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Hanlon’s Razor

Skills and Professional Development



“Never attribute to malice that which is adequately explained by stupidity.”

You probably know of Ockham’s razor: When you face a problem, the simpler answer is more likely correct. Or, put another way, the fewer assumptions needed to support a theory, the better the theory.

Hanlon’s razor is a corollary to Ockham. But while William of Ockham was a 14th century monk, Robert Hanlon was apparently just a regular guy from 20th century Scranton, Pennsylvania. He is famous only because he submitted this line to a compilation of witty quotes published in 1980.[1]

1 Bloch, Arthur. *Murphy’s Law Book Two: More Reasons Why Things Go Wrong*. Price Stern Sloan Publishers, Inc., 1980. In the book, however, there is no reference to “Robert” or Scranton, PA. His name is associated with the quote only in later publications.

The original book of quotes that contained Hanlon’s razor is long out of print. Hanlon’s remark gained its current prestige much later, in the age of computers. The quote appears buried in software files, possibly as a warning to later programmers that mistakes in the code are more likely the result of a stupid error rather than malevolence. The more it appeared, the more programmers used it, and it soon became common parlance in the field.

Programmers like to hide messages in lines of code. It may give them a feeling of immortality but, at the very least, it enlivens otherwise dreary rows of digits and text. When you think of Friar Ockham hunched over his parchment, scribbling away by candlelight in a drafty monastery, you can easily replace that image with a modern day computer programmer, her face illuminated by an LCD screen as she works through all hours of the night.

Hanlon's fame, however, is justly attributable to his wit and not just repetition. While many other smart people have made similar statements, Hanlon's remark is concise, cogent and very useful. I would suggest, in fact, that Hanlon's razor is more applicable to in-house lawyers than Ockham's adage.

As in-house counsel, we are often called to solve problems. For complex technical issues – transactions, regulations and litigation strategy – Ockham's razor is a useful tool. Simplicity is the weapon of choice for the smart lawyer.

When we are not looking for solutions, however, we are often wading through a morass of facts, searching for information. Before the deal, the negotiations or the trial, we focus on the Five-W's of any investigator: what, where, when, who and why. That is where Hanlon's razor comes into play.

When we find a mistake, conflict or dilemma, human beings naturally look for the cause. We believe that if we find the source we can stop the problem. But in our search for the culprit we make assumptions, draw premature conclusions and imagine bad intent. We have an instinctive conspiratorial slant; a tendency to blame obvious suspects.

In these situations, Hanlon warns us that not all that goes wrong is born of ill-will. Most often people just make stupid mistakes.

In the world of the in-house lawyer, Hanlon's razor is most applicable in employee investigations: Is that invoice discrepancy the result of fraud or just bad bookkeeping? Is that safety violation the result of negligent management or ignorance of the rules? Was that data breach the result of a professional hacker or just IT incompetence?

But even beyond corporate matters, Hanlon's razor is a warning to avoid assumptions of intent. Lawyers in adversarial proceedings, for example, assume the worst of their opponents. In the confusion of litigation, however, we must be careful not to presume that every action has a malicious purpose. Even lawyers make mistakes.

Admitting our own fallibility, however, doesn't prevent us from quickly assigning blame and ascribing malice. And we sometimes live with the fanciful belief that professionals don't make stupid mistakes; that an ulterior motive lurks behind all decisions. In fact, even the smartest manager stumbles and errs. Even among the best and brightest, Hanlon's razor still applies.

So while Ockham encourages us to seek out the simplest answer, Hanlon reminds us that simply assuming the worst in others is not always the best answer.

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