

CHAPTER 3 AYRES AND VICTORIA

There was to be a trial. The natural world knew.

It didn't take long for the lawyers to learn sign language, allowing them to communicate with Ayres and Victoria. Irina was both patient and a very good teacher. With both of her parents attorneys, she'd chosen to enter law school, never imagining she'd find herself in the midst of a potential precedent setting legal action.

Getting to know one another in Prague, Irina and Nicholas often talked about how everyone they knew had one memory growing up, a turning point, either positive or negative. Nicholas - "When I was seven, someone told me a lie about a friend of mine. That same person also told my friend a lie about me. She wanted to keep the two of us apart. She succeeded. It wasn't until years later we both found out the truth. I remember the exact day I chose to let go, not wanting to be suspicious, cynical and mistrusting. As a teenager, I was thinking of studying the law, but everyone said the same thing; to be a litigator, you have to be a barracuda. I have Synesthesia. My plan's to figure out how best to use that gift."

Irina, Nicholas, Ayres and Victoria all had questions for the lawyers. Did they know that an animal or plant species becomes extinct every twenty minutes? Had tests been done. . . is the life span of humans shortening, the life span of animal species lengthening?

Since laws vary from culture to culture, does the definition of ethics vary as well? Is it true emotions can't play a part in the law? Why do so many people dislike lawyers? Do trial lawyers have to be eloquent? Do they use fear as a weapon in a court setting?

When anything can be digitally enhanced, how can a jury tell if what they are seeing is real? Expert witnesses. Will people who are paid say anything? Looking at the same evidence, one expert will testify it means one thing, another expert the opposite. If Ayres and Victoria, representing the natural world, were suing the human race, what would be the defense's case be? That Nature didn't work? Unlikely.

During the days' multiple debates, the attorneys continually switched from one side to the other. Was a legal action such as this possible? Depraved indifference would focus on the risk created by the human race's conduct, not on the injuries actually resulting from that conduct; not a conscious intent but an indifference or disregard in the human species' conduct. What was the possibility of punitive damages?

In the United States, a few judges had ordered attorneys to represent an animal. Everyone knew the opinion of the renowned Constitutional law professor at Harvard University. "There are many humans who are concerned with our rights. There are many others who are not. We should be able to appoint appropriate individuals to speak for animals in certain circumstances, just as we appoint guardians for certain infants."

In the short time Irina would spend at the farmhouse, she would learn as much as a year at law school. Instead of proselytizing and unapproachable professors, four renowned attorneys were always ready to discuss their experience, patient and open to any and all of her questions. Endless nuggets of wisdom.

Paul Osprey, the attorney from Britain. "Learning how to think is everything. A personal friend of mine inherited a huge debt, an unpaid bank loan, from his father. He decided to go to the bank to plead his case. "If my father owed your bank this amount of money, you must have thought him a good risk. I'd like to use the debt as collateral for another loan." Debt as collateral? The bank agreed. My friend was an unconventional, innovative and creative thinker, long before "outside the box" came into the vocabulary. He paid off the new loan long before it was due."

The story Raoul Lapin (who worked with the UN in Geneva) told was Irina's favorite. "Fearing he was having a heart attack, a man was rushed to the nearest medical center emergency department. The admitting physician held up his right hand and asked the patient "How many fingers do you see?" The patient answered "Four." An hour later, a second physician arrived, held up his right hand, asking the same question. Same answer. Both physicians wrote down their diagnosis, based on what they observed and what the patient had said. Next, a brain surgeon arrived. Holding up his hand, he asked "*What* do you see?" The patient answered "Four fingers and a thumb." Literal thinking."

Nicholas - "People say lawyers are manipulative." Rene Arnaude - "That's one word. They're also resilient and demonstrative. Reality versus stereotype."
Ayres, very agitated, walked slowly from across the room and began signing.
Irina - "He wants to know what "stretch the truth" means?"

Rene answered. "If your client is accused of something, you do what you can to discredit your accuser, make your opponent appear to be the victim." Irina - "So deflecting the truth, using deception to turn things in your favor, unethical but not illegal? It's okay to bend the law? Why do you ask questions if you already know the answers?" Rene - "Because different people have different answers. People can be clever, very good at fooling you. The law exists to right a wrong."

After Irina's teaching her sign language, Jane seemed to have an immediate rapport with Ayres and Victoria. The four of them often took long walks after dinner through the blossoming orchards. Jane told Irina how the American Association for the Advancement of Science (the world's largest science conference) supported a cetacean bill of rights, whales, dolphins and porpoises, as non human persons.

Irina told Jane about Ctibor, the dolphin she'd met at the Vltava River in Prague. "He was the one who first suggested the lawsuit. Would it be possible to include him in some way?" Dinner table disagreement among the attorneys was normal, this subject no different, ending with consensus. It might be possible to have a dolphin participate via film.

Jane taught Irina the importance of *caution*. "When someone, especially someone you know, gives you misinformation, intentionally or unintentionally, you act on it, presuming the information is correct. If the information concerns a subject you've never dealt with before, you don't know what to expect. and won't know you're doing something wrong until the next person comes along and tells you that you were misinformed. Also, Irina, remember that the American judicial system is not trusted in some parts of the world."

It was Irina and Nicholas' last night at the farm, her parents arriving the next day for the drive back to Prague. Dinner had normally been a time of rousing (and argumentative) conversation, continuing far into the night. Everyone noticed how unusually quiet Irina was, not having spoken since the meal began.

Irina - "Ayres and Victoria have no money. As plaintiffs in a lawsuit, they'll need someone to represent them. Shilli, Emilie, Julian, Asha and Samuel don't have money either." Haltingly, taking a deep breath, "Can any of you help?" Irina was shocked and over the moon thrilled with the unanimous answer. "Yes!" At that moment, Arnaude, Rene Hibou's wife, came from the kitchen carrying dessert, the white icing on the blue barn cake was the answer. Pro Bono.

Jane smiled at Irina. I understand why Ayres and Victoria have made the courageous decision they have. It will be my privilege to represent them and what they believe. The human race isn't living up to its responsibilities. You know that means I'll be suing Emilie and her four friends." Irina - "They'll be ready!" Jane - "There's no way to know what lies ahead. Something like this has never been done before. They'll be incomprehensible delays and restraints, new procedures, things we simply can't prepare for in advance."

Suddenly, Paul Osprey, Raoul Lapin and Rene Hibou stand. Paul - "Irina, the three of us will put together a team to represent your friends. We have to be very careful. It's possible some points of one person's argument might conflict with someone else, arguing a different issue." Raoul raises his glass. As he begins his toast, Jane and her husband, Trine, stand, their glasses raised. Raoul - "Here's to us all." "All people dream, but not equally. Those who dream by night in the dusty recesses of their mind, wake in the day to find that it was vanity. But the dreamers of the day are dangerous people, for they may act their dream with open eyes to make it possible."