

# The Calling of an Advocate

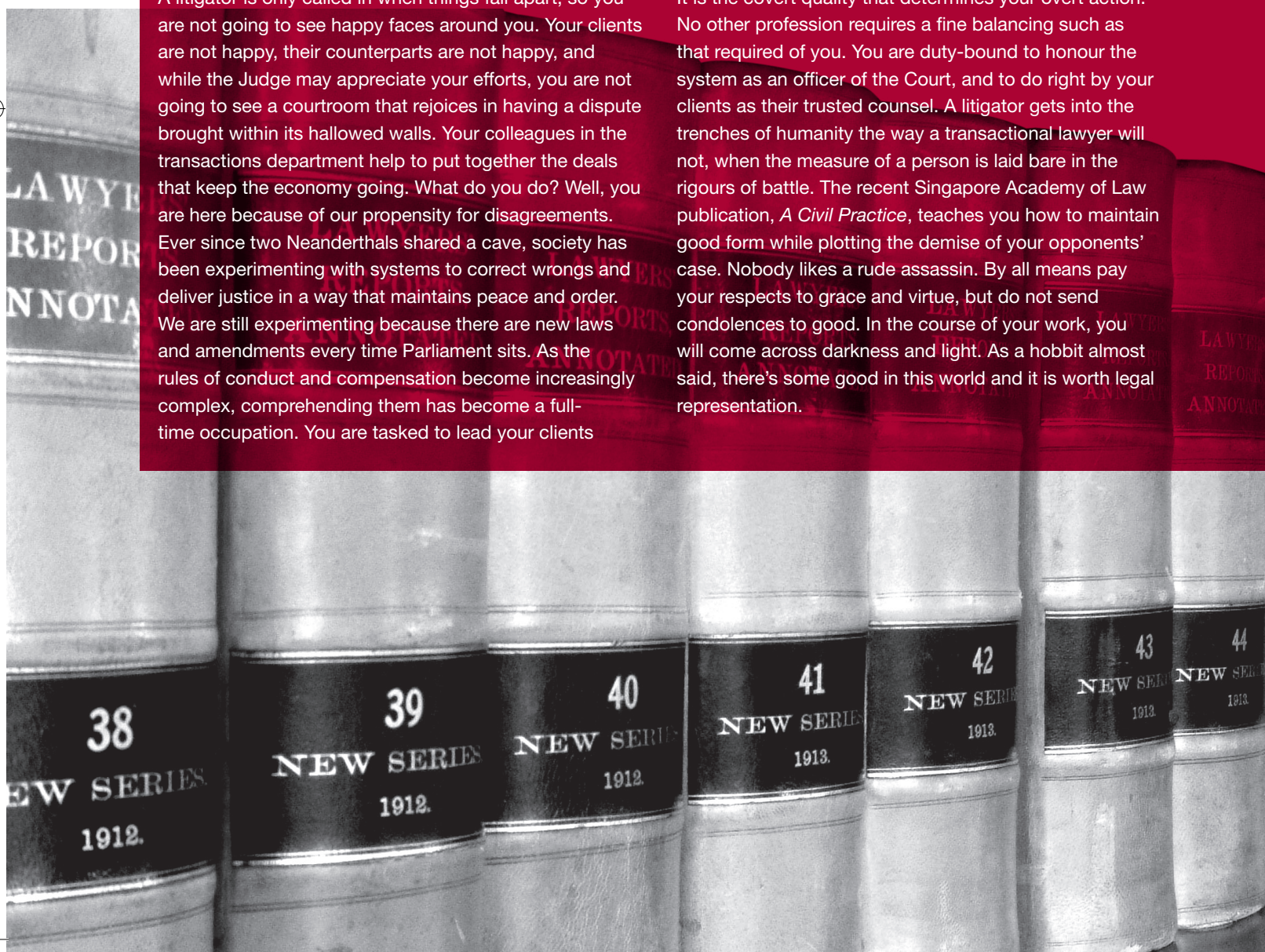
I am asked to write some encouraging words for young lawyers. Unlike Solomon, I have no deep wisdom to dispense. What I can offer are some perspectives gained by virtue of being just a little ahead of you. You may acquire these by yourself in a few years, but why wait? Let's start with why you are here. No, not because you were queasy in biology class. What is your purpose here, reading this supplement available only to the privileged few? Well, a couple of thousand are still few when there are many more who have tried in vain to be admitted and are now languishing in overpaying careers as bankers.

Even more specifically, why a career as a litigator, the advocate rather than the solicitor in your job description? A litigator is only called in when things fall apart, so you are not going to see happy faces around you. Your clients are not happy, their counterparts are not happy, and while the Judge may appreciate your efforts, you are not going to see a courtroom that rejoices in having a dispute brought within its hallowed walls. Your colleagues in the transactions department help to put together the deals that keep the economy going. What do you do? Well, you are here because of our propensity for disagreements. Ever since two Neanderthals shared a cave, society has been experimenting with systems to correct wrongs and deliver justice in a way that maintains peace and order. We are still experimenting because there are new laws and amendments every time Parliament sits. As the rules of conduct and compensation become increasingly complex, comprehending them has become a full-time occupation. You are tasked to lead your clients

through this labyrinth, and if the circumstances call for it, persuade a Court or tribunal that the true path is the one for your clients.

Make no mistake about it. This is a noble profession. You do serve an important function in society. Doctors heal, accountants count. Lawyers, it has been said, protect their clients from others of their species. Many of you aspire to a lifetime in the company of learned friends with whom you always respectfully disagree.

To fulfill that weighty role, you ought to constantly live by two precepts: Integrity and Industry. Ethics is the manifestation of integrity but integrity transcends ethics. It is the covert quality that determines your overt action. No other profession requires a fine balancing such as that required of you. You are duty-bound to honour the system as an officer of the Court, and to do right by your clients as their trusted counsel. A litigator gets into the trenches of humanity the way a transactional lawyer will not, when the measure of a person is laid bare in the rigours of battle. The recent Singapore Academy of Law publication, *A Civil Practice*, teaches you how to maintain good form while plotting the demise of your opponents' case. Nobody likes a rude assassin. By all means pay your respects to grace and virtue, but do not send condolences to good. In the course of your work, you will come across darkness and light. As a hobbit almost said, there's some good in this world and it is worth legal representation.



Let's move to industry. Everyone knows about hard work. Some, like Garfield, are fascinated by it – they can watch people work all day. In the practice of law, there is no room for a pedestrian. Industry requires initiative as well as the intelligent application of labour. Lawyers are often great philosophers. The study of jurisprudence demands it. It is also inherent in the confrontational nature of advocacy that lawyers are encouraged to think out of the box. Some even try to think their way out of work. Avoid emulating those who fall asleep at their desks and wake up to the discovery of Bertrand Russell's maxim, "The road to happiness lies in an organised diminution of work". And if your research is of insufficient depth, do not seek doctrinal solace in John Rawls' pronouncement that "The principles of justice are chosen behind a veil of ignorance."

No profession is easy. Anyone who is on top of his game has his share of failures and self-doubt. So I am told ... It does seem perfectly logical and self-evident that in litigation, someone wins and someone loses. An Assistant Registrar might decide this way. The Judge on appeal might say the Assistant Registrar is wrong, and on further appeal, the Court of Appeal might say the Judge is wrong. The case or its outcome is not all about you. Sometimes you win despite yourself. Sometimes you lose despite the best of preparations. Life happens. Jettison the ego and get on with the job. If these words are scant consolation, sit back after a hard day, have a drink and put on the song: "For when my chin is on the ground, I pick myself up, dust myself off, and start all over again." Flashes of brilliance might carry you over a hill but fortitude will take you the full distance.

Do not forget to be human. Sad is the servant of law who forgets that law serves life. A frog under a coconut shell will not truly understand the functionalism of law. I am not sure that a frog above one will either, but let's not nitpick over metaphors. You may even find that the positive qualities you bring to bear in leisure will manifest itself in your work. A leading practitioner who imbues passion into everything he does can teach us a thing or two about living *la dolce vita*:

1. Drive an F1 car. Work like you have Vettel on your heels. When something has to be done, do it promptly and do not procrastinate. An hour wasted is an hour gone forever. This does not apply only

to work. Time spent on leisure can still be time well spent. Just do what you are supposed to do when you are supposed to do it.

2. Climb mountains. Be bold, aim high, and do so with commitment. Put in the hours needed and go beyond your comfort zone.
3. Play in a band. You may set the pace, but you can only go solo for so long. It is about teamwork. In the process, have fun with your mates.
4. Give your whole being. Whatever you undertake, do it with passion and with the determination to excel. Life is too short for half-hearted attempts.

So, back to the question: Why are you here and where do you want to be headed? Each of you will have your own answers. "*Hitam putih masa depan, sendirian menentukan*" – you determine the colour of your future. Then again, some of you may neither understand the forces that brought you here nor see beyond this Saturday's drinks at Butter Factory. That is fine. What is important is that, in the here and now, you do yourself justice by leaving a legacy that you will be proud to be remembered by. Hopefully, in the process help our system deliver justice the way it is intended to. What you do in law, echoes eternally in law reports.\*



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\* The allusions to The Killers, Jerome Kern, Sheila Majid and movies featuring unshaven men demonstrate that song and theatre are not inimical to legal discourse. Do not take this too far – fiction is not part of Court craft.

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