The Lawyer as Modern Medicine Man

Rennard J Strickland, University of Oklahoma College of Law

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Essay

The Lawyer As Modern Medicine Man

Rennard Strickland*

The title, “The Lawyer As Modern Medicine Man,” comes from the opening chapter of a controversial book written almost fifty years ago. That book, *Woe Unto You, Lawyers!*, by the distinguished Yale law professor Fred Rodell, has a surprisingly contemporary ring. Rodell’s indictment of the legal profession began thusly:

In tribal times, there were the medicine-men. In the Middle Ages, there were the priests. Today there are the lawyers. For every age, a group of bright boys [the correct gender identification of most lawyers when Rodell was writing in 1939], learned in their trade and jealous of their learning, who blend technical competence with plain and fancy hocus-pocus to make themselves masters of their fellow men. For every age, a pseudo-intellectual autocracy, guarding the tricks of its trade from the uninitiated, and running, after its own pattern, the civilization of its day.

It is the lawyers who run our civilization for us—our governments, our business, our private lives. Most legislators are lawyers; they make our laws. Most presidents, governors, commissioners, along with their advisers and brain-trusters are lawyers; they administer our laws. All the judges are lawyers; they interpret and enforce our laws. There is no separation of powers where the lawyers are concerned. There is only a concentration of all government power—in the lawyers. As the school boy put it, ours is "a government of lawyers, not of men.”

Today, it might be hard to get anyone to argue with Rodell. Lawyers are once again the focus of public scrutiny. We Americans have a particularly long and historic sense of the role of law and lawyers in our civilization. At best, the relationship is an ambiguous one. It has often

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* Dean and Professor of Law, Southern Illinois University; B.A., Northeastern University (1962); J.D., University of Virginia (1965); M.A., University of Arkansas (1966); S.J.D., University of Virginia (1970). This essay was adapted from the Waterfield Lectures in Law and Political Science of Murray State University of Kentucky delivered by Dean Strickland in April of 1986.

1. F. RODELL, WOE UNTO YOU, LAWYERS! 3 (1939).

been hostile. Some colonial statutes, for example, prohibited the practice of law; they simply outlawed attorneys. But always, regardless of the current attitude toward lawyers, there has been a sense that this is a "nation of laws," whatever that means. Law and lawyers have always been at the center of American civilization.

An early reflection of this historical hostility is found in the monumentally influential *McGuffey's Eclectic Readers* in the Old "Third Reader." In the piece, Mr. Barlow, a colonist, invented a play for his children in which "people of different trades and professions" offer themselves to go with him to found a new world colony. The lawyer's plea is rejected.

"I am a lawyer, sir," the attorney explains in his request.

"Sir . . . [w]hen we are rich enough to go to law, we will let you know," the colonist replies as he turns away the lawyer. Rarely are McGuffey's lawyers favorably portrayed; generally they are shown as "being more self-serving" with "their motives . . . nearly always suspect."4

I came to Southern Illinois last summer, and, as I have driven about my new region, I have been reminded of the centrality of law in America's pioneer life. I have visited courthouses in the older Kentucky, Tennessee, Illinois, and Indiana communities. Almost without exception the courthouse is in the absolute center of things, at least geographically. It sits in the center of the square. My grandfather became a lawyer, he always contended, because as a little boy, when his family came from the farm into the tiny Carolina county seat, he could run to the courthouse in the middle of the town and visit with the courthouse lawyers. As he recalled, in the summer they would be sitting on the lawn eating watermelon, and in the winter they would be inside standing before red hot, pot-bellied stoves making great speeches. That was what he decided he wanted to do with his life—eat watermelon and make great speeches.

This was not just the isolated view of an impressionable farm boy. The majesty of the law was the most frequent theme of nineteenth-century Fourth of July picnic orations and lawyers were most generally the orators. We sometimes forget that that great patriotic hymn to our national chauvinism, "America the Beautiful" includes the line: "Confirm thy soul in self-control, Thy liberty in law." Americans have always seen a strong connection between liberty and law. We will soon celebrate the bicentennial of the United States Constitution—a long record of liberty under written law. Perhaps we have exaggerated the importance of the

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written law, but there is no question that it is the cornerstone of our perceived guarantees of individual liberty.

In an earlier age, law provided much of the public diversion—indeed, entertainment. It was the true-life *Dallas* and *Dynasty* of the western settlements. Trials and hangings and the arguments of the lawyers on court day drew immense crowds. The jury was often spoken of as “the law school of the masses,” and one Ozark pioneer recalled, “[f]rom the time I became twenty-one year old, I don’t suppose I missed a year of some court a-bein’ on the jury, till they thought I got too old to know right from wrong.”

As if they couldn’t get enough of it, groups of neighbors gathered at schoolhouse pie suppers and Arbor Day picnics to hold humorous “Kangaroo Courts” at which locals played judge and lawyer, trying their friends on such trumped up charges as “stealing watermelons” or “keeping company with a girl too long without askin’ her to marry.” Out in Rock Creek, Nebraska, the Literary Society met on the night of January 27, 1882, to debate the question, “Resolved That Lawyers Are a Public Nuisance.” I am proud to report that by a two to one decision the judges found for the negative, a decision I am not so sure would be shared today by the American public.

One is tempted to say that the stock of lawyers—the public confidence in the legal profession—has never been lower than it is at this very moment. A survey taken a number of years ago showed that, in a ranking of occupational groups, lawyers ranked number seventeen in public confidence. Lawyers were just below used car salesmen and just above itinerant preachers. The vocabulary used to describe lawyers indicates something of the problem. I recently heard the term, “a plague of lawyers.”

We will soon have more than 1 million lawyers. My state of Illinois is fast approaching 50,000 licensed attorneys. Someone recently suggested that law schools would not be happy as long as any single American family had to share a lawyer. I heard a tongue-in-cheek report

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6. Id. at 38-41.
8. See generally J. Auerbach, Justice Without Law (1983) (an articulate and scholarly presentation of the alternatives to the present lawyer dominated judicial system); J. Bonsignore, E. Katsh, P. d’Errico, R. Pipkin, & S. Arons, Before the Law (1974) (an attempt at a balanced view); N. Shapiro, Whatever It Is, I’m Against It 146-48 (1984) (Mr. Shapiro has gathered a number of the more hostile statements about law and lawyers. The author’s evaluation is found in R. Strickland, How To Get Into Law School 7-17 (1974)).
which established that at the present rate of professional expansion, by the year 2086 every man, woman, and child over the age of three in America would have a law degree.10

Many take pleasure in these recent attacks on lawyers. Some think the current controversy is nothing but a cat fight between doctors and lawyers with which the rest of us need not be concerned. To another group we are witnessing a power struggle between profit-gouging insurance carriers and greedy lawyers produced either by bad insurance company investment policies or attorney avarice. I recently heard this slogan: “A lawyer in every garage, and a doctor in every pot.” You know the old definition of the lawyer as a would-be-doctor who was afraid of the sight of money. And, believe it or not, back in 1937 the average doctor and the average lawyer made the same average income. Not so anymore, lawyers have fallen behind. Some wag has suggested that medical malpractice may be the lawyers’ way of getting back at the doctors for having passed lawyers by on the fast buck income track. If it were only so simple. If we could only assign the white hat and the black hat to one side or the other and get back to business as usual. But this controversy goes much deeper.11

Oliver Wendell Holmes, Jr. wrote that “law [is] a magic mirror [in which] we see reflected, not only our own lives, but the lives of all men that have been!” Holmes’ mirror is a good analogy. Law is not only central to our society, it is the point at which society is ultimately forced to look at itself, to see deeply into the inner workings. When things are not working well, when society is out of joint, we see it most clearly in the law. Today the mirror reflects to us the image, not of the young and beautiful Snow White we see in our mind’s eye, but a grotesque and aging figure. The first reaction is rage. “The first thing we do, let’s kill all the lawyers.” You remember the Shakespearean quote. It is a natural response. The breakdown of society is all too clearly reflected in the breakdown of law. It is the lawyer who holds himself forth as the representative of the legal system. We are Rodell’s legal priesthood. I tell my colleagues, ours would not be the first society to turn upon their priests, to put to death the medicine man, to kill the messenger.

It is a cliché of our age that we live in a time of great change, and,

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12. Address by Oliver Wendell Holmes, Jr., Suffolk Bar Association Dinner (Feb. 5, 1885) (reprinted in M. LERNER, THE MIND AND FAITH OF JUSTICE HOLMES 29-31 (1934)).
13. SHAKESPEARE, II Henry VI, iv, c. 1591.
like most clichés, it is a cliché because it is true—stunningly, irrefutably, absolutely true. Ours is an age of change—dramatic, dynamic, and fundamental change. One of the ancient Chinese curses was "may you live in a time of change." We are so cursed. Virginia's distinguished legal historian and my good and dear teacher, Cal Woodard, has observed:

[The most cataclysmic phases in the saga of any society, the so-called "water shed" periods, are those in which fundamental standards are supplanted by new ones . . . . In the last hundred years or so, western societies have gone through, and indeed are still going through, such a cataclysmic phase. We have been in the process of sloughing off an old, and adjusting to a new, set of standards.]

We no longer live in the quiet and gentle world of Doctor Gillespie and Judge Hardy. And yet we still think of lawyers as ole Abe Lincoln, the quintessential American barrister; our image of the doctor is the house-calling, buggy-driving elder in a Norman Rockwell Saturday Evening Post cover. But the real world is too much with us. Ours is an age of super technology, of cataclysmic change. It is the world of Megatrends and civilization described so apocalyptically in the prophetic study, The Coming Dark Age. The tragic explosion of the space shuttle, Challenger, was a fiery signal that societal salvation through science and technology is neither possible nor desirable. After all, as Colin Norman has reminded us in The God That Limps:

[The Greek god of fire and metalworking, had a pronounced limp. Entrusted with the development and maintenance of many key technologies, Hephaestus was responsible for keeping society running smoothly and perfectly. Yet he was, ironically, the only imperfect member of the pantheon of classical gods. This ancient irony is compounded by current attitudes toward [his] crafts. Technology is the focus of much public homage, for it is often seen as the chief hope for solving the myriad problems facing society . . . . Yet, at the same time, many of the ills of the modern world . . . are . . . blamed on technological developments. As in Hephaestus himself, the power and versatility of technology are often marred by crippling defects.]

As a society historically committed to the wisdom of a slow evolution of governing institutions, we find ourselves dealing through the institutions of the horse and buggy age while facing the problems of the era of explosive rocketry. When an apple fails to cure, the patient either dies or slowly recovers under her own power; when thalidomide fails, we pro-

duce a generation of tragically deformed children. If it were only so simple, so simple as to declare whose hat is white and whose hat is black.

In America we have historically viewed most problems as having a legal dimension. Indeed, we have turned to the courts to ease the pains of change and, upon occasion, as in the integration of public schools, to force change itself. That keenest of all European observers of America, Alexis de Tocqueville, noted in Democracy in America that rarely is there a question in the United States which does not sooner or later turn into a judicial one. With particular reference to the dominance of law, de Tocqueville concluded: “The French lawyer is simply a man extensively acquainted with the statutes of his country; but the English or an American lawyer resembles the hierophants of Egypt, for like them he is the sole interpreter of an occult science.” Thus he suggests: “If I were asked where I place the American aristocracy, I should reply without hesitation that it is not among the rich . . . but that it occupies the judicial bench and the bar.” De Tocqueville might have added that it is to the bench and bar that we ultimately turn for solutions to problems which other institutions will not or cannot resolve. Americans expect lawyers to be medicine men, workers of magic, reconcilers of the irreconcilable.

When I am working at the honest job of professing, my fields are legal history and American Indian law. It may be for this reason that I was so taken by Fred Rodell’s description of the lawyer as the modern medicine man. Among my father’s people, the Cherokee, the principle legal figure was both priest and judge. The Cherokee law was centered in the priestly complex of the native tribal religion. The recitation of the law was a high religious ceremony. Dressed in elaborate robes and wearing the wings of a raven in his hair, the ancient Cherokee lawgiver must have been an impressive and important figure. When the orator spoke the law, he read the meaning of history and tradition from the sacred and ancient wampum belts of beads of varying shades strung together to symbolize events and customs. Even today the Kee-Too-Wah Cherokees continue to read from many of the same belts used around the time of the coming of the white man.

Nonetheless, the coming of the white man changed all this by the introduction of technological wonders including the gun and gun powder. The expansion of trade with the Carolinas shifted the tribal eco-

20. Id. at 278.
nomadic base. A new class of individuals was created which was beyond the traditional tribal roles. Ancient life—economic, political, social, even legal—had centered in the religious cult. Therefore, shifts in tribal values were directly reflected in the religious-legal complex. After the coming of the white man, the emerging values of Cherokee society were secular and technological.

The priestly class could have fought a mighty battle with the agents of commercialism for continued control except for one fact. The priests were the first to worship at the altar of Mammon. As the most influential class and the only obvious leadership group, the medicine men were looked to by the colonial governors. The rewards of secular diplomacy were great; unfortunately for the priests, the new role identified their religious-legal function with a secular task which, in the nature of things, could not be profitable to the Indian people.

Ironically, a significant factor in the ultimate decline of the governing and lawmaking role of the priests stemmed from the priests’ failure as public healers. For, you see, they were not only the lawyers, but they were the doctors of the society as well—true medicine men. Ancient tribal medicine formulas could not cope with that chronic scourge of tribal people—the dreaded smallpox. Many of the priests blamed violation of the ancient laws for the major smallpox epidemics. The people in desperation turned to their traditional religious leaders who were also their medical doctors. Their cures proved ineffective. In fact, the priests ordered the fevered patients immersed in cold water, a treatment which hastened death.

The priests, in turn, lost faith in themselves. With the failure of the priestly leaders in a time of crisis, the significance of the native ceremonial complex began to decrease. Widespread suicide among the priests served to speed the end. So swift was their decline that some students of Cherokee history deny they ever existed.

The experience of the Cherokees and their raven-winged medicine men who were doctors and lawyers and priests has particular relevance for us in our age—an age which is said to have lost its faith, an age in which lawyers have been described as secular priests. This contrasts sharply with our historic origins. The English common law is a system with roots which run back to an age of deep and abiding beliefs. A society’s belief system is central to a society’s law. This is suggested in the opening line of Plato’s dialogue Laws. Plato’s Athenian asks: “Tell me, Strangers, is a God or some man supposed to be the author of your laws?”22

The significance of the answer to that question—are your laws written by men or gods—requires no illustration; but, of course, I will illustrate. Any lawyer who works in the criminal justice system will tell you that perjury rushes rampant through the courts, that oaths are taken lightly, and that bold-faced lies are as common as most of them are improbable. And yet, at common law one of the earliest forms of criminal justice was determination of guilt by oath, a system which required the total absence of perjury.23

In the Middle Ages a man accused of murder might be put "on oath" and asked if he had killed the victim. The system worked; and the system worked because the worst that could happen to the accused, if he honestly admitted his guilt, was that he would be killed, executed, die for the crime. What would happen if he lied under oath? Well, he would be damned for all eternity. He would be pushing that big rock up and down the hill forever. Such a system can work only as long as there is a consensus of shared values—a belief in an avenging god with the powers of supernatural punishment. Not so today. The absence of such values is one of the reasons the criminal justice system does not work.

Indeed, the absence of any consensus of shared values ranks high on the list of problems which are eating away at the fabric of the legal system. We are all familiar with the criminal statistics which clearly establish that the system of deterrence does not deter. We are beginning to know almost as well the litany of statistics that demonstrate the failure of the civil side of justice. For example, the Rand Study of tort litigation in the United States with special focus on Cook County, Illinois shows:

   (1) from 1959 to 1984 the cost of the tort system (our system of civil injury compensation) has grown three times faster than the gross national product;

   (2) the tort system in 1984 cost $68 billion compared to $100 billion for public welfare, $162 billion for education, and $224 billion for defense;

   (3) in the so-called "Deep Pocket" causes of action (those brought against solvent defendants) in Cook County, the average jury verdict since 1959 has increased by 160% to 550%;

   (4) in medical malpractice in Cook County since 1959, the awards have gone up 550%;

   (5) the equity of the system is seriously suspect when jury damage awards in accident cases vary directly in proportion to the solvency of the defendants. Over a twenty-year period in similar cases, serious acci-

dent cases, the judgments vary by defendant. For example, for the same injury:

(a) Corporations paid $161,000;
(b) Government paid $98,000;
(c) Individuals paid only $37,000.24

These are disturbing, even shocking, statistics. They conjure up once again pictures of that old frontier debate, "Resolved That Lawyers Are a Public Nuisance," and of Bleak House, of Jarndyce v. Jarndyce, of Kafka's Trial, and of Little Alice witnessing a jury conducted by the Queen of Hearts.25 Why even on TV's Cagney and Lacey, a young lawyer recently tried to pass himself off to Chris as a dental technician so that she would not know what he did for a living. The papers are full of indignant editorials against lawyers. Legislatures are furiously drafting bills, some almost as draconian as their colonial predecessors. The lawyer, the medicine man, is under siege.

Let me read a resolution pleading "to take some measure to prevent the growing power of attorneys . . . that there may be such laws compiled as may crush or at least put a proper check or restraint on . . . lawyers."26 As a legal educator, I must, of course, be concerned with the impact this has upon future members of the law profession. A Harvard senior considering taking up the study of law verbalized his doubts about becoming an attorney at

a time when the profession of the law labors under the heavy weight of popular indignation, when it is upbraided as the original cause of all the evils with which the Commonwealth is distressed, when the legislature has been publicly exhorted by a popular writer to abolish it entirely, and when the mere title of lawyer is sufficient to deprive a man of the public confidence.27

A European textile manufacturer forced to deal with American lawyers put the issue simply: "Is it the multiplicity of law-suits that has engendered the lawyers? Or do not the lawyers rather give birth to the excess of law-suits?"28

These are not new concerns. As you may have guessed, the resolution was passed at a town meeting in Braintree in 1786, exactly two hundred years ago; the Harvard senior was John Quincy Adams as he

27. Id. at 9.
28. Id. at 33.
prepared to enter the study of law in 1787; and the merchant asked his question in 1794.

By the quotation of these historic complaints I do not want to suggest that our current crisis is not catastrophic or that law and lawyers are not a part of the problem just as they are likely to be a part of the solution. I am only suggesting that the tendency to blame the mirror for our wrinkles is not a new one. Law has always been a point at which the breakdowns are most apparent.

This time the charge is more serious, and it is more serious for a number of reasons. We are facing fundamental institutional change. As Will and Auriel Durant observed, in speaking of changes in law, codes differ as they adjust themselves to historical and environmental conditions. Of change in our present age, the Durants conclude: "The progress of science raised the authority of the test tube over the [cross]."29 Thus, we face a legal system whose primary validator is man himself, man's scientific and technological achievements, not man's ideals. Tragically, scientific achievements assert no moral, legal, or ethical ideals or standards of value.

We see the absence of a clear consensus of shared values in every aspect of the legal system. Our national values are uncertain. We are divided. As a people, we Americans do not know who we are and clearly do not know where we want to go. For example, the crisis surrounding the question of abortion as seen in the case of Roe v. Wade30 is often cast as a question of science—the viability of a trimester fetus. And yet, regardless of our own value structure, surely we must regard this as a question of personal rights or bio-ethics, if not of spiritual ideals and values.

In family legal issues we see old rules and new standards trying to be worked out in a significantly changed world, a world in which there has been an "end of community." Almost half the children in America are being raised in single parent families. Historically, close relatives, multigenerational households and extended families exerted tremendous social (if not legal) control. They are gone. At the beginning of World War II, ninety percent of the people in America lived in the county in which they had been born; today, less than ten percent live in their home county and we move, on the average, every three and a half years. A legal system which depended upon social control based in the sense of community and of family will not function in the same way in 1986 that it did in 1936 or 1786.31

In the midst of all of this social, economic, and technological change, the American people have come to believe that there must be a legal or a regulatory solution to all problems. We are the most litigious society in the history of the world. We are suing over little league, and we are regulating the height of ladies' platform shoes. We are a society which does not understand, or perhaps does not even want to understand, what is happening. We look for someone else to pay for what is happening. And that someone is going to pay only after a long and costly lawsuit. Often simple acts of nature, unpreventable though tragic accidents, are the basis for protracted and divisive legal disputation.

All of this must be seen in the context of higher and higher, greater and greater risks. Our new medical and scientific achievements contain monumental mass disaster. Consider the industrial poisonous gas escape in India; the toxic waste tragedy in Missouri; the danger of asbestos in our elementary schools and our houses of worship; the sad cases of thalidomide babies; and the childless mothers made sterile by the Dalkon Shield.

The law to which we look for a solution to these problems is the old white hat/black hat law. But if law is to function in this age of catastrophic change and mass disasters, we must stop thinking of law as a great morality play, as the courtroom entertainment for a hot summer afternoon, as a shoot-out between two hired-gun lawyers, as the frontier's legalized battle. Law must become a cooperative venture which seeks to arrive at a reasonable and a fair way to distribute unreasonable and unfair risks. We must not forget that sometimes litigation will be inevitable; our historic experience confirms this. Other solutions will also be required if we are to be prepared to regularize treatment of catastrophes we would rather not face. Our refusal to face the dangers of modern technology and the costs of experimental undertakings is as much at the root of our current legal crisis as careless doctors, greedy lawyers, and profit-driven insurance carriers. We cannot pretend these dangers do not exist; nor can we handle them on an ad hoc basis once they are upon us.

There is a scene in one of my favorite John Wayne movies, The Man Who Shot Liberty Valance, in which Jimmy Stewart as Ransom Stoddard, a frontier lawyer, argues with John Wayne as Tom Donathen, gunman. In an earlier scene Lee Marvin as Liberty Valance has brutally beaten Stewart and then laughingly torn the pages from his law books.

Stewart says to Wayne: "I don't want a gun. I don't want to kill him. I want to put him in jail . . . ."

Wayne replies: "Oh, [Pilgrim] I know those law books mean a lot to you, but not out here. Out here a man settles his own problems . . . ."
Stewart collapses from the beating, and Wayne says sarcastically: “Better listen to him . . . . He’s a lawyer.”

Society changes. As director John Ford tells us with The Man Who Shot Liberty Valance, a society changes. Ours has changed and changed mightily over the last decades. We have come past the time when John Wayne can do it in the street with his gun strapped to his hip, and we have come past the time when Jimmy Stewart can do it in a courtroom battle with only his statute books at his side.

At this stage, we interrupt for a commercial. I want to talk with you about what we in legal education are trying to do about this crisis. At the entrance to the law school at Southern Illinois University (this is my plug), there is a quotation chiseled in marble. It proclaims: “Law Is a Human Experience.” At Southern Illinois we have taken as our challenge the task of making the law responsive to these new experiences and the changing human condition. Among the programs we are undertaking is the development of alternative dispute resolution so that we do not litigate everything; we are developing joint programs in law and medicine in cooperation with the S.I.U. medical school. We are actively working through the legislature and the organized bar to review the tort system to make it more equitable; we are concentrating curricular development in areas such as legal assistance for the elderly (with a special free elder law clinic), family and children law, the control and regulation of environment and technology, and the special problems of mass communications.

We are not the only law school involved in such efforts. Most law schools are responsibly addressing the ways in which law can deal with change. After all, our society has chosen the law as the institution for dealing with these problems. We have two hundred years of historic experience with the adaptation of law as an instrument of change. It is at the law school that we have the dual privilege and obligation to prepare the next generation of lawyers and to seriously study in as objective and scholarly manner as possible the ways to reform law to make it more responsive to the changing needs of society.

The next few years will see major proposals for reform in the way law deals with the tragic results of science and technology gone astray, with the negligent performance of professional tasks, and with the growing slaughter on our highways and in our skies. In conclusion, I would propose that, before we rush into these new systems, we carefully weigh the issues of risk distribution. Change for the sake of change can be costly. I propose a study moratorium in which students of public policy, including economists and scholars in the legal and medical professions,

evaluate the costs of all alternatives. The Florida legislature adopted a similar proposal with its enactment of legislation creating an “Academic Task Force” for review of Florida’s tort law system.\textsuperscript{33} It is in this task of serious public policy evaluation that I believe the University system can be most helpful in assisting with the adaptation of the legal system.

Whether we will succeed in adapting the legal system to our changed conditions, I am not sure. I am sure that the cost of our failure to do so would be monumental. Peter Marshall, while chaplain of the United States Senate liked to tell the story of “the keepers of the Springs” who were sent away from their jobs without a replacement ready to fulfill their tasks. The price paid for the exiling of the keepers was great. To dismiss the experience of law and lawyers without a tried and true replacement is a risk society should not lightly consider.

For more than two centuries we Americans have turned to the law to help society adapt to change. Lawyers themselves must be prepared to lead the reforms necessary to bring the legal system through to the twenty-first century. If lawyers refuse to join with their fellow citizens in addressing the catastrophic questions facing the legal system, there is precedent for our fate. Lawyers have the lesson of the Cherokee priests—the medicine men who became the servants of those who would destroy them. Society has the lesson of what Alexander Solzhenitsyn called the tyranny of lawless law.\textsuperscript{34} If we fail, indeed, if the principle of justice under law fails, we will be left asking the question Jimmy Stewart put to John Wayne—“What kind of community have I come to?”

In the final analysis, law is, indeed, a mirror. In law we see a reflection of ourselves; we see into the deepest and darkest reaches of the human soul.

\begin{itemize}
\item[34.] See A. Solzhenitsyn, Warning to the West (1976); see also A. Solzhenitsyn, Letter to the Soviet Leaders (1974); A. Solzhenitsyn, Nobel Lecture (1972).
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