wish to get divorced sometimes. Rather less usual as the fact that he was married to a Japanese woman with one child born in Yokohama, the second in Yellowknife and all permanently residing in Prague. It was clear to me that the appropriate Prague District Court will be over the moon over its unquestionable local jurisdiction and mulled over whether to deal with it under Czech law... or some possible alternative.

I even tried to lighten the conversation with my client, and without properly weighing up the possible consequences, I asked him with a beaming smile from what country of origin he came to Canada. My tip was the Congo or some other Sub-

Saharan country. „You know, we are Canadians going back several generations. My ancestor got there using the Underground Railroad. He was a slave who´d escaped.“ At once it was obvious that this topic of conversation was none too pleasant for my perspective client. My imprudent question produced an elephant-sized piece of dung whose odour was starting to waft across the meeting room. The fact is that most black Americans, or Canadians, find it extremely unpleasant to be reminded that their ancestors were slaves – it´s actually unpleasant even if they mention it themselves. How to wriggle out of this?

„Oh my, that´s amazing, you are basically living proof of American history!“ I cried out after a nanosecond of a pause in which my brain cells went into overdrive. Without giving my client a chance to respond in any way whatsoever to my theory I fired off my incredible experiences from Hartford, a town in which Harriet Beecher Stowe wrote ´Uncle Tom´s Cabin´. I suggested to him that I consider him the embodiment of Uncle Tom, and that indeed explains why we are sitting here in the log cabin... My client´s eyes expressed amazement at first, thereafter understanding and, finally, a smile extended over his entire round face. It had clearly never occurred to him before to think of himself as part of the historical process and that he should be proud of it.

A crisis had been averted, the client wasn´t peeved. But if I hadn´t genuinely visited Hartford, if I hadn´t visited the Stowe family house as well as Mark Twain´s opulent house nearby (likewise an outspoken opponent of slavery), if this part of American history wasn´t of particular interest to me, I´m not sure how this would have turned out. Well, I do know: I´d lose a client, which in any case would have been a pity – for him as well as me.

From which one should draw a lesson – if you ask something you must expect to receive an answer which is completely at odds with what you expect. The ability to instantly wriggle out of embarrassing situations is one of the prerequisite attributes a lawyer must have. If you fall short in this area I recommend that you rehearse diligently and/or choose an area of work where you safeguarded from direct contact with a clientele and current cases. Forming contracts and sending them to clients via email is exactly the work you are after.

## **6. Prosecution as a Form of Education**

According to reliable witnesses the case began with an absolutely smashing booze-up at Libuše Bryndová's cottage near Tábor with a Czech TV crew in attendance. Except group sex, everything else was present and abused in huge quantities as per normal for such events. Bushie's neighbours were contributing to the jollity with home-made pear schnapps which lacked methanol but had all the more kick to it as a result...

The excuse for the presence of the Czech TV crew was a short TV profile about Bushie and her role as a grower of cannabis for healing purposes. And the TV film was shot. And transmitted. And on the basis of what was no arty-farty film but more of a recording of a leaving exam soirée from a special needs school for mature students, Bushie ended up being prosecuted for dissemination of a toxic substance. She, indeed, did disclose all about herself (and some more) with her heart opened out to all and sundry, her hand holding a joint and a wide smile a permanent feature of her face.



When her mates came to ask me to defend her, I knew full well that this case will bring me another Brownie point as the good deed here will be of major proportions and I can do nothing but accept the request.

Even the first trip to Court was demanding (to say the least). I was driving and giving a lift to a few of Bushie's supporters from Prague. In the back of the car we had the macho section, the journalist Štěpán Kotrba and the avid promoter of the growing of cannabis, Dušan Dvořák. This turned out to be an error in seat distribution. Mr. Kotrba, a lifelong leftie who has been banging into my ears for years that I am a cocooned socialist, and Mr. Dvořák, a lifelong right-winger who keeps insisting that I mustn't betray my right-wing ideals, went for each other's throat in a manner which suggested we wouldn't reach our destination. The result was that a Member of Parliament and (then) Vice-Chairman of the Council of Europe, Anička Čurdová, sitting in the front passenger seat, spent most of the journey hanging on to her safety belt facing backwards trying to keep the two of them apart. Only my emphatic warning that Court waits for no-one made them take on board the need to stay put in their seats without engaging in fratricidal violence.

We picked up Bushie and took off for the Tábor Regional Court in front of which about half of the membership of the South Bohemian Green Party awaited, led by the Member of Parliament (and later Minister of Education) Mrs. Dana Kuchtová. Two camera crews and lots of newspaper folk were present as well.

Bushie's questioning turned into an educational session on the topic of, „How to nurture and produce cannabis in a way that

its beneficial effects are best made use of“, during which all efforts of the young judge, who most clearly had underestimated the opponent, to engage the accused in examining her supposedly criminal activity were destined for failure. When he tried too much, Bushie reproached him for his inadequate knowledge about what kind of cannabis has what quantity of THC and that he should listen and learn. When the poor wretch tried to ask questions, Bushie told him off for not reading her website in detail. If he had read it, he´d know and would not ask stupid questions. The desperate judge lamented that he´d been swotting up on her website until 3 a.m. Not enough commented Bushie and I asked for a recess. I used the break for a visit to the toilet, which I must admit was a fundamental mistake as I´d left Bushie unsupervised. She used the freedom to educate the entire public at hand, with an emphasis on the media folk, about all aspects of the use of cannabis in medicine, and I, having returned from the lav and cottoned on to what was happening, pointed out in my most amiable way that if anyone writes a word on this in the press, I will, despite being a supporter of the right of free speech, beat the shit out of them.

After the recess the weary judge adjourned the hearing, which wasn´t of much help to him as during subsequent hearings Bushie ripped apart the worthy Professor acting as an expert witness and commented in respect of her own witness, an Assistant Professor of Addictology, that he didn´t cover the entire field properly. Not surprising the court of first instance convicted her.

That completely destroyed her. It took three years during which she was convicted by the Primary Court for the judgment to be set aside by an Appeal Court and the case to be

returned for a new hearing where she was acquitted although the Prosecutor filed an appeal. Thereafter, Bushie's acquittal was confirmed. The actual hearing did set out new legal rules in getting a fair trial in relation to the right to call witnesses. Bushie asked Assistant Professor Hanuš from the University of Jerusalem to testify on the basis that his testimony was vital and the State is obliged to pay his airfare. I cross-examined witnesses in a manner Perry Mason wouldn't have been ashamed of and at night I lapped up information from Bushie's website (no doubt in tandem with the judge as the night before the main proceedings were due there were two people online on that website). The defence process seemed at time like a joust with the judge as to who knows more about cannabis and with Bushie acting as the umpire. The State Prosecutor with his dim criminal law paragraphs was sidelined into the role of a second unworthy of our attention.

In the meantime, the High Court expressed opinions regarding some aspects of similar cases. As the use of cannabis for medical purposes was legalised in neighbouring Austria, it was difficult to argue that this represents „social danger of a criminal act“, because some 80 kilometres away it isn't criminal.

Thus, the defence was proceeding smoothly even though there were times when it was doubtful the accused would live to see the end of the court case as there was reason to believe she might be strangled by her own lawyer. These moments were particularly imminent when after the end of the day's proceedings she started handing out to reporters small plastic cups filled with cannabis-based ointment with explanations on which parts of the body it is most effective. But taking into account that my fees were only paid in the form of the above-mentioned ointment, all I could really do was to keep my mouth shut.

The final verdict of acquittal from the Appeal Court based in České Budějovice, court branch Tábor, was a victory for all as everyone survived in one piece. The general agreement was that it was all the fault of the pear schnapps which turned the entire TV report into an untrustworthy piece of reportage and, as a result, there was no basis for a legal case. After the decision was announced, the Chairman of the Appeal Court informed Bushie that she can demand her property back from the police – approx. 5 kilos of dried cannabis plants and approx. ten plastic cups of confiscated ointment. This unleashed a lecture regarding the expiration of the medicinal effects of cannabis plants – the Appeal Court Chairman clearly hadn't learnt from his younger colleague's mistakes and forgot to read Bushie's website properly. But the worst was to come: „And as far as the ointment is concerned, well, I bet that's all used up! You know, esteemed Sir, police work is a real trigger as far as hemorrhoids are concerned and the best cure is cannabis, y'know?“ „I know,“ retorted the judge, even though it was clear he didn't know that police work causes hemorrhoids nor that cannabis was the best cure for it. I literally dragged Bushie out of that courtroom and made her swear that she'll keep quiet at least until I got her home, as otherwise I might kick the bucket and public transport doesn't go anywhere near the hole she lives in beyond Veselí, about 40 kilometres away.

From that time on, on the odd occasion, I accept a fee instalment in the form of the cannabis ointment (without paying VAT or Income Tax - and so you see what a subversive element cannabis is), and I also visit Bushie now and then for a jolly weekend away where I refresh myself listening to her notions of world politics with particular stress on our

relationship with Ukraine and the European Union. I learn about the latest discoveries how to extract Fénix's tears which is a remarkable medicinal cannabis-based extract. I have a good time with her ten cats and take on board quotes from famous works in several foreign languages. Slightly socially worse off is where I go to bed: in her garden outhouse filled with flowers whose back part serves as a chicken coop. The onus is upon the guest to let out the chicken early in the morning allowing them to do their pecking business. Thus ready to face the world, I return to the hustle and bustle of the city to devote my time to swindlers, divorces, thefts, double-crosses and other related forms of behaviour which nearest and dearest like to commit on each other. In my nostrils there remains the aroma of medicinal cannabis...

From every tale there should be a moral lesson to be drawn, right? The moral here is that as a lawyer you never know what you'll find out and learn. Knowledge that I gained through my legal work, apart from growing cannabis for medicinal use, includes bee-keeping whereby the matter of „my“ bees was actually adjudicated by the Supreme Court of the land and as it wisely said, it never had to make a decision on bees. I, in fact, can distinguish a carniolan bee from a wild bee. Also thanks to the Law I know that pigeons loosen their sphincter up to 25 metres after having flown off, which means that if your abode is less than 25 metres from the pigeon loft, you will most definitely be shitted on. And much more. As I keep saying: advocacy – one big adventure.

## **7. The Result Was Death**

The young man was completely broken and asked for my help. His wife had a car accident. After the fierce impact she got out of the car in shock and was run down by a speeding car. That car was responsible for her death: she came through the first collision almost unhurt.

I was shaken by this and I empathised with the young man in question. But then odd things came out into the open. First of all, the young woman was dressed in pyjamas. Further, she was driving a car usually used by her husband. It was a 3-litre which, unlike her own little banger, she wasn't used to driving. Yes: you guessed it, an intense argument took place that morning. The young woman grabbed the first set of keys that came to hand and screeched off with the car that the keys actually fitted. Away, to an unknown destination and with unknown intentions.

It may not be obvious but her behaviour was intuitively correct. The brain in fact contains two centres on which we will now focus: one is a centre controlling fine motor movements – for example, such as those to control a steering wheel if we wish to keep the car on the road. Just next to it is a centre responsible for experiencing emotions. This very brain centre was too stressed in the few minutes before the car careered out of control and probably was bereft of oxygen.

There was an urgent need to re-establish the flow of oxygen and sustenance to this part of the brain. As we are unable to direct the flow of blood to a particular part of the brain using our will, we do so intuitively by engaging in an activity which brings oxygen and nutrients to its close proximity.

If you observe drivers on our roads it is clear that some of them sit behind the wheel in a state of emotional agitation and the driving itself serves as a calming tool – in other words, has a therapeutic effect.

All in all, driving is an activity which is often something else than it at first appears: it is estimated that up to 25% of fatal car accidents are hidden suicides. The fact is that there is no sensible reason why these traffic accidents should occur. But a death caused in a car crash is essentially more 'socially acceptable' than a suicide.

Further, car accidents don't create problems per se with insurance covers. Nobody investigates who got a suicidal person into such a position – and often they tend to be close relatives to whom, moreover, the victim feels emotionally tied to and whom he or she has no wish to harm. The bereaved have a right to sympathy. And, to boot, nobody is able to talk the car suicide out of it.

As you may well guess, I most firmly dissuaded him from any legal action relating to his personal rights and any possible compensation for the killing of his wife. Yes, not even a motorway is a place where one should drive at 150 kilometres per hour, as the passing car which ran down his wife clearly did. But what probability is there that a strolling human being in pink pyjamas will appear in the middle of a motorway? The tyre tracks left behind clearly indicated that the driver slammed his foot on the brake and manoeuvred his car trying to avoid the pedestrian. Could he have done more?

The widower was probably dissatisfied with my interpretation of the law but I fear that he will have to deal himself with his own responsibility for the morning argument with his wife without attempting to try and blame a third party.

And because a lesson should be drawn from each case let there be no exception here: whenever you find the atmosphere at home getting oppressive once more remember it may cause consequences which may be unbearable. A good reason to try and disperse the oppressive cloud cover of mutual spouse animosity.

## 8. To Strasbourg In Pink

I stared goggle-eyed at the invitation to attend oral proceedings of the European Court of Human Rights in Strasbourg. It was only the fifth such proceedings against the Czech Republic as the custom in Strasbourg is that what one does not get rejected is decided without any formal proceedings and the plaintiff (at best) has the right to supply the Court with paper evidence. But here I had it in black and white that I am to attend court room no. so-and-so (I cannot remember just now whether it was 1 or 2) of the European Court of Human Rights for the hearing concerning the plaintiff, Mr. N.P., to begin at 9 a.m., English and French simultaneous interpreting both ways provided.

Great, I thought, I had just been planning to go to Strasbourg with the Czech Bar Association and so was counting on this trip anyway... then it hit me...

„How could you do this to me!“ I lamented soon afterwards on the phone to the Law Association’s foreign section head, Jana Wurstová, so fervently that I must have (figuratively speaking) drenched her bosom with my tears, optic cables notwithstanding. „Dear Klára, to the contrary, you must admit that we couldn’t not do it to you!“ laughed Mrs. Jana and I could well imagine with what pleasure. As a long-time officer of the Law Association’s international section she, of course, had her contacts and knew before me that an oral hearing is on the cards and when. And on that basis she organised the annual Bar Association’s junket to Strasbourg, this time moreover to observe a Czech case.

With the knowledge that I’ll have a posse of twenty or thirty Czech colleagues gazing upon me with an ever-so critical an



eye, I rang four of them who were in the Strasbourg sweatbox before me, and above all my esteemed colleague Hulík who provided me with some valuable personal advice for which, even years later, I once again thank him for.

Evidently I was expected to give an oral presentation in which I will summarize my view of the case, point out those aspects which I perhaps hadn't emphasized enough. Questions will follow from the twelve judges and which I will be dutybound to answer. I may have my team assisting me by my side.

Well, that's just it: Who will be my team? The one who is capable of uttering a few sounds in the relevant language and perhaps someone who worked on the case with me and is in the picture. So...eheheh... coming with me will be Katka and I'll also really need Iva, who unfortunately doesn't work in my office anymore and is finishing her law Masters somewhere in Luxembourg or Treviso or Brussels, well, somewhere round the corner from Strasbourg. So, she can get the train to join us in Strasbourg, hunky-dory. With Katka I packed the car boot with files, added to all this a prepared speech in English, a few dresses and set off for the joys of the German autobahns, via Rozvadov, which are, in most cases, not blessed by speed limits. We started getting nervous before we reached Heilbronn as there is a technical museum visible with Concord on show in pride of place. We came to a mutual agreement that it might not be a bad idea to fly off somewhere else, far far away. But then we agreed that, after all, we were a pair of valiant lasses and we are supposed to pick Iva up at the railway station and it really wouldn't be nice to leave her there at a loose end. Iva arrived with a rucksack with her dress packed away inside, but before we could pick her up we became disorientated as in front of Strasbourg railway station they built (what I cannot call by any other name than) a prolapsed glass kidney as part of their extension programme

ensuring that the entrance to the underground garages was a maze. Furthermore, I had no wish to drive into this parking lot as I get lost in them on a regular basis and this is the only city where I have created a hullabaloo on several occasions by claiming that someone stole my car or it wasn't where it should be. Which wasn't true as I had only incorrectly written down its location. Nonetheless, Strasbourg's underground car parks clearly have a negative psychological effect on me and I took the preferable step of parking in a 'no stopping' zone in front of that glass spectre and Katka went to find Iva. Thus, „the expert team“ was in situ and could sleep snuggled up together using a king-sized bed in a cheapie hotel because as per usual the plaintiff was skint and as was common practice lately it was all coming out of my own pocket and there just weren't the readies available for the Ritz with the number of beds akin to the number of folk on tour.

In the morning we purchased an extra breakfast as the sum of 8 EUR corresponded to the declared outgoings ex offa as granted by the court and we discussed our tactics. Katka will take care of the files and use small slips of paper marking particular sections in case there is a need to quote something. We magnanimously set aside Czech legislation relevant to the case as it would mean an enormous extra bag and secondly (as it turned out quite correctly) assumed that nobody in the European Court will be interested in Czech laws. Iva will record the questions put to me by the judges ensuring I don't forget anything, possibly also making a note where to find what and slide it across my good self to Katka. Even though Iva reels off French as well as English like a native we agreed that we'd only communicate in English as, lest, I only know five words of 'froglais', and four of those are of a nature which should not pass a lady's lips.

Thus armed we set off for the court where even before we came we had decided to use the tactic of being brazen rather than meek and take advantage of the situation of me being the leading star of the morning session. So you're in the picture: the lauded ECHR is an enormous building whose architects at the design stage forgot two small details. The first is air-conditioning in the offices, so the wretched lawyers and admin staff are gasping for air like sardines in tomato sauce. The other small omission was not building a car park. Well, there actually was a car park, albeit just with enough space for the judges and perhaps an important VIP visitor or two. Even the employees of the court started (and are still starting) their working day engaged in strategic manoeuvres with the aim of parking their cars and a subsequent dash for the office, the later the arrival resulting from later attempts to park. So, to arrive at nine on the dot would have meant a run across half the town with all those horrible files in one's hands to boot. To get inside the official car park is a mere figment of the imagination even if one had arrived at 6 a.m., being given a car space by the ECHR means you have managed to reach one of life's zeniths. Something like the French Legion of Honour. I became convinced of this on the Czech Bar Association's 'outing' the year before when one miserable colleague, unaware of the rituals of chiefs of inland Borneo and copied in Strasbourg, left his car in the afore-mentioned car park. Soon afterwards, having eagerly sat down to listen to the first lecture of the day, the head of the Czech section of ECHR, Eva Hubálková, stormed into the room and bellowed with a voice which she had probably used to command Russian tanks on her assignment during the war in Chechnya: WHO is it! WHO has parked in the spot of the court's Deputy Chairman? Find a new space IMMEDIATELY!, and she marched the poor

wretch of a colleague to ensure he removed his stain of a car disfiguring the exalted spot (a Mercedes worth about 50 000 GBP). Thus, she condemned him to drive around in circles through the surrounding little streets until he got so far that he preferred to park back at his hotel on the other side of town and fuming arrived back in court in a taxi. Which I had absolutely no intention in copying.

So, cheeky as an imp I stopped the car right in front of the court's steps and started to unload its contents. Security appeared with the speed of lightning, but I had already reached a mood which is well-known and described as „flow“, fully focused on the coming performance. With a sparkle in my eye, worthy of Gina Lollobrigida twinned with Liz Taylor, I handed the car keys of my extremely unrepresentative vehicle to the gesticulating man as if it was a Ferrari in front of the Monaco casino requesting that he park my car. If it wasn't for the situation in hand I'd probably laugh at his dismayed expression, but here with aplomb I just nodded to his colleague to take our suitcase full of documents. The persona appropriately fitted out in his security uniform did so without any resistance and our trio, with me as the vanguard, nodded to the observing public, strolled around the security screening device (not through it) and I, with a smile, commented succinctly: „We are expected in court...“ By the way, for the entire proceedings the car stayed put and the keys were pressed into the hands of my retinue.

But then jokes came to a swift end as the Government Commissioner representing the Czech Republic at the ECHRP and my particular favourite, lawyer Vít Schorm, brought with him as his team roughly half of the entire staff employed by three ministries: Justice, Foreign Affairs and Social Affairs. We judged that if they all speak we'll miss the opening times

of the in-house cafe which is renowned for fine cooking and 'dumping' prices, and that would be a fatal error as eating in town would be financially stressful. I looked around the chamber in desperation searching for a reliable spot in the universe and when I realised that Jana Wurstová is in her allotted space only a few rows behind me smiling pleasantly and showing a thumbs up sign, I calmed down assuaged that the spot had been discovered and I scurried behind the attendant for a chat with the court's Chairman.

Which wasn't part of the plan. I plunged with the estimable guide into the court's inner sanctum, there I was seated along with the government's representative as the judge informed us of the proceedings' routine. Everything he told us I of course knew, but I really had this strange feeling as it seemed to me that something was expected of me I was unaware of. Like to throw myself on to the anti-skid carpet of the judge's office floor and plead for forgiveness for having, in the name of my client, dared to raise a voice against my motherland – my land of honey.

Well, I didn't throw myself anywhere even though I did have a great desire to throw myself at the government representative because if the Czech Republic had abided by the Convention we needn't have come here and I wouldn't have to mull over whether I'll make a total fool of myself or just a minor one.

In an extremely irate mood I returned to the chamber and the attendant was already announcing that the court was about to go into session. Twelve people turned up in judge's attire, they all sat down and a quite a few of them fell asleep right away. There followed a short dissection of the case from the standpoint of the court. Then I was to provide my oratory, which I dutifully did. The case in question concerned the long-term obstruction of a father-child contact, so I started with

basic fundamentals, that is, Freud and the notion „and now I will educate you all whether you wish it or not“ and with some zeal I began with my presentation. It was demanding as I had no intention of sparing the court with my eloquence and my speech lasted more than forty-five minutes. Now and then I veered off from the text wee little bit, now and then I added to the text a small excuse, but, by and large, I became more and more heated. With pleasure I noticed how the male section of the court woke up and watched me with some intensity. After twenty minutes they were all concentrating wonderfully well. „Excellent, excellent,“ I exclaimed to myself „I´ve really got them interested!“ Just then Iva leant over and in Czech she whispered: „Klára, bra!“ I lost the thread a little. „What? What´s up?“ „Button up your jacket!“ ordered Katka on my right and I did so and finished the last bit of my speech during which, it must be said, attention levels declined. I was put in the picture as my colleagues explained things after the proceedings came to an end. In my nervous state I overlooked that I wasn´t putting on a black bra but a black bra with a pink lace and the lace quite obviously showed through the black net T-shirt I was wearing under my jacket. Just when my jacket unbuttoned itself affected by torrent of heartfelt words I looked like a porn-star. The reason interest shown by the male court participants was quite obvious and the only person who in my eyes passed the test was the lady judge from San Marino, Antonella Mularoni, who, as her subsequent questions indicated, was possibly the only one interested in the issue in hand. And so I lost my last illusions about the ECHR and also about myself, and I began to consider whether after all I wouldn´t make a more lasting impression in another area of expertise, particularly when partial achievements are already showing themselves.

Then spoke the government representative and others from his team, which to my shame I must admit I wasn't listening to intently as I heard these excuses many-a-time and I'd only appreciate it if they had come with something new. Like that a strong head-wind was blowing and hindered the mother in handing the child over to the father or that in the place where the mother was residing an evil dragon had set up shop and the mother begged the father in vain to rescue them, kill the three-headed dragon and save them. Such scenarios could be considered as realistic in comparison to the Government which portrayed the father as someone who brought all ills upon himself. Oh well, those very years saw the rigorous deformation of Czech justice concerning juveniles whose Czech speciality is the requalification of fathers into two sacks: one full of sperm and the other full of money. They have no right to anything else.

A break was ordered for the preparation of answers for the already presented questions provided by the Court, so not much time for refreshments. We answered the questions and my team's co-operation was exemplary. Here too I was convinced that in just a slightly more complicated case the need exists for having two defence lawyers on the bench and this need is not just there in ECHR cases but in other courts too. Unfortunately, the Czech civil court legislation isn't too much in favour of this arrangement, and if I wish to bring with me an assistant as part of the defence, even though she is actually a qualified lawyer, I am always forced to negotiate with the court whether it's on or not. It must be said that the courts mostly oblige as even judges are human beings and understand that keeping an eye on the official protocol, monitoring the opposing party, preparing questions for a witness and presenting written documentation (all at once) is

rather difficult for one person, particularly when there is more than one witness and, likewise, more than one piece of paper.

Before I expected it the end of the proceedings arrived and the Court announced that it will send us the verdict. Hurrah! Subsequently I enjoyed my five minutes of fame in a discussion with Czech (and other) legal beagles who had been following the case, but the biggest 'star' was Katka. One of the French lawyers watching the case congratulated her and asked her how long had she been working as a lawyer, that this must indeed be the pinnacle of her career as far as a defence lawyer is concerned. Katka with a guilelessness very much her own answered that she is a student, that she is working for me as a legal assistant, she hasn't finished her legal studies yet and it is the first court case she has participated in. I will not forget for many-a-day the sour face of my estimable colleague...

And how did it all end up?

They did not tow my car away.

We managed to get to the cafe on time, a super lunch including a starter and a drink which squeezed itself into ten euros. Supposedly we won the court case as the Court found delays in the proceedings. In reality it wasn't worth a dime as the Court did not find that Clause 8 had been violated – the right to a private and family life and, above all, the father hadn't seen his son from thereon and this is still the case ten years after it all began. Apart from which, exactly the same fathering cases, a large number under my auspices since then, have been dealt with by the ECHR with the difference that Clause 8 has successfully been pushed through into the EHRC's verdicts. Nothing though has changed in the Czech justice's modus operandi and the government's representative for human



rights, Vít Alexander Schorm, carries on in defending the rationale as to why Czech justice keeps on stealing children from their fathers. I'd be extremely interested if he'd change his mind if his own wife stopped him seeing his beloved daughter and he'd take the place of my clients.

## 9. Doors

From the start it looked like a really nasty case, as when someone is accused of the criminal act of tormenting a person in his care and the supposed tormentor is a grandson taking it out on grandma it's pretty logical nobody wants to touch the case with a bargepole and the policemen, aware of their moral superiority, think they can 'get away with bloody murder' including a vague charge-sheet where nobody saw anything, nobody was actually present but they all heard...

Proving the client's innocence was far from simple. There were a number of witnesses who testified what they heard. For example, they often heard very loud conversations, even arguments, from the flat from which it was crystal clear that the grandson was shouting at grandma. Although the words weren't comprehensible. But for communication between two people to be audible in the corridor must really be something. Clear as daylight that something isn't kosher in the flat.

Fortunately even the lower court nor the court dealing with the appeal didn't go along with the prosecution and, to the contrary, both courts came to the conclusion that if the criminal complaint was filed by grandma's buddies from the local boozier where grandma, nicknamed by the regulars „Countess“ happily forked out for them, the grandson might

indeed have been justified when he took measures stopping his grandma meeting the folks in question – which had been deftly interpreted by those involved as torment.

A year's ordeal ended up with an acquittal on all counts as the deed never happened; I was invited by the client and his girlfriend to their home for a celebratory dinner. In other words, to the flat where the offences were supposed to have taken place. It was located in an old Prague tenement block from the 1870's whose street door was firmly shut. When I climbed the two floors I found out why. All the flats had a common access: the stairway ended with a landing which in its entirety turned into the hallway of one's own flat. The outer corridor of the house and the flat were divided from each other - by a glass partition. Fact is, the hallway didn't have any direct light and so the builders „made up for it“ with at least some glass panes set in a thin wooden lattice construction. Even the doors were of glass with a decorative lattice to boot, which could have feasibly been some protection against accidental impact but would hardly have withstood even an amateurish go at a break-in.

I gaped incredulously at the glass monstrosity from the door of the kitchen, which were open wide into the hallway, and could distinctly hear the chat between the client's girlfriend and another guest who participated in the successful defence. „Why didn't you tell me?“ I began to shriek. „Why didn't I tell you what?“ „That there is a glass door and a glass partition here?“ „Why should I tell you that?“ Right, indeed... why should he? He was born in the flat, lived in it for a large part of his life, the flat was absolutely normal. Except that it WASN'T a normal flat. It was a truly abnormal flat with truly

abnormal acoustic properties, particularly when one is speaking to a half-deaf old biddy.

There was nought to do but sigh at my own stupidity and at having once again gone against my own rule. The rule says: always go and look at the spot where the action took place. That, by far, doesn't just apply to criminal law. When folk are getting divorced I try and look around the family's original home and where the children go (or used to go) to school. In neighbour disputes I crawl through the adjoining plots and such provision of extra legal services has the knock-on effect whereby the following day I have to elaborately pick thorns out of my clothing. When the dispute concerns any form of business enterprise I insist I must see the factory even though it seems not to have anything to do with the case. As a result, I have been educated in the repairs of heavy-duty forge hammers, in a sand quarry lectured about sorting sand towers and sand excavation in general, I know all kinds of things about textile manufacture and in the middle of an enormous warehouse storing computer components I was able to stuff into the heads of salesmen, using an explicit demonstration, that HW as such is sold whereas SW is a licensed product, for which the company's management was eternally grateful as nobody had managed to crack this mammoth educational task.

In a nutshell: if a lawyer wants to win he or she must always (if it is at all possible) inspect the place in hand. All automatically presume that the issue that arose did so in a standard way. But what is a standard way? At the end of the 19th century glass partitions were standard, something which seems to us in an age of steel-plated doors with unduplicated key systems, somewhat crazy. Similarly, we are greatly concerned about defending a client accused of domestic

violence until we notice that his supposed tormented opposite number weighs a full fifty kilos more than the supposed tormenter. Many problems which appear to be unsolvable or when facts are stacked against you can be cracked when you decide to go and do „a recce of the location“. Many of my clients are grateful to me for winning not because of my brilliant knowledge and interpretation of the law but because I raised my butt off my chair and went to see the place personally. To be able to walk – what little it takes sometimes to be able to call a lawyer a success. Pity that law schools don't ever pass this on to students.

### **10. Four Metre Arm**

First of all, I must confess that I am the only person in the whole wide world who employed in a due and proper way the founding father of the Czech anarchist movement, Jakub Polák. At that time I managed some properties, and as it turned out, Jakub worked for me as a bricklayer, and as part and parcel of this activity he created in one particular cellar a genuine anarchist club which was able to cover the rent by illegally selling draught beer to the faithful. One of the few real legal necessities which had to be tied up as regards this relationship was to register Jakub for his Social Security and Health Insurance – something his anarchic soul bore with great displeasure. In fact, he was seething as he wasn't going to support this capitalist state under any circumstances. Our ideological cum legal skirmishes were frequent, often irreconcilable and both of us got a real kick out of them. In comparison to a legally entrenched Jakub a pit bull terrier was a sweet palace doggie, although his practical knowledge of the police milieu was truly priceless.

Once he was visiting us at home having been promised a dinner (here lies the proof that on the odd occasion I am able

to cook something edible) in return for knocking a hole in the wall between the dining-room and the hallway which meant we didn't have to traipse round half the flat to get to the bathroom. Naturally we chatted about a case which he was working on then, that is, the murder of a Roma young man, Otto Absolon where a local skinhead, Vlastimil Pechanec, was accused of 'taking his temperature' in a pub in Svitavy. „Do me a favour, Klára, that Pechanec would have had to have a four metre arm to get the blade into him“, so said Jakub, and we spent the rest of the evening reconstructing the crime in our living-room whereby Jakub's sledgehammer took on the role of the murder weapon. The consequence of Jakub's serious doubts whether it was really Vlastimil Pechanec who murdered the above-mentioned Roma man was that his Roma clients (from the murdered man's family) terminated his right to represent them. They couldn't accept Jakub's ever-increasing belief that it all happened quite differently. Pechanec was sentenced to seventeen years for murder, spent thirteen in jail and was conditionally released in the summer of 2014. He still empathically denies his guilt and constantly keeps asking for a retrial although his appeals are routinely turned down.

A side product of this „splendid investigation of a racially motivated murder“ was the appointment of the current Regional Public Prosecutor, Renáta Vesecká, to the post of Supreme Public Prosecutor, where she admitted in several media appearances that the „solution“ of the case of Vlastimil Pechanec had a crucial impact on her being promoted to the afore-mentioned post. As I found out later, she rehearsed a few sweet procedural processes which she also used subsequently with considerable success in sweeping Deputy Prime Minister Jiří Čuněk's corruption affair under the carpet. What a small world, hey?

Vlastimil Pechanec's conviction came about in 2003, at a time when it looked likely that I would be appointed as a judge of the Constitutional Court. That too was one of the reasons why I took a keen interest in the case as a typical example of a peculiar type of discharge of justice in the Czech Republic. Jakub Polák was a completely trustworthy person in my view and I never doubted his opinion. Nevertheless, I also wished to hear the other side of the story. As my contacts penetrate many layers of the social milieu I used a friend as a middleman and met the then leading member of the Hammer Skins at the 'U Vojtěcha' cafe in Prague's Vojtěšská Street. I listened to his version of the Vlastimil Pechanec story and managed to note the existence of an otherwise unseen phenomenon: agreement between skinheads and anarchists.

In the following years I tried to find out who the real murderer of Otto Absolon could be. One of the possibles was a local Roma man whose wife supposedly received visits from Otto Absolon and who the following winter ended up mysteriously freezing to death by a stream in the vicinity of Svitavy. Intriguingly a death never properly explained. Another possible is another local Svitavy citizen whose involvement it seems is an open secret and who, it is said, has admitted the murder to his pub mates whilst drunk as a skunk.

When during the winter of 2014 deputy of the Czech Parliament, Tomio Okamura, visited Pechanec in jail. Such conduct was widely condemned, media and individuals ( beholden largely to neo-Marxist thought and favouring the Frankfurt School as well as those usually tagged as 'Prague's coffee-house set') spit media-based vomit far and wide. I, who was at the time the leading election candidate of Tomia Okamura's party (Úsvit/Dawn) I also became the target of some of that spittle. I believe that the spittle was directed in the wrong direction. I have it stored away for the right

recipients and hope time will come when I will be able to return the favour. The fact is, I owe it to Jakub Polák.

P.S. I have Otto Absolon's photocopied dossier as well as former Deputy Prime Minister Jiří Čuněk's complete criminal file (along with a few other treasures) carefully stored away in a special place and not in my day-to-day archive of my law office. That's just in case if someone has the notion that a fire should take hold in my office or that all the documents in question located elsewhere should... "lose themselves".

## **11. Advertisement**

You could not find a vulgar term in that ad however much you tried. It just stated something in the sense of the lady concerned having very positive vibes as far as sex was concerned and right at this moment needed fellow implementors in order to satisfyingly be able to express this predisposition. But, lo and behold, soon after this advertisement was placed a non-stop flurry of criminal complaints were filed and charges pressed... The reason? It wasn't actually a sexually frustrated lady who placed this sexually risqué ad but a completely different lady, to be precise lady no. 2, who happened to leave a telephone contact for the afore-mentioned lady no. 1. Yes, you've guessed it: gent intimately linked to both ladies was one and the same but wishing to avoid spreading fallacies insinuating a case of bigamy the ladies did follow on from each other in the gent's favours. When the gent concerned came to see me he brought documents amounting to quite a few files which contained the granting and retraction of the Power of Attorney to several lawyers (also following on from one another), and that concerned criminal as well as civil court accusations. For the

matter to be even more complicated one feels dutybound to state that the afore-mentioned gent no. 1 had wee bairns with lady no. 1 as well as lady no. 2. Furthermore, gent was still married to lady no. 1 and as yet not married to lady no. 2. The crux of the problem lay in lady no. 1 being quite au fait with gent no. 1, being diligent in his duty of caring for their kids, would also take care of the youngest wee one which he conceived with lady no. 2, but that this contact would solely take place in lady no. 1's flat and lady no. 1's little ones would never ever in their entire life cross lady no. 2's path. She is after all, sayeth lady no. 1, a wench of extremely low morals who landed her, a woman of untainted virtue, with a herd of sex-starved men whereas she, the poor seduced and abandoned wretch is of course able to hug and kiss lady no. 2's baby at will...

Another small factor complicating matters was that lady no. 2 had from her previous marriage partner two other children and so, all in all, gent no. 1 was responsible for five sprightly tearaways of which two pairs were siblings quite homogeneous – i.e. children belonging to lady no. 1 and gent no. 1 and, additionally, lady no. 2's child with an altogether different gent (who by now has fortunately left the scene), and, furthermore, one petite child being a part-sibling to both the homogeneous pairs. If you've become lost in this then please believe me that I drew a graph and recommend you do the same.

I was asked to arrange things to ensure that lady no. 2's children, both the homogeneous (or rather the part-siblings) as well as the non-homogeneous ones were able to develop brotherly and sisterly relationships with lady no.1's kids whilst making absolutely sure that these kids belonging to lady no. 1 never came physically anywhere near lady no. 2's home (and, one mustn't forget, daddy too) – an absolutely



uncompromising condition set by lady no. 1. I suggested to the client (gent no. 1) that as a favour I'll give him a contact for an ex-client of mine whose job was setting up the logistical systems of the company J.D.Edwards. As far as I was aware my ex-client's last job was the programming of the unloading process of oil tankers in the port of Hamburg – which seemed to me sound preparation for solving the problematics of contacts between the children. To my amazement gent no. 1 didn't agree to my proposal that co-operation be established with my former client and demanded that a solution be found within the remits of Family Law.

I really didn't fancy that but as he insisted I started (to his great incredulity) to draw graphs of relocations of who, when and where one should turn up, or, as the case may be, who, when and where should one take off - and with a heavy heart picked up the Civil Legal Code manual and quoted par. 885. That sayeth:

*„If only one parent cares for a child, the husband or partner also shares in the caring process of the child and his or her upbringing if living with the child in a family household.“*

There is no doubt that even though lady no. 1's children do not live in a joint household with lady no. 2 permanently they will be living with her at the time when they will have contact with the father and with one's part-sibling. Thus, I expressed, in a slightly meandering interpretation of the law, the opinion that the demand made by lady no. 1 of refusing any contacts whatsoever between her children and lady no. 2 (who, by the way, is mum of their part-sibling) was dumb. Further, I asked what actually fired up lady no. 2 so much that she assailed lady no. 1 with such a moronic advertisement? Oh well, lady no. 1 kept sending gent no. 1 unceasing text messages. What does unceasing mean? Well, it means on a daily basis. OK, what does daily basis mean? Hmm, like ten. Sorry?? TEN

TEXT MESSAGES A DAY?? Yep, ten text messages every day and if gent no. 1 didn't respond immediately to lady no. 1's communication the lady in question telephoned right away asking why he didn't answer. I expressed my surprise that lady no. 2 didn't use an axe on lady no. 1 instead of placing an ad and articulated my consolation that even if the advertisement resulted in criminal proceedings against lady no. 2 for the criminal act of infringing other person's rights it would manage to stop the harassment. But it DIDN'T stop! Excuse me? Thing is, I'm still getting those ten text messages a day, said gent no. 1 and showed me his smartphone with an extended memory in which he received seven hundred text messages over the previous two months from lady no. 1. Has he told anyone about it? No, gent no. 1 never said a word to a living soul because - is it of any significance?? I quivered and for a change picked off the shelf the Criminal Code law book, to be specific focusing on par. 354 under the heading of Dangerous Harassments:

*(1) Whosoever harasses another person on a long-term basis by... c) persistently harassing them through the use of electronic communication, in writing or other form...*

*and such an action reasonably makes that person fearful for his life or health, or life and/or health of his kith and kin, he will be punished by a sentence of maximum of one year in jail or an Order will be made for harassment to cease.*

At the time when the advertisement was placed this section of the Criminal Law as yet did not apply, so lady no. 2 defended herself lousily, nay, even stupidly, but most clearly in self-defence. At the present time when the new enactment has come into force (even though 'such action reasonably makes that person fearful for his life or health' - i.e. I'd definitely feel

threatened, at least in terms of my common sense – is a formulation which seems to me to be a little shaky) the activities of lady no. 1 can simply be defined as stalking. So, in my view, lady no. 1 should belt up and in order to solve her problems should seek an altogether different path to the one chosen thus far. At the same time it would do no harm if lady no. 2 apologised to lady no. 1 in writing.

Gent no. 1 was taken aback by my proposal... Eventually it ended up by gent no. 1 taking lady no. 2's surname in order that lady no. 1 took on board that he no longer had anything to do with her. An exchange of criminal police complaints – lady no. 2 in terms of the advertisement placed by lady no. 1, and lady no. 2 objecting to lady no. 1's stalking - was played into touch by me by mediating with the relevant courts ensuring no criminal record ended on file. So, apart from a healthy contribution to my bank account for my legal fees nothing much really happened. Apart from the clients undoubtedly going through an unpleasant event. I did convince myself of one thing: if, by any chance, J.D. Edwards' logistical set-up dealing with the unloading of oil tankers in the port of Hamburg collapsed they can relax and ring me. After representing gent no. 1 I'd manage some silly Hamburg blindfolded.

## **12. How I Lost My Fear**

It happened in 1996 when in Břeclav's main square a group of young lads from local 'respectable' families decided there wasn't much fun to be had and they gave a young Roma married couple a hiding – by a coincidence also from a local 'respectable' family. The father of the badly beaten husband, a local esteemed entrepreneur in the building trade acquired

more than one contract, if not from the fathers of the aforementioned lads who wreaked violence upon his son directly, than for sure from assorted relatives – so, the question as to who are the folk getting a hiding and who the culprits was crystal clear from the outset. Funny business came to a full stop though when it came to pass that the young man who ended up black-and-blue had lost an eye as a result. That's always bad news, but when the afflicted is an otherwise healthy young man living his normal newly-married life and his handicap arises solely because he is a Gypsy and happened to be in the wrong place at the wrong time it seems... a pity.

I took on the case of the couple P. with the knowledge that it concerns one of the first examples where the racist attack was carried out by so-called „normal people“, that is someone who did not claim to be a skinhead or a member of a populist phoney right-wing party. In other words, that we are dealing with an example here which demonstrates a stance of „run-of-the-mill hatred“.

Surprisingly skinheads who also 'analyzed' this situation came to the conclusion that this is a fine example of „youth engagement“, moreover off their own back and it is necessary to offer such youngsters security and ideological support.

On the day when the proceedings were to take place I arrived in Breslau by a morning train. I didn't own a car at the time and I found out well in advance that the distance from the railway station to the court is a mile or so and saw no problem in completing this journey on foot. Very quickly I realized that very precise information about my arrival had circulated and subsequently found out that steps were taken even in case I arrived by bus. The entire route from the station to the court had plenty of skinheads lining the way and from a throng an

ever-growing group broke off and partly started to overtake me and partly kept behind and courageously screamed at me in unison: „*Samková, you want screwing first and then slaughtering or the other way round? ...I'll rip your guts out and hang you by them on a lamp-post! Gypsy whore... swine... cunt... I'll cut your head off... if you peep a word in their defense I'll cut your cunt out!* “

I remember very well that I was wearing a white coat. The boys were fitted out in their usual black anoraks and khaki gear, particularly individuals with an ideological streak had Doc Marten or army boots with red laces. I got the gist. It signifies that the wearer of these boots had unclean Roma blood on his hands – because of acts carried out by this particular red-laced individual. It must have looked like a canine posse ceaselessly attacking the weakest animal which they managed to steer away from the herd. Perhaps that is why every person we met on the pavement crossed to the other side pretending not to notice.

My heart contracted with fear. Then dread, then horror. The aggressors kept reducing the distance between me and them until they completely encircled me and only hesitatingly retreated in the direction of my footsteps. I stopped and... Something happened which evidently shouldn't have. Somewhere inside me something snapped. I really felt a little noiseless „snap“... And the fear had gone. Disappeared? Dissipated? No. It was me who had stepped out of my body. I was looking at myself as I stood surrounded by about thirty bodies filled with hatred, shaved clean, podgy, clad in falsely glittering attributes of physical power. Suddenly it was all the same to me if they killed me. If they raped me, tormented me to death - all this in broad daylight in the middle of a peaceful south Moravian town with totally disinterested passers-by.

I just didn't care... I saw myself moving forward, just walked through that person standing exactly in front of me stepping forth, whether to pass her or she stands aside, or I genuinely go through her. I was somewhere else. The screaming stopped and only in the corner of my eye, near my face, I glimpsed some shrieking mouths. I reached the court building in front of which stood the judicial special guards armed with shotguns. The screaming must have carried on as one of the guards showed his displeasure and made a movement with his weapon. My guides surged around me and through me into the court building, but I didn't mind. Their bodies couldn't offer any resistance to me – ever again.

This weird and never repeated feeling of the total splitting of one's personality had permanent consequences. I never felt fear again. Never. My life, my Self, my Being and Mind has stayed split in some way for good. I now look permanently at all my failures, embarrassing situations, sanctions and unpleasant events as problems concerning someone else but me. The last time I reminded myself of this was when the Law Association's Disciplinary Committee damned me for discrediting the reputation of a fellow lawyer when I commented that the investigation of the Opencard case, in the hands of the State Prosecutor, Dagmar Máchová, meant that the official body responsible for the prosecution was either stupid or paid off. I couldn't help laughing. Who are you condemning - me? Because of a complaint made by someone whose activities are being investigated by a Parliamentary Committee and is about to be charged? Once again that strange feeling presented itself, same as when I experienced it the first time in front of the Břeclav court building: it begins with goose-pimples running up the spine of one's hand and continues with one feeling removed from one's body. You wish to do me harm, sweeties? Really? Even if you killed me

you won't succeed. Because the life inside my body is only an unusual surrogate life. Life in which exists passion, fear, endeavour, commitment to something that is only – a surrogate life. Pretending, an absurd theatrical piece, waiting for Godot at a garden party where it is really me who decides when the curtain falls and the play ends, where it is really me who decides whether there will be a round of applause. When actually it's irrelevant whether there will be one or not.

The case of the P. couple in Břeclav truly had an absolutely fundamental impact on me, personally and professionally. I genuinely stopped becoming scared. One could even say that I lost my self-preservation instinct. If you something think I am behaving like a lunatic – no, I'm no lunatic. I have just lost the capacity to be afraid. I no longer care about my own self. From that day on I am capable of tolerating any form of iniquity, hatred, double-cross, insults, and always I feel sorry – for those who engage in such behavior. Because they believe they are leading a real life of their own, that the hatred which they throw at me IS a real life – and I know that they are most profoundly wrong.

I truly hope that all those I ever meet, all who read my stories, never work themselves to a feeling which became a permanent part of me. Because I know very well that from that point on it is only a negligible step towards death. And I've no fear of death.

### 13.     **Cats**

The legal status of an animal is an extremely complex matter and this complexity (at least in my view) arises, above all, from the Civil Code which says that an animal is 'a thing',

which in reality clearly isn't the case. An animal may even become the subject of commercial relationships as it may be a piece of merchandise or a production tool. If I am supposed to consider (and the Law forces me to) an animal as 'a thing' then despite incredible difficulties which usually arise therefrom I welcome those aspects of the legal inter-action which clearly prove that an animal is by no means 'a thing'. I am referring to a specific case of a married couple striving for a settlement in court to decide on their joint assets and where the cornerstone of the dispute and eventual outcome came in the form a Persian cat. Cars and a villa in an exclusive area of Prague were forgotten. Not even a pack of dogs, likewise appertaining to the above-mentioned 'things', could compensate for the Cat. The cat was the be and end all of everything, the final proof of culpability of the marriage's break-up. Thus the creature was incorporated into the agreement regarding the couple's settlement and the cat became the cause of opening up the possibility of holding the court in contempt as the court gaped in disbelief at the agreement which regulated, apart from other matters, the permissible contact of the divorced-to-be couple with the Cat. DON'T INTERFERE WITH THE CAT!!, screamed legal representatives of the two opposing parties in an effort to save a carefully drafted agreement and restore the gravity of the moment. A legal-beagle formally attired raised incredulously one's eyes in the direction of the court's occupants, brought back his jaw in its rightful place, sanctioned the settlement and the divorce came into effect. There are times when even judges consider self-preservation the best course of action.

Mind you, cats in general are fascinating creatures who manage to transform legal practices. Who is for cats and who against became „a major issue“ one particular summer when a dispute arose between a certain cat's home and an owner of



the property where the cats resided. This dispute could be translated succinctly as pertaining to the urgent departure of the relevant cats from the rented space used by them. But eighty cats are no laughing matter for cat lovers nor their adversaries. You can't just move eighty cats from one place to another, easy-peasy. Eighty cats aren't eighty things as the Civil Code would have you believe. Thus, lawyers came to the fore and a shoot-out took place more appropriate for its legal punch to a hefty developer scheme. If until then I had limited knowledge of lobbying, 'the time of the cats' enabled me to grow up quickly. Personal contacts reaching as far as the highest governmental positions. You'd be amazed whom you'll find amongst cat lovers and all those tagged as being an enemy of the feline. Private media outlets against the public broadcasters, genuine interests of cats up against materialistic greedy base instincts. The scene looked worse than during an election campaign. But for me, it must be said, this battle brought with it an unexpected bonus. Fact is that all friends of cats just LOVE their lawyer. Meaning me! I was being admired, adored and, ooh, madam, anything we can do for you... thanks to cats I was basking all summer in rays of HUMAN appreciation.

Anyway, a cat should be given a State gong for improving human relations which the following tale clearly attests to. In another case once again a cat (this time a Bengal) was the cause of a mind-boggling affair concerning the joint assets of a divorced couple-to-be. The Bengal is an animal which can be purchased for one's nearest and dearest for a song, well, a thousand dollars or so. The couple who were about to split up agreed fair and square to ensure that the division of assets proceeded justly by allowing a few more kittens to come along which would then become part of the

joint settlement agreement. When on the odd occasion I receive news of the state of Bengali cats (I mean, who'd be interested in humans when cats are more of a priority), I assume that the afore-mentioned couple about to be divorced is still together experiencing their tenth litter and even the reproduction of gran-kittens of the original Cat.

Well, I just hope that with this little tale I haven't let the cat out of the bag...

## **14. All You Need Is Love**

I met the two of them by chance. At the beginning of the 1990's we set up a co-operative and a need arose for someone to look after the accounts. With the help of Zuzana, who had just taken over into private ownership an 'open all hours' general store which was the centre of life in our quiet part of town, I came into contact with two smiley lads who had a wee accounting firm and also (later) a property management company. They were sweet, hard-working – and they could handle accounting. And the fact that they were gay made no difference! They certainly dealt with the accounts more efficiently than loads of companies I came across in the following years.

They lived round the corner and so we met up professionally and now and then went for a beer down the pub. That though was before these pubs, owing to their central Prague location, became „Irish pubs“ with beer costing three times as much as in 'normal' Czech bars.

As part of our joint beer drinking and chats over the finance books and receipts I got to learn quite a lot of new stuff about the issues of LGBT. The impact of our friendship can be said to have rewritten history. As part of my short political career

between 1990 – 1992 as a Member of Czechoslovak's Federal Assembly I proposed an amendment to the law covering the Charter of Fundamental Rights and Freedoms. Article 3 of the Charter states that, „*Basic rights and freedoms are guaranteed to everybody irrespective of sex, race, colour of skin, language, faith and religion or social origin, membership of a national or ethnic minority, property, birth or other social standing.*“ And I proposed that it was extremely pertinent to add „regardless of sexual orientation“.

One would have thought that an atomic bomb had dropped on the Federal Assembly's chamber. Above all though, it seemed that the Czechoslovak Federation would be dissolved in a matter-of-fact way. The Slovak deputies to a man seemed to suffer from an epidemic of grave illnesses that even lists of stand-in deputies from various political parties seemed insufficient... Fortunately our Slovak colleagues were saved from a mass demise by their awareness of collective social responsibility; I mean the need to raise their hand against my proposal which, as a result, was voted down.

The matter of my endeavours here ensured that I became famous for some time in our four percent community which, on the other hand, got me into a few tight spots caused by heart-rending declarations of love from several extremely good-looking young women. I mean, all you need is love... And how did it all end up? The couple split up after some ten years together (before registered partnerships were legalised), and I had the splendid role, as friend of both of them, to manage their „divorce“ including the division „of common assets of the married couple“.

There you go. Whether it be love or not: whatever the sex of the people involved and whatever their family connections, if they are unable to come to a rational agreement it's always not worth a bean.

## 15. Sexually Assaulted

I'm the last one to underestimate domestic violence and claim it doesn't exist. It does. And it happens to be loathsome. But I am also unable to close my eyes to the fact that there exist a number of cases where the scenario was most likely somewhat different. These so-called domestic violence cases usually come to the fore at a certain stage of the divorce proceedings when both parties are more or less reconciled to the divorce going through and the only remaining issue is money. I have experienced many means of payment with which the charges laid regarding a sexual assault can be averted.

Surprisingly one of the most common is a new fitted kitchen. But take heed – no ordinary flat pack. For such an assault the kitchen units have to at least include built-in Miele appliances otherwise the allegation of sexual assault will include cruelty with sado-masochistic overtones. A sexual assault that has left a particular bitter taste in my mouth took place in a family Toyota Land Cruiser after both the willing participants in unison packed away the children's two safety seats fitted on the back seat into the boot. But then situated on the back seat the esteemed lady changed her mind and claimed that the spouse, who wasn't quite reconciled to the divorce in question and aimed to prove it, barred her from disembarking from the vehicle by having the door's release knobs in a locked position. Thereupon the sexual assault was supposed to take place.

As part and parcel of the investigation of the criminal offence, a reconstruction was carried out where both the participants showed off various positions as one body and observations took place as to whether or not the accuser could reach the car

's door knobs. Thereupon intended and unintended groping of a variety of knobs took place (biological as well as technical ones) and even hardened police investigators went red in the face. Although the criminal investigators came to the conclusion that the relevant party could indeed reach the door knobs the car was fitted with a child's security lock and one couldn't ascertain whether this extra knob was set or not – and so a payment was due. As the gent was an employee within the banking sector and, you can no ordinary teller, the payment due wasn't to be sniffed at: in this case a horse for the lady in question and cash upfront to cover five years of stabling fees. There are times when I feel really sorry for police officers.

## **16. Managerial Class**

Once upon a time there was a hypermanager who hypermanaged public and governmental contacts for a certain gigantic firm. It's no laughing matter managing such relationships. You must undergo all kinds of training, courses and, to boot, team-building exercises. They are particularly favoured forms of torture aimed at senior level managerial beasts who are, by and large, chubby individuals of white-greenish complexion and owning outfits customized solely for air-conditioned spaces with, at a pinch, allowable transits to climatized garages who are then ejected into a fresh air atmosphere. At these team-building events this office variety of homo sapiens are forced to abseil down rockfaces, run along forest tracks with paper cut-outs fluttering on trees keeping them on course and with one's team having to overcome various obstacles in order that they are able to rely on one's subordinates when they have to fight off the

competition (and vice versa) – with the final result of ensuring that through a joint indivisible team effort they smash the opposition to smithereens. Thing is, the opposition also tends to go through these team building exercises, sometimes organised by the very same agency, so the point of it all escapes me, but so be it: I have come to terms with the fact that I don't have to understand everything.

One day one such Superhypermanager turned up at my office and divulged that his wife who was about to become history won't get a penny out of him. But he definitely wants their offspring into his care. First and foremost, I told him; his offspring and money are not in any way related. The next time he arrived with a PowerPoint presentation which showed how the marriage developed and included Excel tables. They, though, were insufficient to cover the full descriptive passages, so, their specific boxes had to be clicked separately to open up additional accompanying 'bubbles'. From this I understood that the gent was an engineer within the subspecies of 'principled Czech engineer' and what awaited me was hard graft.

Lo and behold, it wasn't that bad in the end.

What I call 'a hand of fate' came into play.

Sometime later Mr. Hypersuperbod turned up with his face even paler than the usual air-condition induced weathered look and informed me that he socked her one and what should he do. He claimed that she was talking a load of drivel and he lost his rag. Even though the last team-building event forced him to shed a few kilos it was indeed some time ago and he'd put it on again meaning that his hefty stature could have had a negative impact on his assault of her and I asked whether the injured party was all right. He said she was OK; she just had swollen lips and imprinted purple fingers visible on her face. Good Lord Almighty! I don't call that OK. „Be so kind and

tell me whether you socked the Deputy Prime Minister too for the idiotic comments he was forcing down your throats?“ I threw at the assailant starting to lose my rag for a change. Mr. Hypersuperbod’s eyes popped out requesting to know what that had to do with it. Well, after all, you have been trained in effective communication, right? Therefore, you are able to build bridges with the government; so how come you are at a loss how to handle one single old girl, even if, objectively speaking, she is a bit hysterical? He kept gaping at me and searched in vain for an answer. It seems it never occurred to him. Yep, almost on a day-to-day basis I come across Messrs. Managers who never consider using their ‘soft skills’ in the personal arena which they painstakingly crafted in their professional fields. I have created my own personal survey and as time goes by I ask individuals from the management stratosphere why they are incapable of transferring their experience of negotiating with the unions to negotiations with their own wives. They never think of it, comes back their response. The thing is that they want to relax at home, take off their sweaty Hugo Boss shirt and turn into ‘a normal’ being. You mean give your wife a hiding? Again an answer isn’t forthcoming. All right, another way: tell me, when you go out to a restaurant do you use cutlery and at home scoff the food just by using your hands? It’s that moment when Board of Management managers (and higher) start having a grasp of what I’m on about. If a Managing Director gets the gist at the first visit to my office it’s proof a company has made a sound managerial choice and I can provide a reference worth more than the one provided by the most expensive headhunting agencies. So, now is the appropriate time to pluck up courage and ask the esteemed managers. Please remember that the vast majority of problems you try and resolve with your wives are in essence on the same level as problems that you tackle with

your lady assistant on your way out whilst trying to engage in several mobile phone conversations. If you are unable to comprehend that things can basically be solved very easily, if you communicate the way you are used to at work - then you can expect issues you know damn well from work: one-sided withdrawal from the contract based on collective bargaining, to put it more pregnantly – your wife has decided to press for a divorce: Your company will be closed down and forsaken, the manufacturing plant left deserted, employees will demand compensation, lost profits, unpaid wages and the payment of mortgages. Expert psychology reports don't fit into Excel tables. Thus, gentlemen, PLEASE, start using your 'soft skills': believe me, you're the ones who will benefit.

Well, to finish off: how did Mr. Hypersuperbod end up? Surprise, surprise, he actually cottoned on that a woman is a human being. Joint custody was agreed and the actual 'object' of the dispute was over the moon, complimenting all including his father's new ladies. „Mind you, mum could find someone for herself too“, commented the wee bairn cannily, „then it wouldn't be pocket money from three sources but four“. Oh well, an offspring of a high-flying manager....

## 17. Occam's Razor With Nipples

Occam's razor is no instrument for cutting off nipples, as the story title might infer, but a mathematical problem-solving principle. It is so called after an English Franciscan monk, William of Ockham, who lived in the 13th century and focused on logic. It has a range of mathematical interpretations which usually suggest something in the sense of: „Among competing hypotheses, the one with the fewest assumptions should be selected“. I have reached a legalistic



redefinition which says: „The one to be selected is always the most cretinous, most primitive option on offer, by and large the one that comes to mind first...

In my unshakeable view the world isn't driven by any conspiracy of a Masonic or Templar kind nor by the Protocols of the Elders of Zion. An all-encompassing factor according to which the world's wheels turn is absolute human nonsense and laziness. These two „qualities“ rationalise about 90% of all happenings in your local environment and life in general.... Which is also why I took up a rather tentative stance in reference to my girlfriend's never-ending tittle-tattle about another girlfriend where the crux of the story concerned the licking of nipples.

The facts are as follows: father in question was a liberal soul, an artist to be sure. Mother was somewhat less liberally inclined which manifested itself by, what seemed to a liberal man, unreasonable demands such as a child having to go to bed at a sensible hour and having to partake in a healthy diet - for the mother that meant chemical-free ham with mashed spuds, for the father a jazz club menu where he just happened to find himself with the offspring. Logically, discord was often in the air which resulted in the mother coming to the conclusion that the father was a screwball. „Just listen“, lamented my girlfriend, fully concurring with the mother's point of view, „what that screwball actually did. He had the wee bairn of four years in the car driving over to visit his mother, a distance of some hundred kilometres and having covered ninety the wee one started bawling that she wanted to see her mummy... what do you think that screwball did?“ „Hmm, that's clear as daylight“, I retorted: „he turned around and took the kid back to mum“. „How do you know?“ my girlfriend was shocked. There was no alternative but to provide a complete exposition of male behaviour being

transmuted into the female version: „Look, if you or I were travelling with that child we´d stop immediately, take the kid for a stroll even if it meant walking down a ploughed up field and getting back into the car meant bringing half that field encased on one´s booties. We´d explain to the little mite that mummy is pining for her something rotten but right now grannie will also be overjoyed to see her and she happens to be just theere over yonder waving to her already, and look, her house chimney is peeking out over the horizon. Let´s look at the double at the chimney waving at our car which is revving its engine as it wants to get into grannie´s big warm garage as soon as poss! You and I would know all too well that the child is in all reality saying that the journey is taking too long, that it can´t bear sitting in one place anymore and perhaps is hungry and thirsty and can´t express it all properly. That is why experienced mothers don´t leave their flats without taking biscuits even if they´re just taking rubbish out to the bins. But because a MAN sat behind the wheel he took the wish of the child, a FEMALE to boot, LITERALLY and never considered a different interpretation. „Who do you think, sweetie,“ I continued in my lecture on the masculine-feminine theme to an evermore discomfited girlfriend, ..“I mean, who do you really think invented contracts and, above all, their preambles: women? Not by a long chalk!! After all, they´ve no problem in clarifying in what´s what even if on the face of it things appear in a completely different light! It is gents who need (formally speaking) to define what „the day of receipt of an offer to buy“, is or perhaps who is „the obligated party.“ After this discourse my girlfriend´s appraisal of the gent in question as a whacko became somewhat undermined but she had no intention of retreating from her position that easily: „And just you listen to what went on there: that imbecile has a young tart, him being fifty-five, the old goat,

and goes out with a twenty-five year old – and just imagine that the wee one licked her nipples, a clear case of sexual child abuse! And you won't believe your ears but the police filed it away as it seems it isn't an offence!!“ I swallowed three times as it was becoming apparent that Family Law's hard core had been reached – the question of sex. It's rather strange how vehemently judges, psychologists, psychiatrists, social workers and all the rest of the divorce business crowd try to cover up the real essence around which Family Law revolves. That being sex - like it or not. Who, where, with whom, how and how many kids resulted... I applied Occam's razor, attempted to sum up the facts and arrived at the most simplest and idiot-resistant solution. In this case the little girl was six years old, the looker was twenty-five and it was a sultry summer. I came out with the question whether the father masturbated at the same time which clearly put my girlfriend off her stride. She didn't know. „But, anyway, the issue isn't masturbation but nipples!“ she persisted. In the subsequent two-hour conversation I tried to persuade her that the event might have a completely different, much more idiot-resistant, explanation. The daddy is a free spirit. His looker is most likely also a free spirit. She has no kids of her own and so she is testing out her future maternal role (including breast-feeding) on her to-be stepdaughter. From a cultural point of view this behaviour is most probably inappropriate but from the ethological point of view (i.e. the study of animal behaviour) it is comprehensible. After all, the first born gorilla offspring in Prague Zoo, Moya, was also cared for much more by another female, Kamba, than her natural mother, Kijivu. Having lost her own baby she diligently breastfed not only Moya but her younger gorilla brother. My girlfriend was becoming more and more uneasy as clearly I had been unsuccessful in persuading her that behaviour which may not

be kosher from a cultural point of view can be easily explained biologically – and not necessarily through sexual abuse. I fear that subsequently I was also unable to have this analysis of the event taken on board by the child's mother as being valid. There is nought else but to accept that the „case“ will be examined by a team of judicial experts, psychiatrists and psychologists. Even though, in my opinion, all that needed to happen was for the lady judge to invite all interested parties to court, give the young fraulein a rollicking for inappropriate behaviour, sincerely recommend to the father that he comes off his arty-farty perch on to terra firma and suggest to the mother that she takes a couple of aspirins, a dram of something strong and reassure her that even if human beings differ in 95% they are no psychopaths. But because the case was being handled by my „favourite“ lady judge, who constantly covered her back using cowardly legal formalism, the whole affair has dragged on for two years. That means that the most likely outcome is that the free spirits á la father and his looker as well as the mother and her hubbie will all end up in a nicely kitted-out ward of the local Prague nuthouse. As part of their therapy I'd recommend a joint walk from the above-mentioned institution to the Zoo (via the Botanical Garden, it's just an easy stroll away), and that they visit the gorilla enclosure. My other recommendation here would be to ensure the judge joins the gorillas inside in order to take on board a few of the social skills the male and female primates use within a group setting. I am sure that for her future role as a judge dealing with a Family Law agenda it would be much more beneficial than her interpretation of the law thus far.

## **18. Once Upon a Time There was a Rabbit and a Wolf**

For many-a-year I´ve mulled over the question of „surprising court decisions“. How is it that it´s not rare to see me as well as the lawyer representing the other party crawl out of the courtroom and look like two retarded critters who had just undergone electric shock treatment whilst being pumped with Scotch? There are quite a few cases when the court actually concurs with one or the other side but for reasons quite different to those put forward by either side. These results in a joint conference in the corridor when I try to come to an agreement with my opposing number how, for God´s sake, are we to explain things to our clients.

It was only thanks to my daughter that I cottoned on as to the reality of it all. When she was about six on several occasions my child care arrangements came to nought and I simply had to take her with me into the courtroom. The child was instructed how to behave and she sat obligingly on a bench for the general public and watched her mother working. When the child was seven she was roughly halfway through her first year and she wrote a fairy-tale. Literally transcribed here it is:

***Here is a fairy-tale about a rabbit and a wolf***

***Once upon a time there was a rabbit and he Lyved in the woods but One day decided he wouldn´t Lyve in the woods anymore and mooved to A farmer who had his goat stolen by a wolf (.)***

***he feasted all night(.)***

***the rabbit came to see him and says you want a fair crack of the whip (?)***

***yes***

*come on then You will cry out in court I stole a goat from the neighbour. So he went before the court and there got whipped thirty times and he screamed (: ) it wasn't me and in the end they all went ga-ga all went out and the judge jumped out of the window and whistle whistle the story is done*

Please take on board the fact that the dispute starts as a civil case, is thus taken to be by both parties, and whereby the wolf takes on the role of a witness. During the proceedings the case transforms from a civil one into a criminal one whereby the witness in the civil case becomes the accused, or rather the lawfully convicted subject in a criminal case. The execution comes into effect before the actual verdict. To the question as to why in God's name did the judge jump out of the window the seven-year old child responded thus: „well, because he didn't know who to believe and so didn't know what decision he should make and so instead decided to jump out of the window“.

I'd say that from that time on I haven't read a more apt description of law practice in our courts – even though I weeded my way through my PhD using law theory studies including interpretations by the great and verbose High Court Chicago judge, a certain Posner, who has an opinion on everything and whose works I absorbed at length... There is nothing more pertinent than to ask an innocent child.

## **19. Quid Pro Quo Intercourse**

Her beauty wasn't the kind where a snowy white long nape is covered by plaits of hair the colour of the northern sun. She belonged to that rare breed of women whose mane was

painted by Odin with the sheen of a raven's wings. She sat opposite me and I had this irresistible urge to touch her. On her lips best of all. Or anywhere. I never experienced this, felt like this and it seemed to me I was going crazy. But it was she who was crazy. Certified crazy. She went ga-ga after several years of a successful marriage to a successful manager. And because she went crazy their child stayed with the father after the divorce. When the effects of anti-depressants wore off she wanted at least to see the child. No problem. At least now and then. No problem. Sufficed to visit the child at the father's domicile. No problem. At the exactly agreed time. No problem. Then stay awhile in the flat. Maybe a bit of a problem, but is it a real hassle? The real hassle was that it was conditional on her giving him a blowjob and thereupon open wide and do the business. You get it?: Quid pro quo. „But I've no wish to suck him off,“ she said and her grey eyes sunk into her skull like a maelstrom into the darkest depths of the North Sea. Even I felt that the meeting room was full of salty cold water, that it was getting into my ears, up my nose, thumping into my head with the smashed masts of schooners of long ago and the sinking Nautilus. Her fear was limitless. And mine too. The one whose fear clearly exceeded ours was the child's father. Fear based on the fact of him making the mother's access to their child conditional on the mother acceding to having sex with him coming out into the open. The agreement regarding the regulation of access to the minor involved was so above board that the court acceded without a second thought.

That though wasn't the end of the story, even less was it a happy end. Another woman wished to bring about a rather sad, albeit at least a just end, and I owe her my sincere thanks. She wasn't particularly beautiful. Rather on the obese side with a colour of hair nobody would have noticed. In fact, I don't

remember what she looked like. I just remember her obliging and compassionate voice. Can a policewoman have an obliging and compassionate voice? Clearly she can. „I observed the subjugation and sexual duress but I think most apt is this – read on: „*Whomsoever forces another into sexual activity through coercion or the threat of another form of serious harm....*“ After all, the fact that you were deprived of contact with your child is a form of serious harm, right? Par. 185 of the Criminal Law, rape... can we start recording it? My client sat mute inside a police station’s office and using her head indicated her disapproval. Her original notification of a criminal act of sexual subjugation on the part of her former husband remained on file. There is simply no strength left in dealing with certain matters. And even the police will take that on board.

## 20. Tent

There exists a certain lady judge based at a certain Court of First Instance who whence clothed in working robes takes on a tent-shape appearance. The reason for this occurrence is the circumference of her waist which exceeds the circumference of her shoulders by far, but then retreats to slender ankles and the canopy she is draped in would, in case she ever rose, freely dangle from the waist down. Once I really managed to glimpse this phenomenon and the impression it made on me was that of historical Turkish tents which had those small baldaquins around them fluttering in the wind.

But apart from generous loins our lady judge also possesses a generous soul which is indeed necessary when judging matters relating to custodial care. Truth is that I actually like her very much and the only thing I reproach her for a little is that she is unable to come to terms with her... inflexibility.



That is why it was crystal clear to me that my new client could present a few problems with the lady in question. A young mum got herself in bother. In an unguarded moment her two-year old child decided to examine all the caps of cleaning detergents at hand and in the case of the loo cleaner managed skilfully to overcome the safety cap and suffered quite nasty acid burns. The court was to decide whether the mother was capable of looking after her child or not and whether her parental rights should be curtailed. Taking into account that the extremely restless offspring would be a disaster for any institution offering substitute family care where a much greater abundance of cleaning detergents are to be found and countless other odd things waiting to be explored, we insisted that the child remain with the mother. „But listen, you must put on something completely, I mean completely, unassuming, brown colour would be best, am I being clear? “ I exhorted my client because, using my seasoned and rather envious appraisal, I guessed her particulars were 100 – 60 – 90. Nope, this wouldn't pass as far as the „tent“ was concerned.

My client happily concurred saying, sure brown was quite OK, and the next day she really appeared in an unassuming brown outfit with a dark green stripe. Lest, the brown was located on an extremely close-fitting sleeveless trouser jumpsuit with a zip in front to ensure all and sundry knew full well how to get inside it. Everyone also knew very well what plopped out when one pulled the zip. Thin green stripes ran down her entire body, only in the crutch area (as tends to be a style of capable tailors) joined up nicely and created a pattern appropriate to that area.

I was ready to die on the spot.

It took an entire ten minutes before I dragged the poor wretch away having complied (well, almost...) with my instructions and took her to the nearest second-hand shop and dressed her

up in something completely shapeless but fulfilling the criteria of „dressed cheaply yet respectably“. We handled the court case and only when we got in front of the court building did I hand back the original outfit. The client kept her second-hand gear in case of an appeal and as a warning how she'll end up if she doesn't take proper care of her kid. (It seems it worked as no more court sittings came to pass.)

I remembered this basically happy story years later where the tent material mentioned earlier didn't reach the judge's slender ankles but her rather roly-poly calves as her waist had once more developed and thus the robe's „high-water mark“ showed itself some ten centimetres higher than during our previous encounter. „What have you got then“, asked the judge, and the father of another two-year old who was asking for joint custody began to explain to the judge that he, a top manager, will ensure that the child can stay in an all-day company crèche (or, if needed, with a nanny) when he is tied up with work. „Ah“, the response arrived from the „tent“, „up to now I was under the impression that I am to decide on the child's custody care into the hands of the parents in my place of jurisdiction whereas I am in fact asked to judge in passing the custody on to third parties outside of my jurisdiction. You know what? GET OUT!!!“ The dad and his lawyer hardly had any time to pack their bits and pieces from the bench and somersaulted out of the room. With the knowledge that when the „tent“ shifts a gear anything may happen I too stood up in a dignified fashion, with even more dignity nodded to my client to make a move, resisted the urge to thank the judge by referring to her „Your Grace“ and mustered as much dignity as we could in leaving the courtroom. From which one should heed the lesson than besides basic legal knowledge one also needs to comprehend the judge's personality even in those

areas which may seem (quite rightly) to be irrelevant. Oh yes, and it's also useful to have a prior agreement as to what your client is to wear. And most certainly, dear friends, I advise you most emphatically: gold and designer clothes most certainly have no place in the courtroom. It is somewhat of a distraction, right?

## **21. That Weird Name of Haroyan**

Once upon a time there lived two brothers. Some twenty years old they were, naughty bunnies like all boys of a similar age. But any other similarity to bunnies was non-existent. The Haroyan brothers were Armenians, Christians – part of the Armenian Orthodox congregation and lived in Iraq's capital, Baghdad. In their own words, they played big beat in upmarket clubs greatly favoured by the army officer elite. They weren't, of course, the only Haroyans living in Baghdad, there were quite a few. An entire extended family! The wee problem here was that a certain uncle got tangled up with one Saddam Hussein (the manner of his entanglement being known to me but remains most inappropriate for publication) who at that time was sitting atop his Ba'ath throne and looked most unlikely to be evicted from it. (By the way, I am taking you back to 1999.) Well, one day the uncle concluded that things had gone too far and ordered his clan to disperse and join the diaspora abroad. Wherever there was no Saddam Hussein, where there is no Ba'ath Party and, if at all possible, where there are no Moslems. And so it came to pass that by the most tortuous of ways his two nephews found themselves in Bělá under Bezděz in the Czech Republic in a camp for asylum seekers.

Their asylum claim was turned down first time round, they appealed, and the glorious Advisory Appeals Committee of the Czech Ministry of the Interior (dealing with asylum claims) had a sitting in order to advise the Minister concerned as to what to do with them. The Committee met regularly each Friday at a place called „the Valley of Hollow Heads“, in other words Prague’s Police Academy in Prague – Modřany. (Please do not confuse it with the grounds of Ministry of Interior’s Police University Academy and Police College based in Prague – Hodkovičky which was often called by the same name.) Within the Police Academy one could also find the Interior Ministry’s Asylum and Migration Policy Department, most probably in order to allow the police academicians to have practice on the job really at hand. And I became a member of this Advisory Committee. It was all God’s oversight as there was complete disinterest within the Czech Lawyer’s Association in being despatched to this most praiseworthy of bodies and having to mull over the fate of asylum seekers week in week out for a meagre fee that equals half-an-hour’s remuneration for a trainee lawyer. But then, logically, that most altruistic of lawyers, Samková, put her hand up and the crisis within the Lawyer’s Association having reached such a crescendo that even the then Secretary, Mr. Klouza, took a sigh of relief and appointed me without any protests. The person who of course realised from the word go that I’d be trouble was Tomáš Haišman, (then and now) Director of the Asylum and Migration Policy Department. I got to know him way back when he worked at the Department of Ethnic Studies and focused on Roma folklore. So, we both knew very well what the other was about. Tomáš’s worse fears came to pass in the case mentioned above regarding the Haroyan brothers. The Committee delved into it and delved into it some more... and concluded that the letter

of the law dealing with asylum seekers says the Haroyan brothers should be granted asylum. Six members of the Committee, a grand total of six lawyers, unanimously agreed that there wasn't just one set of grounds but several running hand-in-hands attesting that the Haroyan brothers should enrich our multicultural melting cauldron and start to play Armenian big beat mixed with Arab pop in Czech bars and alehouses.

The greater then was the surprise when a rejection was delivered by the Minister of the Interior, Mr. Václav Grulich: Simply, no way will the Haroyan brothers be given asylum in the Czech Republic. And that's that!

What are we going to do about it? I asked my colleagues at the first planned meeting. Silence reigned, of course. I sat down and wrote a letter to the then Chairman of the Czech Lawyer's Association, Karel Čermák, requesting instructions as to what I should do as:

*„...I am acquainted with the case in every detail and thus can say quite responsibly and with all information at my disposal that having made the above-mentioned decision the Minister has breached the Czech Republic's internal as well as international obligations as well as our own legal code. As the Interior Minister's decision quite understandably fails to mention the reasons given for the asylum to be granted as proposed by the Advisory Appeals Committee the end result of the stance taken by the Committee can be anticipated as being identical, i.e. negative. This course of action by the Minister of the Interior ensures the absolute devaluation of the work of the Advisory Appeals Committee, but, in actual fact, also to its abuse and the abuse of the Czech Lawyer's Association as well. This situation is in direct conflict with my ethical principles and I believe also in direct conflict with the*

*interests of the Czech Lawyer's Association which has involuntarily lent itself to issuing illegal rulings...“*

I wrote the letter on 21 July, informed the Minister of the Interior of it, and, lo and behold, I was sent a letter just two days later, on 23 July, that I had been removed from the Committee. But as I only received the letter a week later I had the opportunity on the 23rd to inform my colleagues of my reaction. Unanimous collegial silence was golden, only the Committee's Chairman sighed in a whisper: „You're mad. Completely mad...“

This, of course, is quite true. I am a dismissed nutcase to whom the Lawyer Association's Secretary, Mr. Klouza, wrote that I had no business worrying about the Lawyer Association's reputation, that it is, he stressed, only my personal matter when I refer to 'ethical principles'. And my word, the Chairman of the Advisory Appeals Committee is of a different mettle. I am mad – and he is... right now, a Constitutional Court judge...

P.S. My work at the Ministry of Interior's Advisory Appeals Committee had one other repercussion in 2014. On 30 January 2014 I was a guest of Czech Radio's 'Radiojournal's Twenty Minutes' fronted by Martin Veselovský. Mr. Veselovský was giving me a hard time and tried to turn me into a racist, xenophobe, Islamophobe as I stuck to the firm view that the European Union should not accept refugees from Northern Africa and should repatriate them all. I also referred to my experience with the Ministry of Interior's Advisory Appeals Committee in granting asylum and the massive difference between asylum seekers on the one hand and mass incursions by young men who sail to countries of the EU in their hundreds and thousands. These days such an opinion has very much taken root, but then it seemed I wouldn't get home in one piece. Apart from that, a group calling themselves

‘Demagogue’ focused on my views, more naughty bunnies based at the Faculty of Social Studies of Brno’s Masaryk University, whose aim is to keep an eye on politicians whether they are telling the truth or lying. In the above-mentioned programme lads and lassies came to the conclusion that I was lying and that I was never a member of the Appeals Advisory Committee dealing with refugees and granting of asylums. „How did you fathom this?“ I asked in an email. „We rang one of the Committee’s officials“, sounded the answer. Ah, and there an anonymous bureaucrat told them that he didn’t know me... My dear eager beaver students: you’re not only demagogues but also manipulators who do a disservice to our country. You are proud of how many politicians you caught out coming out with your so-called lies. Much more important than nit-picking over someone’s words is to critically mull over their comments. Sure, one finds it difficult to get grants for it and it results in very little applause in public. But the question arises as to what you wish to achieve. If you wish to see an improvement in the general political atmosphere you must, above all, accept that history began before you yourselves showed up on the stage of the political world-at-large... And moreover, one must point out that even Wikipedia doesn’t provide you with everything. So, if you wish to make amends for your sins find out where the Haroyan brothers disappeared to after their asylum plea in the Czech Republic was turned down. I have a feeling they owe me a beer. Perhaps they might even buy you one.

## **22. Food Chain**

I really think that the banking sector is particularly prone to divorces. One of these banking specimens who had some hedge funds under his command sat before me looking like a

water goblin after the water from the pond had been drained. The client was undoubtedly a kind man. He sent his wife and sister-in-law off on holiday as his work took up all his available time. To the Turkish Riviera, no less. White sand, scorching sun, lonely nights, comely bodies. In particular one specific German body, exhibited to be admired not only by the Mediterranean rays of the sun glistening against the deep blue cloudless sky. Not to mince words, the banker's spouse found on the Turkish Riviera a youthful lover from somewhere near Karlsruhe, indeed a fair way from her own abode. But she did have a high-performance automobile chosen carefully by her hubbie and bought with his wife's safety and image in mind – so, why not whizz down the autobahns with no speed restrictions involved. At first she only disappeared now and then, later on frequency substantially increased until she was besotted with her German beau completely leaving her husband in sole charge of a child from her first marriage (which he with his good nature adopted) as well as their own bairn.

She only packed in her travel cases half the couple's joint assets which by Jove, even though it amounted to just one half, was a fair bit – well, to be truthful, an awful lot of money. Hubbie was worried about her even though he hadn't really been her hubbie for a long while. In betwixt preparing dinners for the offspring, checking up on school marks of the younger one and uni test results of the elder, and meantime burning the candle at both ends in completing financial charts for the next quarter, he managed to ring his lady lawyer worrying about his wife (get it, his ex-wife) and whether measures shouldn't be taken (above all in terms of investment) to save her from being ripped off, particularly bearing in mind his really sweet and secure financial product in hand. Some men clearly never learn and there was nothing else for me but



to cure his idealism through shock therapy. Truth was unpalatable but this common tale with a shallow plot proved me right that that's just the way it goes. The gracious lady was, of course, divorced from her husband by her lover in order to be fleeced. The fact that she, blinded by the suntanned bronze along with the curly fair locks (and let us be fair, dear hubbie was going bald and his figure had seen better days, but are looks really everything?), hadn't seen through it yet was clear as daylight as the right time hadn't arrived. The metamorphosis of the lover relationship into a (newly) marital one hadn't transpired so far and, above all, the transfer of their private assets, laboriously wheedled out of the husband, into the joint assets of the new wedlock hadn't seen the light of day. The reason being to ensure there was something actually left to divide during the forthcoming divorce proceedings as, believe me, it is a hard business indeed ascertaining what „financial injection“ into the marital home the husband brought. I had no doubt whatsoever that the husband-lover no. 2 will bleed the wifey dry, nor had I any doubt of the future destiny of the honestly earned monies that my dear client had earned. Because, gentlemen, who would honestly hang around with a twice divorced madam some ten years older who, to boot, came the former Eastern bloc! Particularly so when you consider that there are many gorgeous 18-year olds who tread the world's pavements and with whom one can enjoy a hassle-free euro or two.

I have been observing for some years such 'food chains' of divorced affluent pairs. Ethnically and gender-wise they are quite neutral and the plot goes like this: the earning partner is fleeced. The partner doing the fleecing finds himself or herself a sweet young stag or a honeybunch, usually with an age gap of ten years or more. But this young partner is no slouch either and finds quickly an age-appropriate lover, ideally a bonnie

18-year old which summa summarum means that one salary feeds at least three people not to mention any kids which may be tied up in all this. When I fully explained to the head of the decapitated household what this 'food chain' was about a whack could be heard on the other end of the line. I became anxious about potential violence being committed upon the young'uns. But there followed an extremely salty speech which, as I gathered afterwards, was a commentary to a burnt steak which landed right on the cooktop. Onwards continued the stream of linguistic treats quite inappropriate to expressions used when describing investment portfolios. I came to understand that one should be grateful for some inadequacies of modern technology: for example, it is still impossible to transmit the waft of a burnt dinner over the phone. „Well, my esteemed legal beagle, you have just prevailed upon me to complete the divorce proceedings“, a voice was heard from the other end of the line after both offspring were invited to help in clearing up the mess and the gent in question could once more concentrate on the conversation. The voice sounded quite different to before. I felt I was talking to a man. A gent whose virtual hair had grown, a man who had shed ten kilos, a geezer whose skin was the colour of bronze and a man who (slightly sweaty) was just returning from the fitness centre where he'd got rid of some of his energy. The voice of a bloke who'd genuinely broken loose. „You know what she can do with the lolly?“ he went on. I knew precisely. It related to specific tasks when using the toilet. Hurrah! I can now definitely put this file on the back burner.

### **23. Charged to God's account**

It was a detestable slushy winter with hardly any frost, lots of rain and greyness in dominance. In the squelching puddles only one little spot of glowing azure blue stood out. Responsible for it was a gorgeous gown displayed in a window of one of Prague's most expensive fashion shops. I strolled past several times a day. But in the middle of the 1990's 25 000 CZK was really an awful lot of money – at least for me.

I'll move on to somewhere else. I wondered about along the wee paths of the Orangery, a park adjoining the European Court of Human Rights in Strasbourg. Some kind of conference. A locally based woman lawyer, hated unanimously by all Czech plaintiffs as it must definitely be her fault that 97% of all complaints from the Czech Republic are rejected, listened patiently to my woes and laments as to what on Earth I was to do when the esteemed regional court in Ústí nad Labem had been picking its nose for four years and studiously ignoring a certain case of mine.

„Why don't you pass it on to the Constitutional Court?“ she exclaimed in surprise. I did, and thus the first finding in Czech legal history came to pass which stated that the right to a fair trial within a reasonable timescale had been breached.

And again I'll move on to somewhere else. She was a top-notch dame and her life consisted of everything which the first half of the 1990's was full of. Privatisations. Kidnappings. Escapes from car boots and the Albanian cum Russian mafias. In the end even a murder when her crazy brother killed her ex-husband. But before this 'solution' came to pass one more mystery saw the light of day: their older children were given into her care but the five-year old little boy was completely illogically placed in the father's care even though the above-mentioned care in 99% of the time consisted of the use of

nannies whose irregular length of stay depended on their willingness to satisfy the fathers' sexual predilections. And because the gracious lady missed time limits in 'normal' courts whenever she possibly could only a complaint of a constitutional nature remained an option.

I tried my best. I really did a piece of good work and in return was rewarded with a well above average fee. During one consultation I asked the lady in question as to how she found me. With a fleeting smile she answered that she went to Strasbourg and asked that Czech lawyer I mentioned earlier who could she use who focused on this special line of work. She was informed of my victory for clients with not a dime to spare and, as a result, decided that the phone number she'd dial would be mine.

AND WHAT TRANSPIRED?

Hmm, the fashion shop with that azure blue gown on display was owned by her. And because it was a one-off, and thus expensive, the gown remained unsold at the end of the season. For our next meeting she brought the gown with her and said, „have it, all yours.“, easy-peasy.

From that moment I have no fears that I won't get paid for my wor. Somewhere up above my 'pro bono' hours are being added up and whenever I feel I cannot cope with the world's stresses God sends along an advance. And the dress? It was too much of a one-off: there is nowhere in this country where I can wear it and so, poor thing, stays hanging up in my wardrobe. Whenever there is a particularly gloomy winter and no other colour exists but grey, I pull it out of its protective covering and hang it up in the kitchen. And, bingo!, it's clear Spring is on the way, blue sky with it and when a crisis is on the horizon a fee from Heaven will turn up...

## 24. Alena

My classmate Alena was phenomenal. Not only did she pass her law degree summa cum laude she was also successfully earning cash as a guide during her studies which meant she was never short of a crown or two (or, to be more precise, a Deutschmark or two) – but what was absolutely astonishing was her teaching prowess. During a mere few hours she managed to stuff into her classmates' limited heads everything that other folk took all term to cram in.

To cram with Alena meant a certain pass. Memorable was her performance on taking in hand our classmate, having made the unfortunate discovery upon showering together with her at our college hostel, that Administrative Law has an extra part which contains some 150 „major“ special legal norms, all together about another 1 000 pages of text. By the time she and Alena reached the faculty on their 30 minutes walk from the dormitory, she was sufficiently primed so she could take on the infamous martinet, Professor Čebišová, and leave with a B. Mind you, can't deny that us poor wretches honestly grafting away through the whole pre-exam period weren't peeved...

Alena was a star and nobody was surprised that after the 1989 political changes she ended up a barrister for whom the saying that money grows on trees might have been quite appropriate ... But those of us who trudged meekly in her wake couldn't fathom one thing... the choice of her boyfriends. Especially that last geezer was a marvel to behold. Also a lawyer, but an alcoholic and an absolute nonentity. „Oh God, Alena, how can you go out with him. Such a prat!“ we lamented unisono. Alena assured us that everything was under control and looked totally self-assured.

She really did have things under control, until the time when she discovered that the job in question was collecting advance payments for her legal services – and no chicken feed amounts either. She not only decided to end the relationship there and then but also demanded the money back. Not long afterwards her boyfriend found her in a pool of blood with a smashed skull. Lest, she wasn't the only one as a similar fate befell her young trainee lawyer, Věra. Alena's boyfriend's alibi seemed absolutely watertight. That day he was picked up in his office (next door to where the murders took place) by a blind friend of his. They went out for lunch together. But then the chief of Prague's murder squad, Josef Mareš, took charge of the case. Yes, the one who, later, found the body of small murdered Annie, being searched for right then by the entire country. I've no wish to jump ahead but when I observed his investigative methods of the monstrous murder of this child I, on the basis of my own experience, had no doubt his initial judgment was correct. Apart from being a guy not altogether unattractive he is, above all, a man with a sound intuition. Well, I bet you don't know many like that...

But in the case of Alena's murder he used his intuition very rationally. He sat down Alena's partner's blind friend where he actually sat before leaving for lunch and used a scaffolding pipe to pound a chilled chicken with it, and thus copied the kind of blows suffered by Alena's skull. The blind man remembered exactly the sounds he heard shortly before departing from the office when his crafty buddy went „to bid farewell to the girls“ and tell them he's off to lunch. The sounds emanated from the spot where Alena's crushed head lay... The murderer was, of course, Alena's boyfriend who dealt in this way the threat of an imminent break-up of their relationship. The murder of the trainee lawyer was supposed to lead to the assumption that the office was attacked by one or

more of the barrister's dodgy clientele (which, in truth, she did represent in a few cases).

According to internal professional regulations files should be stored for five years. As I took over the legal representation of Alena's mother, whom I naturally also knew very well and who figured in this case as the aggrieved party, I saw with my own eyes everything including the autopsy report done on my friend. In breach of the regulations I didn't put the file in the archive but tore it to smithereens, burnt it and spread the leftovers around several dustbins in the vicinity of my office. I felt that if I filed it away with all the other material I'd never have the strength to enter the storeroom...

Lesson to be learnt? To be a lawyer doesn't automatically mean being honest. To the contrary, even the Law Association is a repository of many-a-scoundrel. That is why it is apt to remind oneself how this piece of shit, Alena's and Vera's murderer, ended up. He drowned. In the remand prison's cell he tied his head inside a washbasin, stuffed the outflow pipe with a sock and then filled the washbasin with water. A sure way of finishing things. I hope that those of a similar ilk take inspiration.

And in conclusion one more reminder: the unexpected ending of the law practice nearly broke Alena's parents financially. Before matters were properly wound up, such as stopping social and health insurance payments, terminating job contracts of other employees, terminating all other contracts including rental of the offices, phones, internet, car lease... it went into hundreds of thousands. And it was necessary to pay up immediately. No chance of waiting for the probate inheritance process even though in this case there was

something to expect from it. So, I implore you, even if you're no lawyer keep your affairs in order. You never know when you might get run over on a pedestrian crossing or you find yourself in a completely unforeseen situation which might be the end of you. You must have a completed Will along with instructions as to who should do what. It is the responsible way and you will also take on board as to who you can really rely upon. So – I pray you will not have to follow through this piece of advice but, nonetheless, abide by it. A relationship to someone is also defined in you not adding to his or her problems by your possible demise.

## **25. They All Lie**

Dr. House says so and I say it too: they all lie. A client who discloses to his lawyer the whole truth and nothing but the truth is as rare as a death's-head moth flying at high noon over a tropical beach. As I say: they all lie. And if they aren't lying they're not telling the truth. And if they're telling the truth they're keeping something back. The hard luck is that sometimes they don't even know they're keeping something back and are oblivious to the fact that they're shooting themselves in the foot which they could have used to reach a bearable sort of life in the future. Their mistake.

The woman who sent me that enormously looong email found me via a number of my friends where one of them told her that he knows of someone else who heard of some woman lawyer who is super and will sort everything out. Well, a really great recommendation. And would I represent her daughter up against SOPC, for the uninitiated the State Office for the Protection of Children. Because the daughter is accused of



abusing her child. Her recently born baby wasn't planned and the box on the birth certificate requesting the father's name remained empty. But her daughter isn't abusing the child, so what should she do. Yep. A single mother with an unknown father and a doting grandmother of her first grandchild. There is certainly nobody lying here. „How does the abuse manifest itself?“ I asked sceptically. It's bleeding. The child is bleeding. Bleeding at home. The officials went through their entire flat. The only thing left that they use is hypoallergenic soap. The gentlest of Pampers Sensitive and the most expensive artificial milk of the Nutrillon brand. Seems there is nothing better nor dearer. I improved my education in baby milk and came to the conclusion that there really isn't a more expensive make. I didn't feel qualified to test the quality. The baby kept bleeding. I didn't fancy being the legal representative defending the abusive mother against SOPC as well as against her own mother as it seemed to me a bit over the top. What indeed am I representing her in? She hasn't been charged with anything. There is no court process being enacted. „It doesn't matter in what and how you will defend her but please act on her behalf!“ The desperate grandmother's emails resumed and eventually photographs started to be added to them. A nappy full of blood. A lovely plump baby boy several months old with bloodied eyes, blood oozing from his ears and mouth. The situation you might see as positive in that he started bleeding in the hospital too. Right on a special unit in front of the doctors' eyes. „Don't let the mother near him!“ came the decision from the doctor consultation committee when the baby started to bleed even on a hospital bed. They wanted to know the boy's father to be able to eliminate genetic diseases. The mother failed to give the name to the doctors who were – angry. The social workers had literally moved into the mother's and grandmother's flats even during times when the baby

wasn't there. More desperate emails followed and more photos of a baby's T-shirt soaked in blood. „For God's sake, do something! What am I supposed to do!?“

Then it happened. I came to believe. I came to believe that my client wasn't lying. Even though no-one on the medical team diagnosed an illness or disease and had no other explanation than the mother was giving the unwanted baby some agent which caused the bleeding, I came to believe my client was innocent. But if the baby was bleeding just the same the cause must be found somewhere else than in the mother. It couldn't have been the environment either as the child was bleeding at home as well as in the hospital. How is the bleeding possible when there is no wound? Perhaps thus:

*„...Then an angel from Heaven appeared to Him and strengthened Him. And in His anguish, He prayed more earnestly, and His sweat became like drops of blood falling to the ground.<sup>1</sup>“*

It interested me a long time ago and because I can't stand when I am unable to get to the bottom of something I, of course, researched years ago what really happened in Gethsemane garden. I looked at [www.pubmed.org](http://www.pubmed.org) in the American National Institute of Health's National Medical Library. It contains more than 27 million references from biomedical literature, scientific magazines about nature and life as well as books online. Most of my knowledge of psychology comes from burning the midnight oil perusing over this web. There are exactly seventeen references to hematomas there. It is treated with beta blockers.

„Scream at the doctors; threaten them with lawyers for the unwarranted accusation of the mother for neglect and for their own neglect. Get them to give the child propranolol. They mustn't just focus on blood tests but also on neurological

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<sup>1</sup> Luke 22: 43,44

problems. With effects of undue stress, which though can also be caused by over-sensitivity, capillaries may open and seepage of blood in general may arise, or possibly only of platelets. Let them move their asses and assess the amount of seepage and what dosages of medicines are effective.“

Perhaps the email I sent the child's grandmother and instructions included within it shouldn't have been so coarse. Perhaps I shouldn't have written everything that I think about the child's doctors and what I would propose to do with them. But I needed to boost the old lady's courage in order to stand up to the consultant and the whole department. Which she managed to do. When things were at its worst she pulled out the lawyer's business card – I'll send my lawyer on to you... The medical tests started to roll apace and ended with a propranolol prescription being written out, the release of the child into home care without any symptoms showing and, last but not least, the social workers crawled back into their foul dens.

Perhaps you think that success was the result of me being one of the faithful, that I've read every page of the Bible. Perhaps you think that I obsessively focus on cause and effect, that I refuse to leave anything be and rigidly demand a rational explanation even from an utter irrationality. The real reason for my diagnostic achievement, for which even Doctor House mightn't be ashamed of, lies somewhere else: I simply chose to believe my client. I relied on her not lying to me. And with this sole premise, the premise which all others rejected, I released into my subconscious an order to dig out that information from somewhere.

If you decide to believe someone that things truly occurred the way they said, that he or she isn't lying, absolutely incredible things start to happen. You start to peel off deposits of conjecture and fabrication, hypotheses and calculations, like if

you were peeling an onion: but with one difference. When you take the last peel off you find under it a core. Wonderful, colourful and shining. The core of absolute truth. The one, which contrary to the surrounding raging New Age, really still exists.

