

become vital as the only way to cope in a dynamic environment with transition, maintain personal integrity, and recognize our own humanity. We all need enough critical thinking to see our relation to the world and to all other persons, critical thinkers or not. We all need ultimate critical vision and skills.

### Endnotes

1. Henry W. Johnstone, Jr., "Philosophy and *Argumentum ad Hominem*," *Inquiry*, Vol. 12, Nos. 3 & 4 (Nov/Dec 1993), pp. 25-29. See also Henry W. Johnstone, Jr., *Philosophy and Argument*, (The Penn State University Press, 1961).
2. Bertrand Russell, *Education and the Social Order*, (London, Unwin: 1977), p. 136.
3. Johnstone, Op. cit., p. 25, column 2, paragraph 3.
4. *Ibid.*, p. 26, col. 2, para. 2.
5. *Ibid.*, p. 28, col. 2, para. 4.
6. *Ibid.*, p. 27, col. 2, para. 4.
7. *Ibid.*, p. 26, col. 2, para. 3.
8. *Ibid.*, p. 28, col. 2, para. 3.
9. *Ibid.* Note the trick Johnstone plays here. A, who is trying to meet his own standards, asks, "Do I meet my own standards?" Johnstone implies that since this is a fair question for A to ask himself, it is therefore fair for us to ask the same question of B, who may not be trying to meet his own standards.
10. *Ibid.*, p. 26, col. 2, para. 3.
11. Plato, *Apology* 21d.
12. Descartes, *Meditation II*.
13. Thus Plato's "myth of the metals," *Republic* 414-415.
14. See Frederick Taylor, *The Principles of Scientific Management* (New York, Harper, 1911); Arthur C. Wirth, *Productive Work—In Industry and Schools* (Lanham, Md., Univ. Press of America: 1983); and Mary Walton, *The Deming Management Method* (New York, Putnam Publishing Group, 1986), p. 9.
15. Friedrich Hayek, *The Road to Serfdom*, (Chicago, University of Chicago Press: 1976).
16. See Plato, *Theaetetus* 158c, or Descartes, *Meditation I*. See also James Frederic Perry, "Plato's Dream Hypothesis: A Meta-Communicative Statement," *Man and World*, Vol. 8, No.2 (May, 1975), pp. 207-215. ("Buddha," I'm told, is a Sanskrit word meaning "awakened" as well as "enlightened.")
17. Plato, *Republic* 352e.
18. Herbert Feigl, "De Principiis Non Disputandum...?" in Max Black, ed., *Philosophical Analysis* (New York, Prentice-Hall: 1972), pp. 113-147.

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bulb?" asks more of a student than reporting, "Edison discovered the electric light bulb." The former asks the student to examine life at that time and to consider how people managed in relative darkness.

### IV

Is there? Are there? Why? How come? Does this make sense? What principles of analysis apply? The lawyer asks only questions. She is trained to ask the right questions—for only the questioning mind can break through the screen of preconceptions and prejudgements, assumptions and presumptions. Lawyers become lawyers through engaging the Socratic method. The hypothetical is posed and the law student is asked to respond. Change the hypothetical and the law student is asked to respond. Vary the hypothetical ever so slightly and the law student is put on the spot. The law student's argument begins to crumble in the face of new evidence.

Critical thinking has been the special sport of attorneys. No wonder they are not popular. Nothing is as it seems; nothing is as it does not seem—there is nothing. There is only the human mind which must construct, reconstruct, deconstruct, and even destruct reality. The facts, or what we like to call the facts, are turned over a thousand times to find the slightest imperfection. Facts, in fact, are not even the stuff of

good lawyering. Theories are the central stuff of good lawyering. Give a lawyer a theory and the lawyer can spin a great tale. Give him a fact and he is anchored in the harbor.

The conclusion to be drawn from a lawyer's work is to reject all truths, all facts and all presuppositions. Start from scratch. Assume nothing at all. Ask only questions. Truth is the question and not the answer.

If Plato's allegory of the cave has any meaning at all, it is in the rejection of reality as we know it for a world beyond our grasp. Our only entrance into that world is in the questioning that forces us out of the cave in which we are imprisoned by our own thoughts and preconceptions. The shadows cast on the cave walls are the hidden light our unquestioning minds will not explore.

Because nothing exists, everything is possible. Learning is an endlessly beginning process in which truth is never clear and facts and principles are to be discovered over and over again. Who better than a lawyer to teach us that each case and each situation is a new world waiting to be discovered?

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