2006

Servant-Leader: A Sign of Contradiction

Michael S. Steele

Follow this and additional works at: http://scholarship.law.edu/lawreview

Recommended Citation
Available at: http://scholarship.law.edu/lawreview/vol55/iss2/2
Thank you for having me here today. Veryl Miles, Dean of CUA Law School, Father David O'Connell, President of CUA, it is an honor to be at one of America's most prominent Catholic institutions among some very talented and gifted students. We'll forgive the fact that most of you will be lawyers soon. I guess that's why God gave us confession.

What I've learned: You can't please everyone, but you can certainly make them mad at you at the same time! And as an African American Roman Catholic Republican, I seem to be pretty good at that.

To be certain, the demands of today require much of us as it is not easy to "do your job" and to remain anchored in those time-honored but not-so-popular values your mama taught you. So, how will you respond to a world that not only demands that you give to Caesar what belongs to Caesar but to give to Caesar what belongs to God, particularly since many of you will be working for Caesar? Let's begin to answer that question by looking at what you do.

I was recently looking through one of my law school text books (don't ask) and I came across a very interesting description of lawyers: "Lawyers, more than the other members of any other profession, enjoy power, prestige, income, and the genuine affection of both clients and nonclients."¹ Now there's a thought. "But, also probably more than any other profession, lawyers are the target of some of the most cutting, wide-sweeping, and relentless criticism."² Now that's more like it. "Lawyers in fact occupy a place of ambivalence in public life. Their work makes them indispensable to many; what they do at work makes them loathed by many others."³

Yes, we are a challenged species. But ours is also a special calling: To defend civil liberties under the law; to ensure freedoms granted by the

---

¹ Michael S. Steele became Lieutenant Governor of Maryland in 2003. Lt. Governor Steele earned his bachelor's degree in International Relations from Johns Hopkins University in 1981 and his law degree from Georgetown University Law Center in 1991. On Monday, August 29, 2005 he delivered these remarks at the annual Pope John XXIII Lecture at The Catholic University of America, Columbus School of Law.

² CHARLES W. WOLFRAM, MODERN LEGAL ETHICS § 1.1, at 1 (1986)

³ Id.
Constitution; to protect rights; and to enforce the rule of law. What makes what you do so different? What makes your call to service unique? In the words of Frederick Douglass: "Human law may know no distinction among men in respect of rights, but human practice may." 4

As lawyers and judges, you have a very distinct role to play in protecting our citizens when human practice denies them their fundamental rights as established by the law. Likewise, your role is equally important when the law appears, on its face, ready to deprive our citizens of those same rights. Indeed, Pope John XXIII recognized the responsibilities of the public authority when it comes to the rights and duties of individuals in his 1963 Encyclical Pacem In Terris wherein he noted:

It is generally accepted today that the common good is best safeguarded when personal rights and duties are guaranteed. The chief concern of civil authorities [that would be me and you] must therefore be to ensure that these rights are recognized, respected, co-ordinated, defended and promoted, and that each individual is enabled to perform his duties more easily. 5

Moreover, our founding fathers immortalized this principle in the framework of our Constitution. By implementing a self-enforcing system in which each branch of government is given the means to participate in, and partially or temporarily to obstruct, the workings of the other branches, the framers of our Constitution ensured that the rights and liberties of the citizens of this fledgling democracy would survive.

And even today, we still struggle with the balance between safeguarding the rights of our citizens and safeguarding our homeland. As we continue to sort through the myriad of decisions affecting freedom and security, the law (and lawyers) will play a very important role. In the months following the terrorist attacks of September 11, 2001, several questions were raised concerning the issues of law and justice in the United States in response to terrorism. The threat of terrorist attacks within our borders became a looming reality that required immediate government intervention. But at what price?

Since then, our legal and judicial systems have steadily navigated these uncharted waters—and will continue to do so with many of you standing at the point of decision. You will have a role to play. And as that role unfolds you are challenged to be the men and women of the law who


seek to create and maintain the right balance between freedom, privacy, and security in order to best protect the interests of the nation and its citizens. That's what you do.

Now, a little bit about who you are. One of the most challenging things for me, as a Catholic in public office, is that I have some very clearly defined obligations as an elected official that, at times, come into conflict with my ideals as a man of faith. My participation in public life is, as Pope John XXIII put it, "A natural consequence of [one’s] dignity is unquestionably their right to take an active part in government [which] opens out to men [and women] a new and extensive field of opportunity for service."6

Indeed, the Congregation of the Doctrine of the Faith, in it’s Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life confirmed a constant teaching of the Church in this area: “[T]he church venerates many men and women who served God through their generous commitment to politics and government. [Today’s democratic] societies call for new and fuller forms of participation in public life by Christian and non-Christian citizens alike.”7 But given the stresses and strains on your values and your moral core, what does this mean?

One of the key ingredients in your success as a lawyer is not how you try the case, argue the motion, or draft the contract, but rather, how you conduct yourself in the course of your practice. What are the principles that guide you? Where is your ethical compass? I am reminded of the defendant, who, standing before the judge noted: ‘‘I know what I have done, and your honor knows what I have done . . . Somewhere between my ambition and my ideals, I lost my ethical compass.’’8

Ethics, according to the American Heritage Dictionary is: “A set of principles of right conduct . . . A theory or a system of moral values . . . The rules or standards governing the conduct of a person or members of a profession . . . ’’9 Principles, morals, conduct. For most of us this is fairly basic. It’s the way we live our lives. It’s living up to the beliefs and values with which we were raised. But today, the challenge is taking these beliefs and not just talking about them, but also living them each and every day. In doing so, each of you will come to a unique point in your personal history where your duties will confront your faith.

6. Id. paras. 73-74, at 115.
How do I as Lieutenant Governor, and how do you as a young lawyer or a new member of the bench, reconcile faith, civic obligations, and duty to the public? For me, President Jimmy Carter said it best when he noted: "[Y]ou can’t divorce religious beliefs from public service. . . . I have never detected nor experienced any conflict between God’s will and my political duty. It’s obvious that when I violate one, at the same time I violate the other." This requires an extraordinary amount of personal strength.

Pope Pius XII asserted that "this era of technical progress will achieve its monstrous masterpiece, making man into a giant of the physical world, at the expense of his soul." Again, Pope John XXIII echoes this sentiment and goes on to exhort us to "not suppose that [we] would be acting prudently to lessen their personal Christian commitment in this passing world. On the contrary, We insist that they must intensify it and increase it continually."

After three years in the order of St. Augustine, I realized that my calling was a different form of public service. Since then, and as I continue to fulfill the responsibilities of my office, I often reflect on the first words of the then newly elected Pope John Paul II: "Be not afraid." The power of that moment, the power of those words presaged these times, this time of challenge and confrontation, of war and terror, of fallen servants of God and the degrading of human dignity.

My friends, you too are called because it is part of who you are. You are called not just to serve your clients but rather to be a servant; a servant who in giving to God what truly belongs to God becomes a leader. Remember the story of Joshua? The Lord calls Joshua to service. No fanfare, no burning bush. Joshua’s hour had come and the Lord fulfilled in him His call to lead God’s people Israel into the promised land. That may be a bit much to ask of a bunch of lawyers, but you are no less called to be “firm and steadfast” in your service to others; to be a sign of contradiction.

You see, leadership is born out of the spirit of service. And it is our understanding of what service means to others—that it can inspire—that defines our leadership. But today we have gotten far away from that sense of service. Our inclination is to be served. The social problems of

today's society seemingly overwhelm our communities and we are often times caught between "being relevant" and being "a sign of contradiction"—a sign that something or someone greater than us is not only alive but is alive in us.

Be a lawyer yes, be a good lawyer, absolutely, but be a man or woman of faith whose words and deeds are touched by God’s compassion and abundant love. How you practice the law, how you adjudicate the law, will speak volumes about you as a lawyer. How you conduct your life and the principles that guide your actions will speak volumes about you as a person. Be the leader who is a servant first. Be the servant who, in all he does, anchors himself with certain principles, morals and conduct. Just don’t get lost between your ambitions and your ideals.