

THE JUDICIARY'S "I'M MY OWN GRANDPA" LOGIC

By Evan Gutman CPA, JD (2013)

The premise of this essay is the proposition that quite often the Judicial logic and ridiculous conclusions reached by Judges are as nonsensical as the logic used in the old country hit song "I'm My Own Grandpa." The song was originally sung by Ray Stephens several decades ago. Later, it was included in the hit comedy movie starring Tom Arnold called "The Stupids."

It was a very funny movie. In the movie, Tom Arnold plays a father and husband determined to find out who is stealing everyone's garbage. He concludes that everyone's garbage is being stolen because every night, people in the neighborhood place their garbage out on the curb and the next morning it's gone. In one scene, he sings the song "I'm My Own Grandpa." The words of the song are as follows:

"Many, many years ago when I was 23.
I was married to a Widow, who was pretty as can be.
This Widow had a grown-up Daughter who had hair of red.
My Father fell in love with her and soon they too were wed.

This made my Dad my Son-In-Law and really changed my life.
For my Daughter, was now my Mother, cause she was my Father's Wife.
And to complicate the matter, even though it brought me joy,
I soon became the Father of a bouncing baby boy.

My little baby then became a Brother-In-Law to Dad.
And so became my Uncle, though it made sad.
For if he were my Uncle, then that also made him Brother,
To the Widow's grown-up Daughter, who of course was my Step-Mother.

My Father's Wife then had a Son, who kept them on the run.
And he became my Grandchild for he was my Daughter's Son.
My Wife is now my Mother's Mother and it makes me blue.
For although she is my Wife, she's my Grandmother too.

Now if my Wife is my Grandmother, then I'm her Grandchild.
And every time I think of it, it really drives me wild.
For now, I have become the strangest case you ever saw.
As Husband of my Grandmother, I am my own Grandpa.

Oh, I'm my own Grandpa.
I'm my own Grandpa.
It sounds funny I know.
But, it really is so.
I'm my own Grandpa.¹⁶

The conclusion presented in the song, that a person can be their own grandfather is obviously ridiculous. Nevertheless, a careful analysis of the lyrics does present a workable logic. Segregating the superfluous words of the song from the applicable portions of logic presented, the premise is simple. If you marry a woman who has a grown daughter, and your father then marries that woman's daughter, you are your own grandpa. The reason is that your wife's daughter is simultaneously your step-daughter and your step-mother. This gives rise to the premise that your wife is simultaneously your wife and your grandmother, and that since you are married to her, you are your own grandfather.

Many judicial opinions purport to present logic, which falsely appears to work after careful analysis. The problem is that the conclusion reached is totally absurd. Judges and lawyers are such experts at twisting and contorting the meanings of words that it is not a particularly difficult task for them to present some justification for whatever conclusion they desire to reach. It's like a cheap magician's tricks. Once you know how the trick is performed, anybody can do it.

The cheap, amateurish tricks played by Judges with logical reasoning, often present justifications for illogical conclusions. This has been going on for thousands of years. Today however, Courts are faced with a brand new problem, which jeopardizes their ability to continue using such manipulative deception. They've never had to deal with this problem before.

It's called the Internet. The Internet has made Judicial opinions easily accessible to the general public, in a manner unparalleled since the human race began. In the United States, until around 1985 or so, judicial opinions were only easily obtainable by attorneys. Even then, for the most part, they were only available in written books containing judicial opinions. This made the process

of finding a case applicable to the legal subject an attorney was researching incredibly cumbersome. As for the general public, the books containing Judicial opinions were not even accessible to them. The books were generally held privately in the libraries of Courts and law schools, which the general public was not even allowed to use. You had to be an attorney to use the libraries.

The effect of this was that the illogic and irrationality of Judicial decision-making was essentially concealed from the average citizen. Beginning in the 1980s, large law firms gained access to Judicial opinions using expensive computer databases. These databases provided their attorneys with easy access to a wide spectrum of cases related to specific legal subjects.

Today, there are a number of very inexpensive computer databases available to any member of the general public, which can be used to research legal issues. Many Judicial opinions are available on the Internet without even the need to access a subscription database. This has never occurred previously in the history of the world.

As a matter of form, Judicial opinions in this nation have always been considered as "public information." But, as a matter of practicality, they've only become "public information" in the last 10-15 years. Prior to that time, they were hidden away and concealed in libraries that the average citizen was not even allowed to use. Thus, they were "public opinions," which for all practical purposes were not available to the public.

Today, virtually anyone can easily obtain Judicial opinions on any legal subject. This provides them with the opportunity and option of exposing the illogic and irrationality in any opinion.

This book is a prime example. I published the first part in 2002. But, I wrote the first part mostly during the late 1990s. When I began writing it, I easily obtained virtually every bar admission case from virtually every State in a short period of time. Prior to the internet, just the process of obtaining the applicable cases I needed would have taken fifty times or more what it took me.

So now we are approaching that glorious point in human history where to put the matter simply, the Judiciary has to face the rather discomfoting fact that, the "Jig is up so to speak." The "cat is out of the bag" and the "sleight of hand" is now being exposed to everyone. And it's being exposed by everyone. People can now read and assess for themselves the manner in which the "Tricks" of the so-called "Magical Judges" and attorneys have been performed. This is going to change the legal profession and have an impact upon our Courts in a way never before encountered. To put the matter simply, the Courts are going to be faced with a whole new dilemma. That dilemma is as follows.

Judicial opinions from this point forward are going to have to make logical sense and arrive at sensible conclusions that will be accepted not only by

fellow Judges and attorneys, but also by average citizens. Judges are going to be politically forced to start writing opinions that make sense to the average citizen. Their audience is no longer limited to lawyers whose economic livelihood they control. Rather, they are playing to a new audience, the general public.

And nobody buys tickets to see a show put on by a bunch of cheap magicians who present nothing more than a bunch of amateurish tricks. Once the secret to the trick is out, you have to come up with a much better show than just some "I'm My Own Grandpa" legal logic.

Otherwise, you might just as well be a Judge in the movie, "The Stupids." Then you could be addressed as "Your Stupid Honor."