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2005

## Bruce Springsteen's Hope and the Lawyer as Poet Advocate

Randy Lee



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## BRUCE SPRINGSTEEN'S HOPE AND THE LAWYER AS POET ADVOCATE\*

Randy Lee\*\*

The American experience is filled with lawyers who were poets.<sup>1</sup> The overlap between these two fields should come as no surprise. The lawyer, like the poet, seeks to capture life in words, to use words to improve life, and to identify and address the questions in life that matter most. The lawyer, like the poet, is also called to serve his community by accepting the mantle of the prophet: he must resist the temptations of the world's earthly trappings and remain true to his pursuit of truth wherever that journey may lead.

At their best, both lawyers and poets are listeners. They "stand back"; they "let it all be"; they take it all in.<sup>2</sup> It is easy to forget that. Before lawyers and poets can speak, they must capture life, and then they translate the life into words so the rest of the world can know and understand what they have encountered.<sup>3</sup> Aldous Huxley once described words as "a device men use for suppressing and distorting the truth" to "protect our sensibilities and preserve

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\* Randy Lee, Address at the Widener Law Journal Symposium, The Lawyer as Poet Advocate: Bruce Springsteen and the American Poet (Feb. 24 2005).

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<sup>1</sup> James R. Elkins, *Off the Record: An Anthology of Poetry by Lawyers*, 28 LEGAL STUD. F. 1 (2004).

<sup>2</sup> BRUCE SPRINGSTEEN, *Jungleland*, on BORN TO RUN (Columbia Records 1975).

<sup>3</sup> *But see* Edwin Armstrong's accusation that lawyers "substitute words for realities and then talk about the words." Tom Lewis, *Empire of the Air: The Men who Made Radio* 217 (1991). For a discussion of the tragic intersection between the law and Armstrong's life, see *id.* at 186-219, 28-30; see also FIRST ELEC. CHURCH OF AM., EDWIN ARMSTRONG: THE CREATOR OF FM RADIO, at <http://www.webstationone.com/fecha/armstrong.htm> (last visited Apr. 22, 2005).

our self-esteem,"<sup>4</sup> and words can be used for that purpose. They can be used to further darken the veil between "what's flesh and what's fantasy,"<sup>5</sup> but they can never be used that way by him whom we call a lawyer's poet, that voice that seeks truth in the highest tradition of both callings. The goal of a lawyer's poet is always to tear down that veil, encounter the reality that is life, and only then to speak, to try to make the "honest stand," even if that means being left "wounded, not even dead."<sup>6</sup>

Bruce Springsteen is a lawyer's poet. In the thirty-three years since America first heard Bruce Springsteen's *Greetings From Asbury Park, N.J.*,<sup>7</sup> Bruce Springsteen has never stopped listening to the voices of his community, seeking connection with their lives, understanding their frustrations, and inviting their hopes.<sup>8</sup> Furthermore, in so many ways he has remained the relentless kid on the Jersey Shore with the eager guitar and the inexhaustible supply of questions. In this light, one can place Springsteen in the American tradition of populist poets, who gave voice to the voiceless in a land that promised them freedom.<sup>9</sup> Yet, these same persistences invite one to recognize Springsteen as, at heart, the lawyer his father hoped he would be.<sup>10</sup>

Beyond this dynamic of being a lawyer's poet, just as different poets translate life into words differently, some poets practice their craft in a more lawyerly fashion. Bruce Springsteen is a poet who has grown more lawyerly over time. This can be seen in the evolution even in Springsteen's early works. With the opening

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<sup>4</sup> ALDOUS HUXLEY, *Words and Behavior*, in COLLECTED ESSAYS 246 (1958).

<sup>5</sup> SPRINGSTEEN, *Jungleland*, *supra* note 2.

<sup>6</sup> *Id.*

<sup>7</sup> BRUCE SPRINGSTEEN, *GREETINGS FROM ASBURY PARK, N.J.* (Columbia Records 1973).

<sup>8</sup> HANK BORDOWITZ, *THE BRUCE SPRINGSTEEN SCRAPBOOK* 159 (2004) (Springsteen saying, "I believe that the life of a rock 'n roll band will last as long as you look down into the audience and can see yourself, and your audience looks up at you and see themselves—and as long as those reflections are human, realistic ones.").

<sup>9</sup> ROBERT COLES, *BRUCE SPRINGSTEEN'S AMERICA: THE PEOPLE LISTENING, A POET SINGING* 3-46 (2003).

<sup>10</sup> BORDOWITZ, *supra* note 8, at 16.

lines of "Blinded by the Light,"<sup>11</sup> the first song on his debut album, Bruce Springsteen introduced himself to the world:

Madman drummers bummers and Indians in the summer  
with a teenage diplomat  
In the dumps with the mumps as the adolescent pumps  
his way into his hat  
With a boulder on my shoulder, feelin' kinda older,  
I tripped the merry-go-round  
With this very unpleasing sneezing and wheezing,  
the calliope crashed to the ground<sup>12</sup>

Backed by a rollicking melody and carefully crafted with more alliteration and internal rhyme than most readers might have thought possible, these lyrics ushered the reader into a world that, at first glance, the reader might not have understood but that the reader still wanted to understand. "Blinded by the Light" was the kind of poetry that invited a reader to linger upon its words and ask, "What is the author telling me?"

Two years later, Bruce Springsteen began his third album with the simple lyric "The screen door slams,"<sup>13</sup> and contemporary American culture jolted at the sound of that slamming door. The poet who emerged in that album, *Born to Run*, was a different kind of a poet, not better nor worse, but different than the poet with the "boulder on [his] shoulder,"<sup>14</sup> and for our purposes, one might well label him both more lawyerly and more a lawyer's poet.

The Bruce Springsteen who asserted himself fully in *Born to Run* is not a poet who leaves his reader to ask, "What is the author telling me?" but one who demands that the reader return to his words to answer the question, "Could he really have just said that?" With such a poet, it is not the cryptic nature of the words that make them mysterious, but their unavoidable clarity and undeniable reality. Mr. Springsteen is not content to toy with the

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<sup>11</sup> BRUCE SPRINGSTEEN, *Blinded by the Light*, on GREETINGS FROM ASBURY PARK, N.J. (Columbia Records 1973).

<sup>12</sup> *Id.*

<sup>13</sup> BRUCE SPRINGSTEEN, *Thunder Road*, on BORN TO RUN (Columbia Records 1975).

<sup>14</sup> SPRINGSTEEN, *Blinded by the Light*, *supra* note 11.

veil "[b]etween flesh and what's fantasy"<sup>15</sup>; instead, his words seek to rip down that veil. Mr. Springsteen writes as one who truly wants to know what is "real"<sup>16</sup> and has committed himself to meet it with "no place left to hide."<sup>17</sup>

For all the engine revving fury associated with the album's title track, *Born to Run* is filled from beginning to end with lyrics that haunt the listener with moments that can seem familiar though difficult to articulate. In the opening moments of the album's first song, "Thunder Road," Mr. Springsteen's protagonist confronts an uncomfortable dimension of self-awareness when he writes, "I just can't face myself alone again."<sup>18</sup> In contrast, as the album closes with the final lines of "Jungleland," the noble poets of the street are haunted not by themselves, but by their world—a world which would conquer them and then not even bother to finish them off:

And the poets down here  
Don't write nothing at all  
They just stand back and let it all be  
And in the quick of the night  
They reach for their moment  
And try to make an honest stand  
But they wind up wounded  
Not even dead  
Tonight in Jungleland<sup>19</sup>

"Born to Run"<sup>20</sup> is packed with lines the listener can come back to and say, "Wow, did he just say that?" Yet, for all the album's hard hitting clarity, the full measure of its meaning must be left to unfold over time. After all, it can take a lifetime to grasp all the implications of even the simplest of those truths that matter most.

Twenty years ago, I was at a Bruce Springsteen concert, and Mr. Springsteen said that when he had written "Born to Run" ten

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<sup>15</sup> SPRINGSTEEN, *Jungleland*, *supra* note 2.

<sup>16</sup> BRUCE SPRINGSTEEN, *Born to Run*, on BORN TO RUN (Columbia Records 1975).

<sup>17</sup> *Id.*

<sup>18</sup> SPRINGSTEEN, *Thunder Road*, *supra* note 13.

<sup>19</sup> SPRINGSTEEN, *Jungleland*, *supra* note 2.

<sup>20</sup> SPRINGSTEEN, *Born to Run*, *supra* note 16.

years ago, he had not understood it. He thought the song was about running from something, but he had come to understand that it was about running to something. I find that admission reassuring, because when I first heard the whole album thirty years ago, I thought I understood it, and now I am not so sure that I understood more than a small part of it.

Some things I could not have missed—things that Mr. Springsteen has never stopped writing about. Bruce Springsteen's world has long been a fallen world. It is a world with "meanness."<sup>21</sup> The heroes are "broken."<sup>22</sup> The players are lonely whether they are alone or not.<sup>23</sup> The conflicts there are not the clean and polite conflicts that we can pretend really matter, but the battles between hope and despair that mark life at its most desperate moments. It is an honest world. It is the way we know the world really is.

"Thunder Road,"<sup>24</sup> in particular, is a song about Mr. Springsteen's world. It is also ultimately very much a lawyer's song. It begins with a woman in despair, devoid of hope, reduced to studying her pain, and then a savior shows up on her doorstep.<sup>25</sup> He is, however, an odd sort of savior. He does not claim to be a hero.<sup>26</sup> He does not offer her a perfect solution or a perfect world or a perfect life. He just invites her to take hold and live out the life on the road before her. He gives her the hope to believe that in a town full of losers, maybe she can still win.<sup>27</sup>

When I first heard "Thunder Road," two things struck me: first, the people were so real, and second, the savior's line was so awful. Imagine trying to pick someone up with the combination of "I'm no hero, that's understood," and "You ain't a beauty, but, hey you're alright."<sup>28</sup> It took me thirty years to figure out that the savior's line is so awful because it isn't a line. What he is telling

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<sup>21</sup> BRUCE SPRINGSTEEN, *Nebraska*, on NEBRASKA (Columbia Records 1982).

<sup>22</sup> SPRINGSTEEN, *Born to Run*, *supra* note 16.

<sup>23</sup> *See supra* text accompanying note 18.

<sup>24</sup> SPRINGSTEEN, *Thunder Road*, *supra* note 13.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

the woman is the truth about both of them. The savior is correct when he tells the woman that he is "no hero," at least not the perfect kind she is waiting for—one who shows up on a white horse and rides off to happily ever after. He is also correct when he tells the woman that if she insists on having her past undone and her misspent years replaced, then she will be insisting on two things he cannot do. Yet, the savior's honesty is not hopelessness nor defeatism. In fact, he assures her that she can still "win" if she can just accept what winning is and what it is not.

Along this same line, lawyers need to understand what they can and cannot do for their clients. Similarly, clients need to understand what their lawyers, and the legal system more generally, can and cannot give them. If I have had a crummy marriage for twenty years, at the end of my divorce, those twenty years will still be gone. If I became paralyzed in an act giving rise to a tort claim, at the end of the suit, I will still be paralyzed. If my child got killed in a drive-by shooting, my child will still be dead after they convict the person who shot him. And if my life was a mess before I was charged with a crime, my life will still be a mess after I am acquitted unless I do something to change it. All of those facts are serious impediments to a happily ever after ending, and all of them would be wonderful things to be able to change, but all of those are constants in a lawyer's work, and all of them are constants in a client's life.

If someone expects that any of that will not be the case, they are as unrealistic as the woman in "Thunder Road," and any lawyer who believes he can play savior to such a client, has no more chance of succeeding than did the failed lovers who showed up before the guy in "Thunder Road." That, of course, does not change the fact that lawyers can still help people: lawyers can get people and situations to a present from which a better future can be obtained. To get to that better place, however, both the lawyer and the client have to be ready to forego great lines and romantic fantasies and embrace the realities of life. Lawyers alter the present to facilitate a future, but they cannot undo the past.

We lawyers like to think we sell time, but people come to us to buy hope. People come to lawyers with the most important problems in their lives, problems that are too big to ignore and

impossible for the people to solve themselves,<sup>29</sup> and they ask us for solutions. As lawyers, we need to understand, both for our sakes and for our clients' sakes, that the hope we sell is not an ability to undo the damage of the past, but the ability to get our clients to a present from which they can seek a better future than they currently can anticipate. We do not undo their pasts, and we do not guarantee happily ever after endings, but on a good day we can give them a present from which they can find a future. We cannot always provide happy endings, but we always can try to provide our clients with better endings. The hope we offer people is an honest hope.

Honest hopes often are not easy ones. They may require clients to quiet their ghosts or let go of their dreams. They necessarily will require that clients trust us enough to take that "long walk" that Springsteen mentions in "Thunder Road."<sup>30</sup>

On the album *Born to Run*, after "Thunder Road," the issues only get harder for lawyers as advocates. In "Born to Run," Bruce Springsteen frames the ultimate question to guide the definition of the lawyer-client relationship when he sings, "[L]et me in I wanna be your friend / I want to guard your dreams and visions."<sup>31</sup>

The line starts easily enough for us lawyers: "[L]et me in."<sup>32</sup> Obviously, being taken into our clients' confidences and into their lives suits our purposes and hopefully their purposes also. As we are apt to tell them, the more we know, the more we can help them. Sometimes, however, it can be as hard to convince a client to accept this as it was for Springsteen to sell it to the woman he invited onto the back of his bike.

How often do we bring someone whom we do not know into our office. At the time, all this person knows about us is that we are a member of one of the most distrusted professions in America,<sup>33</sup> and, then, we ask the person for the most private details concerning the most important problem in her life.

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<sup>29</sup> Randy Lee, *The Immutability of Faith and the Necessity of Action*, 66 *FORDHAM L. REV.* 1455, 1458-59 (1998).

<sup>30</sup> SPRINGSTEEN, *Thunder Road*, *supra* note 13.

<sup>31</sup> SPRINGSTEEN, *Born to Run*, *supra* note 16.

<sup>32</sup> *Id.*

<sup>33</sup> Miranda Hitti, *Nurses Top List for Honesty*, CBSNews.com, at <http://www.cbsnews.com/stories/2004/12/08/health/webmd/main659857.shtml> (Dec.



After that, the line grows more challenging: "I [want] to be your friend."<sup>34</sup> What is the relationship that we offer these people who have come to us for hope—for solutions to the most important problems in their lives? Do we really want to be their friends? When the relationship is over, do we hope that they will be able to say of us, "Now you hung with me when all the others turned up their nose . . . Now there ain't nobody nowhere . . . gonna ever understand me the way you did."<sup>35</sup> There are as many voices who would say that a lawyer's relationship to his client is no more personal than that of a hired gun, a guru, or a bureaucrat as there are voices calling us to friendship with our clients.<sup>36</sup>

Finally, it is worth wondering how often a lawyer does "want to guard [the] dreams and visions"<sup>37</sup> of a client. Do we want to guard their dreams and visions, or are we merely willing to guard them for a price? After all, even the Rules of Professional Conduct assure us that we need not be sympathetic to our client's cause<sup>38</sup> or even believe her story.<sup>39</sup>

If one runs all this backwards, the lawyer's response to "[L]et me in I wanna be your friend / I want to guard your dreams and visions,"<sup>40</sup> becomes "I don't like your dreams or visions, I'm not interested in being your friend, but let me in anyway." In that light, Mr. Springsteen's model line for relationships does not come as second nature for lawyers. But maybe it should.

In law school, I used to do pro bono prison work, mostly prison disciplinary hearings and parole rescission and revocation hearings. It was not a context in which one had the opportunity to win many cases. Disciplinary boards, for example, were made up of two guards and a social worker, and more often than not, the social worker would be a less sympathetic audience at the hearing

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8, 2004) (citing 2004 Gallup survey ranking lawyers seventeenth out of twenty professionals for honesty and ethical standards) (last visited Apr. 22, 2005).

<sup>34</sup> SPRINGSTEEN, *Born to Run*, *supra* note 16.

<sup>35</sup> BRUCE SPRINGSTEEN, *Bobby Jean*, *on* BORN IN THE U.S.A. (Columbia Records 1984).

<sup>36</sup> THOMAS L. SHAFFER & ROBERT F. COCHRAN, JR., *LAWYERS, CLIENTS, AND MORAL RESPONSIBILITY* 3-4 (1994).

<sup>37</sup> SPRINGSTEEN, *Born to Run*, *supra* note 16.

<sup>38</sup> MODEL RULES OF PROF'L CONDUCT R. 1.2(b) (2004).

<sup>39</sup> MODEL RULES OF PROF'L CONDUCT R. 3.3(a)-(c) (2004).

<sup>40</sup> SPRINGSTEEN, *Born to Run*, *supra* note 16.

than were the guards. In fact, it was a sufficiently hopeless environment that clients measured the quality of their legal representation not by their outcomes, but by how well their lawyer could wait with them in the hallway for the hearing to begin.

Arthur was one of my prison clients, although I do not remember exactly what kind of case I had with him when we got started. I do remember that when our relationship began, I thought Arthur's primary need for my services stemmed from a prison disciplinary ticket. Arthur, however, thought otherwise. Arthur showed up at our initial meeting with a jailhouse lawyer, and the two of them insisted that if I followed their orders and filed some magic form, Arthur could be out of prison before the sun set that evening. It was clear neither of them had any regard for my thoughts on the matter. Despite his current status in prison, Arthur seemed confident that he had the keys to life pretty well wired. Neither he nor his jailhouse lawyer saw a need after the meeting to thank me either for the time I had invested in the representation or for what I might ultimately invest.

Over time, I succeeded in convincing Arthur that the magic form did not exist. He dismissed the jailhouse lawyer, and somehow, Arthur and I prevailed before the disciplinary board. Even though he was not allowed to have me represent him at a parole hearing, we began working together on his case for parole. We got good at waiting together.

Arthur told me he wanted to change. He told me he would never make it if he went back to his old world, so we set out to put together a new life. He wanted to be busy when he got out, and he wanted to be far from his old life. We figured out a new place for him to live, found him a job, identified an educational program, and reflected about a return to his faith.

The parole board granted Arthur his parole unanimously. Then just before his release date, he got hailed into court. The conviction for which he had just been paroled had actually violated the conditions of a probation he had received for an earlier conviction. A judge revoked the probation, and Arthur was shipped to maximum security. I learned of all this through a phone message Arthur left me. Arthur's last words in his last phone message to me were simply, "Tell Randy, Arthur says, 'Thanks.'"

To borrow the line from "Jungleland," it was the first time as a lawyer I had felt "wounded, not even dead."<sup>41</sup> Maybe, though, that feeling is an inevitable part of being a lawyer, and in the end, maybe that is not so bad. After all, there is no greater lawyer in American legal lore than Atticus Finch,<sup>42</sup> and sometimes I think there in Maycomb, Alabama, Atticus lived out, just as I did, those closing lines about the poets of "Jungleland."<sup>43</sup>

In *To Kill a Mockingbird*,<sup>44</sup> Atticus Finch spends a large part of his life sitting back, letting it all be, oblivious to and, yet, waiting for those moments when he will have to make his honest stands. And those honest stands, more often than not, do leave Atticus wounded, not even dead. Atticus finds himself threatened by a mob,<sup>45</sup> spit on,<sup>46</sup> criticized by friends,<sup>47</sup> and misunderstood by family.<sup>48</sup> When Atticus pours his heart into representing Tom Robinson, an innocent man, in a proceeding that can only send Tom to his death,<sup>49</sup> at the conclusion of the representation Atticus is left to carry the news of Tom's execution to Tom's wife and family.<sup>50</sup> Atticus's children are attacked and nearly killed.<sup>51</sup>

Such fates are not so surprising. When one feels called to make an honest stand in a broken world, one is going to end up

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<sup>41</sup> See *supra* text accompanying note 19.

<sup>42</sup> See, e.g., Robert J. Araujo, *The Lawyer's Duty to Promote the Common Good: The Virtuous Law Student and Teacher*, 40 S. TEX. L. REV. 83, 108 (1999); Michael Asimov, *When Lawyers Were Heroes*, 30 U.S.F.L. REV. 1131, 1135-38 (1996); Marie A. Failing, *Gentleman as Hero: Atticus Finch and the Lonely Path*, 10 J.L. & RELIGION 303, 304-05 (1994); Randy Lee, *Lawyers and the Uncommon Good: Navigating and Transcending the Gray*, 40 S. TEX. L. REV. 207, 209 (1999); Thomas L. Shaffer, *Growing up Good in Maycomb*, 45 ALA. L. REV. 531, 553 (1994).

<sup>43</sup> See *supra* text accompanying note 19.

<sup>44</sup> HARPER LEE, *TO KILL A MOCKINGBIRD* (Harper Collins Publishers, 40th Anniversary ed. 1999).

<sup>45</sup> *Id.* at 172-76.

<sup>46</sup> *Id.* at 248.

<sup>47</sup> See, e.g., *id.* at 117 (criticism by Mrs. Dubose of Atticus "lawing for niggers").

<sup>48</sup> See, e.g., *id.* at 270 (Atticus's sister Alexandra saying, "I can't say I approve of everything he does").

<sup>49</sup> *Id.* at 230-35 (Atticus's closing argument for Tom Robinson).

<sup>50</sup> *Id.* at 269, 274-75.

<sup>51</sup> *Id.* at 301-04.

wounded. But in the end, what one learns from the life of Atticus Finch is that our clients need to see that our hopes and dreams, our aspirations, are wrapped up in them. Atticus has no more success representing Tom Robinson than I had representing Arthur, but through that representation, he gives dignity to the down-trodden, hope to the decent, and light to a darkened world.<sup>52</sup>

In the end, the most important thing I did for Arthur and the most important thing Atticus did for the innocent Tom Robinson was to be wounded for them. In a fallen world, people do not need cheap friends or cheap love. They need love that comes at a price. As poet and songwriter Rich Mullins said, if you love "real good, you're gonna get beat up real bad,"<sup>53</sup> and if you confront the violence of this world, you're going to get wounded. But in that woundedness, that brokenness, is the power to heal.

In *The Angel That Troubled the Waters*,<sup>54</sup> Thornton Wilder wrote of a doctor who visits a pool everyday to be healed of his gloom, melancholy and sadness. Finally one day the angel shows up to stir the waters, and the doctor tries to step down into the pool to be healed. The angel, however, bars the doctor's way. The doctor pleads with the angel to "listen to my prayer," but the angel insists that "Healing is not for you."<sup>55</sup> Finally the doctor asks the angel whether he must "bear the flaw in [his] heart . . . all [his] days,"<sup>56</sup> to which the angel responds,

[W]ithout your wounds, where would your power be? It is your very remorse that makes your low voice tremble into the hearts of men. The very angels themselves cannot persuade the wretched and blundering children on earth as can one human

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<sup>52</sup> *Id.* at 244-47 (grateful responses of Tom's family and friends and of Miss Maudie to Atticus's representation of Tom).

<sup>53</sup> Videotape: Rich Mullins Live (The Legacy of A Kid Brothers of St. Frank 2000).

<sup>54</sup> THORNTON WILDER, *The Angel That Troubled the Waters*, in *THE ANGEL THAT TROUBLED THE WATERS AND OTHER PLAYS* 145 (1928). For a retelling of this story, see Videotape: Homeless Man: The Restless Heart of Rich Mullins (Word Entertainment 1998) (Brendan Manning speaking).

<sup>55</sup> WILDER, *supra* note 54, at 148.

<sup>56</sup> *Id.*

being broken on the wheels of living. In Love's service, only the wounded soldiers can serve.<sup>57</sup>

And when we get wounded, I think it is our clients who heal us. The savior in "Thunder Road" needed the woman he had come to rescue as much as she needed him. Could it be through our woundedness, through our suffering with our clients, that we heal them, and could it be that ultimately it is they who also heal us?

Certainly Dr. Coles suggested as much in his interview for this symposium. There, he recounted a visit he had made to the home of doctor and poet William Carlos Williams:

I was a third year medical student. I was feeling overwhelmed by the sheer volume of facts I had to absorb, not to mention the growing realization of the responsibility a doctor's life demands. [He] listened to my worries and complaints, brushed them aside, and then impatiently said, "Look, the rewards are great. All the time there is the satisfaction of doing something half worthwhile and being helped to feel better about yourself by the appreciative affection of those you've treated. *They treat you!*" He was, himself, quite sick when he spoke those words, hence the poignancy of the next statement he made. He said, "I miss my patients. I need them now. They'd make me feel a hell of a lot better, I know, if I could see them."<sup>58</sup>

The finest photographer of Bruce Springsteen is Frank Stefanko. Critics have called Mr. Stefanko's work "extraordinary,"<sup>59</sup> and Mr. Springsteen, himself, has said that Mr. Stefanko is not simply "a great photographer,"<sup>60</sup> but a

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<sup>57</sup> *Id.* at 149. For a discussion of lawyers being better able to serve others though their own woundedness, see generally Garrett Epps, "Meanness in This World", 14 WIDENER L.J. 847 (2005).

<sup>58</sup> Dr. Robert Coles, *Bruce Springsteen and Staying on the Jersey Side: An Interview With Robert Coles on Human Connection and the Law*, 14 WIDENER L.J. 953, 973-74 (2005) (quoting ROBERT COLES, *William Carlos Williams: A Doctor's Faith, a Poet's Faith*, in HARVARD DIARY 156, 157 (1989)).

<sup>59</sup> FRANK STEFANKO, DAYS OF HOPE AND DREAMS: AN INTIMATE PORTRAIT OF BRUCE SPRINGSTEEN 6 (2003) (quoting Chris Murray, Director of the Govinda Gallery in Washington, D.C.).

<sup>60</sup> BORDOWITZ, *supra* note 8, at 64.

photographer capable of shooting one's "internal life."<sup>61</sup> Mr. Stefanko's photographs serve as the covers of both *Darkness on the Edge of Town* and *The River*,<sup>62</sup> and Mr. Springsteen and Mr. Stefanko have been both artistic collaborators and friends for almost three decades.<sup>63</sup> Yet, were Mr. Springsteen not so much the lawyer's poet, were he not so willing to resist the world's trappings and remain true to his pursuit of truth wherever that journey may lead, Mr. Springsteen's relationship with Mr. Stefanko might never have borne fruit.

Patti Smith introduced Bruce Springsteen to the work of photographer Frank Stefanko after Mr. Springsteen had completed *Born to Run*.<sup>64</sup> Mr. Springsteen was so struck by the images Mr. Stefanko had taken of Ms. Smith that he asked Ms. Smith to set him up with Mr. Stefanko for a photo shoot.

Mr. Springsteen subsequently showed up at Mr. Stefanko's house in a working class neighborhood in Haddonfield, New Jersey. As Mr. Springsteen tells the story, Mr. Stefanko had to go to a neighbor's house to borrow a camera and came back with a kid to hold a light.<sup>65</sup> It turned out that Mr. Stefanko was not a full-time photographer. In his regular life, he worked in a New Jersey meat packing plant.

As Mr. Stefanko began planning out the shoot, word was spreading through the neighborhood that the '60 Corvette parked outside the Stefanko home belonged to Bruce Springsteen. The inevitable followed: a wave of people engulfed the Stefanko home in an effort to see the Boss.

Trying to restore some order, Mr. Stefanko sent Mr. Springsteen off with a friend. Although he had questions about Mr.

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<sup>61</sup> STEFANKO, *supra* note 59, at 10.

<sup>62</sup> *Id.* at 39, 82.

<sup>63</sup> BORDOWITZ, *supra* note 8, at 64.

<sup>64</sup> BRUCE SPRINGSTEEN, *BORN TO RUN* (Columbia Records 1975). Both Bruce Springsteen and Frank Stefanko discuss this photo shoot in STEFANKO, *supra* note 59, at 10, 21-27.

<sup>65</sup> *Id.* at 10. Mr. Stefanko, for his part, explains that he borrowed the camera not because he didn't own a camera, but because he wanted to make sure he had the perfect camera for these particular photographs. *Id.* at 22. That attention to detail is typical of Mr. Stefanko. In addition to the borrowed 35 millimeter Nikon, Mr. Stefanko was using his own Mamiya RB67 and his own two-and-a-quarter twin lens reflex. *Id.*

Stefanko's first effort at the shoot, Mr. Springsteen returned to the Stefanko home at the appointed time for another try. As Mr. Springsteen explained, he wanted pictures like those that Mr. Stefanko had taken for Patti Smith. Mr. Springsteen wanted pictures that "strip[ped] away any celebrity refuse [he] may have picked up" and "latched on to the very conflicts and ideas [Springsteen] was struggling to come to terms with," even at the cost of displaying his imperfections.<sup>66</sup> Ultimately, there was only one place where those pictures could be had: in that working-class home of the meat packer from Haddonfield. From that shoot came the cover for *Darkness on the Edge of Town*.<sup>67</sup>

Mr. Springsteen returned that day to Mr. Stefanko's home because he understood that he had not come to Frank Stefanko in response to a reputation or an image, or for the equipment or the setting. He had come there for the art. He had come there because he believed that Frank Stefanko had a way of capturing, with a camera, what mattered in a life. Mr. Stefanko's art was bigger than Mr. Stefanko's trappings.

As much as he could understand that in Mr. Stefanko's art, Bruce Springsteen has always understood it about his own art as well. For Mr. Springsteen, it has always been about the music and the lives of the people Mr. Springsteen sings about.<sup>68</sup> It has never been about Bruce Springsteen, and he has struggled throughout his career to avoid it being about him.

In fact, during his interview for this program, Dr. Robert Coles told the story about driving into New York City with Mr. Springsteen through one of the tunnels. One of the lanes of the tunnel was closed and traffic was slowed to a crawl. An officer at the tunnel, however, recognized Mr. Springsteen and invited him to go ahead and use the closed lane. Mr. Springsteen smiled but shook his head "no" and stayed where he was. He then offhandedly commented to Dr. Coles, "When that kind of thing happens to you, it can be dangerous."<sup>69</sup>

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<sup>66</sup> *Id.* at 10.

<sup>67</sup> Bruce Springsteen, Albums: *Darkness on the Edge of Town*, at <http://bruce.springsteen.net/albums/darkness.html> (last visited Apr. 22, 2005).

<sup>68</sup> STEFANKO, *supra* note 59, at 133.

<sup>69</sup> Coles, *supra* note 58, at 969.

Mr. Springsteen, of course, was not referring simply to driving in the open lane. He was referring to getting lost in the "blandishments of power and money."<sup>70</sup> He was referring to getting lost in other people's mistaken understandings of who one is and what matters and what does not.

The world has richly rewarded the art of Bruce Springsteen, but the world's rewards have not altered that art. The work ethic, the commitment to a job well done, the honesty, and the vulnerability are the same for him today as they were when he was doing clubs on the Jersey Shore,<sup>71</sup> living out the disenfranchised life he sang about in "Rosalita."<sup>72</sup> And if the world had never rewarded him so grandly, he would still be singing the same songs he does now, gently mocking a world that would let the presence or absence of a record company's big bucks determine to whom it would entrust its daughters.<sup>73</sup>

That commitment to his craft, that ambivalence to the trappings of success, and that willingness to stand in the shadows of his own work are what make someone like Frank Stefanko or Bruce Springsteen an artist rather than a celebrity. With a celebrity, the work is simply a vehicle for the personality. With art, however, the artist is merely a channel through which the art flows.

Lawyers and artists share this connection with their work. Both must accept that their lives' stories are not about them. The Preamble to the Model Rules of Professional Conduct instructs that in formulating the rules to regulate their profession, lawyers must never consider their own interests,<sup>74</sup> and the Rules themselves instruct that a lawyer's own interests must never interfere with a lawyer's work for his client.<sup>75</sup> Certainly there are celebrity lawyers just as there are celebrity singers, but that to which our profession aspires is the lawyer who understands that success is not measured

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<sup>70</sup> *Id.* at 967.

<sup>71</sup> STEFANKO, *supra* note 59, at 133.

<sup>72</sup> BRUCE SPRINGSTEEN, *Rosalita, on THE WILD, THE INNOCENT AND THE E STREET SHUFFLE* (Columbia Records 1973).

<sup>73</sup> *Id.*

<sup>74</sup> MODEL RULES OF PROF'L CONDUCT Pmb1. [12] (2004).

<sup>75</sup> *See, e.g.*, MODEL RULES OF PROF'L CONDUCT R. 1.7 (2004). *But see* MODEL RULES OF PROF'L CONDUCT R. 1.6(b) (2004) (allowing for permissible disclosures of confidential information to protect lawyer interests).



in one's personal wealth or prestige. Success is measured in the good done in the lives that one has touched. As a student recently reminded me, our clients' problems can never be seen simply as vehicles for our own glory or personal enrichment.

All of which is pleasant enough to talk about, though harder to live. Still, I recently met a lawyer named Paul Freese,<sup>76</sup> who has practiced for more than a decade in the toughest section of Los Angeles, representing the poorest people in America's most glittering town. He is good at what he does, but he could do better, as the saying goes, if he worked with different clients in a different part of town. His wins are never as big or complete as he would like them, and his losses always hurt him more than they should.

People often ask Paul to come to talk to them about his job, and when he does, tears will inevitably well up in his eyes as he talks about the sharp edges of human existence that he faces everyday. When he comes home afterwards, his wife always asks him whether he started bawling and embarrassed himself again this time, and he will admit that, as usual, he did. And that, of course, makes her all the more proud of the lawyer he is; for it is no sign of weakness to weep over the suffering of others, no shame to be touched by an encounter with truth, and no disgrace to fall in a fight against injustice.

I think in the end that is part of the message Bruce Springsteen's voices are saying to the young woman on her front porch in "Thunder Road," the companion on the motorcycle in "Born to Run," and the poets of "Jungleland." For thirty years I saw Mr. Springsteen's observation of the fate of those poets, that they would wind up "wounded, not even dead,"<sup>77</sup> as a warning. When I first heard "wounded, not even dead," I thought it was the mirror image of Melville's destroyed and yet unconquered from *Moby Dick*<sup>78</sup>—the tragic fate of having been conquered and, yet, not even destroyed. Now, however, after more than twenty years in law, I have come to see it as an invitation: an invitation to heal and

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<sup>76</sup> Mr. Freese is the Director of Litigation & Advocacy for Public Counsel, the public interest law office of the Los Angeles County and Beverly Hills Bar Associations.

<sup>77</sup> See *supra* text accompanying note 19.

<sup>78</sup> HERMAN MELVILLE, *MOBY DICK* 519 (Bantam Classic ed. 1967).

be healed, to encounter truth and be overwhelmed by it<sup>79</sup>; to grasp after righteousness and frequently come up empty-handed.<sup>80</sup> I have come to see that observation as an invitation to love and to be loved because as Mother Teresa observed, the meaning of true love is "to give until it hurts."<sup>81</sup>

I think over these same years, Springsteen has probably come to see it the same way. He is after all, like a lawyer, an artist, albeit one of a different genre, and all artists share the same world and within that world, the same truth.

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<sup>79</sup> *Exodus* 19:21 (those who looked upon the face of God would die).

<sup>80</sup> *Matthew* 5:6 ("Blessed are they who hunger and thirst after righteousness: for they shall be filled.").

<sup>81</sup> MOTHER TERESA, *THE JOY IN LOVING* 112 (1997).