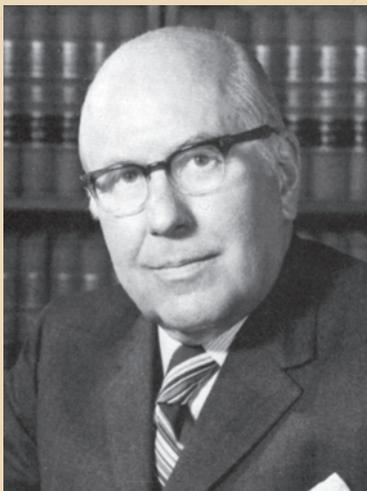


A Word of Pride

Pride of profession is called for now as seldom before. The American lawyer is under attack and the most cherished values he defends are under siege by his enemies. The Watergate hysteria is being exploited to the ultimate by the Bar's mortal foes in and out of the media to tarnish the armor of our honor. This is no hour at the Bar for the feeble or faint-hearted. It is a time to stand tall and to live true to the most majestic traditions of this highest calling of free men. Spokesmen for the Bar and the individual lawyer with his own clients and in his own community must paint in bright, bold colors the clear, sharp line of distinction which the facts draw and which must be drawn in the public mind between the great body of lawyers engaged in the active practice of law and the people with law licenses engaged in political and governmental activities. They are not the same. We must sharply reject the frequent glib and shallow assertion that Watergate tarnishes the Bar and brings it into disrepute. Any acceptance of this stupid thesis should be left to the enemies of the Bar who are ever eager to seize upon any cause to defame lawyers.

The Texas lawyer today is challenged to assume his rightful mantle of leadership in community thought and action to put Watergate in perspective. The angry surf on the surface of the sea churned up during a passing squall can mangle men and matter. Its fury soon passes and the damage it causes is over. However, the deep, dark, silent undertow of the sea dragging men to destruction and death remains. The angry froth and spray of Watergate as exploited by the media will subside, but the deep, dark undertow of Watergate is the deadly dangerous infringement upon the judicial process and upon the Constitutional guaranties of individual rights which will remain from the seeming clear abuse of the Senate Committee process. The incisive mind of the lawyer must reject an international television circus as the appropriate medium for developing facts upon which to base legislation. Counsel for the Committee has been quoted as characterizing the hearing as a "trial to the jury of public opinion." We in this country under our blessed heritage of the adversary system of justice try controversies in a judicial proceeding in the somber and subdued atmosphere of a courtroom before a free judge and a free jury.



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We do not try them to the "jury of public opinion" in utter disregard of the rules of evidence and of fair procedure such as prevail in a courtroom and which elsewhere are superseded by hearsay, conjecture, suspicion, speculation, surmise, argument and common gossip. The danger of having destroyed any possibility of convicting any guilty offender of any violation because of abuses of Constitutional rights is the remaining deadly serious threat of Watergate which overshadows all else and deserves the unqualified denunciation of the Bar.

Confronted with lawyer misconduct, we should not condone but neither should we condemn without fair trial unless we are to abandon our very basic tradition. There was an aura of prejudice about the resolution adopted on this subject by the assembly of the American Bar Association recently calling upon grievance committees to prosecute and condemn which is gravely troubling.

The Watergate experiences afford additional proof of the need for long-term and long-range intensive instruction and indoctrination in legal ethics, both in the law schools and in the profession. The urgent need to strengthen both our admissions procedures and our disciplinary procedures on a long-range continuing basis is spotlighted. No quick cures or first-aid remedies are available. There of course should in these cases like in any others be firm and fair prosecution of the grievance procedure against any members of the Bar who may be finally found to have been guilty of any illegal or unethical conduct—be it burglary, perjury or some other offense. However, neither this nor any other quick remedy will be really meaningful. There has been so much of the philosophy of the end justifying the means practiced and condoned in this era of civil disturbances and law violation in claimed search for honorable goals that this evil philosophy may well have permeated part of the legal profession. It is a long-range process to eradicate it and to reinstill and rearouse the tradition of reverence for the high standards of our noble profession. Nevertheless, we should be unremitting about the task.

It is no time to fear or falter or to listen to the self-righteous voices of the Pharisees abroad in the land. It is rather a time for all of us to reunite in saying: "I am proud to be a lawyer!"

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