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CAN A CHRISTIAN BE A LAWYER OR CAN BOTH GOD AND JACKSON BROWNE BE RIGHT

*Randy Lee**

ABSTRACT

Jesus's final command at His final meal before His death was to "love one another."¹ No less than Jackson Browne insisted that the ultimate absurdity in an absurd world is a "lawyer[] in love."² Thus, Jesus has commanded that even lawyers must love, but Jackson Browne has emphatically stressed that lawyers are incapable of love. Given the apparent conflict for lawyers between these two observations of Jesus and Jackson Browne, one might wonder whether one can be a Christian and a lawyer both. Can both God and Jackson Browne be right?

Of course, the government could seemingly make the answer to that question "come easy."³ The government could make it illegal for those within whom "the dogma lives loudly" to be lawyers.⁴ Beginning in 2010, the Affordable Care Act was understood to make it unlawful for many Christians to operate a hospital, a college, or even

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¹ *John* 13:34 (RSVCE).

² Jackson Browne, *Lawyers in Love*, on *LAWYERS IN LOVE* (Asylum Records 1983).

³ Sam Phillips, *Answers Don't Come Easy*, on *THE TURNING* (Myrrh 1987) ("And when answers don't come easy, I can wait.").

⁴ Matt Hadro, 'Dogma Lives Loudly in You'—Amy Coney Barrett's 2017 Confirmation Hearing, *CATH. NEWS AGENCY* (Sept. 19, 2020, 1:25 PM), <https://www.catholicnewsagency.com/news/45896/dogma-lives-loudly-in-you-amy-coney-barretts-2017-confirmation-hearing>.

a craft store.⁵ What if it had been a law office—what if the government made it unlawful for a Christian to practice law?

⁵ *Little Sisters of the Poor Saints Peter & Paul Home v. Pennsylvania*, 140 S. Ct. 2367 (2020) (declaring this understanding of the Affordable Care Act to violate the requirements of the Religious Freedom Restoration Act of 1993 (RFRA)).

I. WHETHER ONE CAN BE A CHRISTIAN AND A LAWYER BOTH—AS A MATTER OF LAW

Stranger things have happened. In the 1920s, the Mexican government made it unlawful for a Catholic to work in Mexico as a priest.⁶ As a result, “bishops, priests, and religious were rounded up for deportation or imprisonment, and those caught trying to elude capture were shot.”⁷

It was in the midst of this legal state that the recently ordained Father Miguel Agustín Pro Juárez chose to set off from Belgium to live out what he understood to be his priestly vocation in Mexico.⁸ Before departing, Father Pro opted not to seek the permission of the Mexican government.⁹ There was, of course, no reason to think the Mexican government would have granted their permission. Still, it was not as if Father Pro had simply hopped on a boat and came over to Mexico committed to being a priest—Father Pro had asked permission;¹⁰ Father Pro had asked God, and God had said yes.¹¹

When Father Pro arrived in Mexico, he found that “all Catholic churches were closed,”¹² and “[t]he celebration of the sacraments was punishable by imprisonment or death.”¹³ Confronted by this state of affairs, Father Pro chose once more not to ask the Mexican government for permission to work as a priest.¹⁴ Instead, Father Pro ministered “clandestinely” to a Church forced “underground.”¹⁵

In these efforts, Father Pro

⁶ *Blessed Miguel Pro Juárez*, CATH. NEWS AGENCY, <https://www.catholicnewsagency.com/saint/blessed-miguel-pro-juarez-397> (last visited Jan. 22, 2023) [hereinafter CATH. NEWS AGENCY].

⁷ *Id.*

⁸ *Id.*

⁹ *Id.* (noting that “Fr. Pro slipped into Mexico City”).

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Blessed Miguel Agustín Pro*, FRANCISCAN MEDIA, <https://www.franciscanmedia.org/saint-of-the-day/blessed-miguel-agustin-pro> (last visited Jan. 22, 2023).

¹⁵ *Id.*

would come in the middle of the night dressed as a beggar to baptize infants, bless marriages and celebrate Mass. He would appear in jail dressed as a police officer to bring Holy Viaticum to condemned Catholics. When going to fashionable neighborhoods to procure for the poor, he would show up at the doorstep dressed as a fashionable businessman with a fresh flower on his lapel.¹⁶

Lacking governmental authorization for his work, Father Pro had to stay one step ahead of the Mexican police, who were “charged with the task of ferreting out hidden pockets of Catholicism.”¹⁷ As Father Pro, himself, described his adventures:

I assure you that I spin like a top from here to there with such luck as is the exclusive privilege of petty thieves . . . I see God’s hand so palpably in everything that almost—almost I fear they won’t kill me in these adventures. That will be a fiasco for me who sighs to go to heaven and start tossing off arpeggios on the guitar with my guardian angel.¹⁸

Ultimately, Father Pro was betrayed to the police and framed on an attempted murder charge.¹⁹

On July 17, 1928, without Father Pro having received the benefit of any legal process,²⁰ Mexico’s president “ordered Fr. Pro to be executed, ostensibly for his role in the assassination plot, but in reality for his defiance of the laws banning Catholicism.”²¹

The Catholic News Agency described Father Pro’s final moments on Earth in this way:

¹⁶ ProVision & Brother Gerald Mueller, *Bl. Miguel Pro*, CATH. ONLINE, https://www.catholic.org/saints/saint.php?saint_id=86 (last visited Jan. 22, 2023).

¹⁷ CATH. NEWS AGENCY, *supra* note 6.

¹⁸ Bert Ghezzi, *Blessed Miguel Pro, SJ (1891-1927)*, IGNATIANSPIRITUALITY, <https://www.ignatianspirituality.com/ignatian-voices/20th-century-ignatian-voices/blessed-miguel-pro-sj/> (last visited Jan. 22, 2023).

¹⁹ CATH. NEWS AGENCY, *supra* note 6.

²⁰ ProVision & Mueller, *supra* note 16.

²¹ CATH. NEWS AGENCY, *supra* note 6.

As Fr. Pro walked from his cell to the prison courtyard, he blessed the firing squad and then knelt and prayed silently for a few moments. Refusing a blindfold, he stood, faced the firing squad, and with a crucifix in one hand and a rosary in the other, he held his arms outstretched in the form of a cross and in a loud, clear voice cried out, "May God have mercy on you! May God bless you! Lord, Thou knowest that I am innocent! With all my heart I forgive my enemies!" As the soldiers lifted their rifles, he exclaimed in a loud voice, "Viva Cristo Rey!"—"Long live Christ the King!"²²

After Father Pro's body, "riddled with bullets,"²³ fell lifeless to the ground, a soldier approached Father Pro's body and from point blank range fired one final shot into the priest's temple.²⁴ The shot served as a final pronouncement of the unlawful nature of Father Pro's work as a priest on Mexican soil, unlawful at least in the eyes of the Mexican government.²⁵

Father Pro was not the first person of faith to struggle with the degree of obligation created by manmade laws. A group of lawyers once,²⁶ along with the chief priests,²⁷ Pharisees, and Herodians,²⁸ sent their representatives to ask Jesus whether it was "lawful for us to give tribute to Caesar or not?"²⁹ Jesus, in response, requested a coin and then asked the representatives, "Whose likeness and inscription has it?"³⁰

The representatives replied, "Caesar's."³¹ To this, Jesus responded, "Then render to Caesar the things that are Caesar's, and to

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *See supra* notes 6-14 and accompanying text (describing consequences of practicing the Catholic faith in Mexico at the time).

²⁶ *Luke* 20:19 (RSVCE) (identifying "scribes").

²⁷ *Id.*

²⁸ *Mark* 12:13 (RSVCE).

²⁹ *Luke* 20:22.

³⁰ *Id.* at 20:24.

³¹ *Id.*

God the things that are God's."³² The lawyers' representatives "were amazed"³³ and "marveled at this response";³⁴ they fell silent,³⁵ and, ultimately "left him and went away."³⁶ The representatives were so amazed at Jesus's response that they failed to notice that Jesus had not actually answered their question: Jesus still had not told them whether He thought it was lawful to pay tribute to Caesar.³⁷

Jesus's failure to answer their question was not a consequence of any desire on His part to be merely clever or evasive. Instead, it resulted from an ambiguity in the lawyers' original question—one cannot determine whether it is lawful to give tribute to Caesar until one has identified whose law one is trying to obey.

We live in a world of so many rules from so many different rulers. Jesus, himself, insisted that one cannot obey them all.³⁸ Instead, Jesus instructed, "No one can serve two masters; for either he will hate the one and love the other, or he will be devoted to the one and despise the other,"³⁹ and then, for emphasis, Jesus added, "You cannot serve God and mammon."⁴⁰ Which, then, will one choose to obey?

A lawyer-friend of mine once interviewed for his dream job, a position for which his entire professional career had prepared him. Through talent, good judgment, hard work, and faithful service, he had managed to rise to be the deputy to the job, and now the job itself had opened up.

The search committee was comprised of people who knew him, and part of the interview process included going to lunch. The lunch was pleasant, the conversation was cordial, and ultimately it turned to the more pressing. The transition to the business portion of the lunch was marked by a pause quietly framed by discretion, and then one of the committee members asked a question on behalf of the group.

³² *Id.* at 20:25.

³³ *Mark* 12:17 (RSVCE).

³⁴ *Luke* 20:26 (RSVCE).

³⁵ *Id.*

³⁶ *Matthew* 22:22 (RSVCE).

³⁷ *Id.* at 22:17-22.

³⁸ *Id.* at 6:24.

³⁹ *Id.*

⁴⁰ *Id.*

“We know you,” the committee member began; “We know your work, but here’s our question: are you a soldier?” Or as my friend understood the question more directly, “Are you our soldier?” The question was not intended to suggest that my friend would be called upon to do evil in this new post. It just recognized that from time to time the job required one to pursue the expedient, to facilitate certain ends, to make more convenient outcomes that were in this world inevitable anyway.⁴¹ My friend in the past had demonstrated a certain “moral squint,”⁴² and his interviewers needed assurance that if he were promoted, he would not allow his “conscience” to become more than his “own affair.”⁴³

My friend responded briefly: “You know who I am. This job will not change that.”

The law of convenience and of expedience, the law of pride, the law of ambition, the law of personal success all might have demanded that my friend answer differently. My friend, however, did not seek to obey those laws. He felt, instead, compelled to obey a different law, a law that leads one to “hunger and thirst after righteousness.”⁴⁴ It is a law that comes with a promise of blessing and satisfaction though not necessarily promotion nor even employment.⁴⁵

The interviewers asked no more questions. Everyone, then, chatted politely over lunch. When lunch was over, they all returned to the office, and my friend did not get the job. Shortly thereafter, he abandoned his dream and went to work elsewhere. They say that integrity, every time you use it, leaves a scar.⁴⁶

Sometimes, when I reflect on my friend’s journey and its final end, I think of Jay Gatsby and “the green light at the end of Daisy’s

⁴¹ See, e.g., ROBERT BOLT, *A MAN FOR ALL SEASONS* 73-74 (Vintage Books 1962) (1960) (Cromwell explaining about Henry’s desire to divorce Catharine of Aragon, “if he wants to change his woman he will . . . So that becomes the constant factor. And our job as administrators is to make it as convenient as we can.”).

⁴² *Id.* at 19.

⁴³ *Cf. id.* at 22.

⁴⁴ *Matthew* 5:6 (RSVCE).

⁴⁵ *Id.* (“Blessed are those who hunger and thirst after righteousness, for they shall be satisfied.”).

⁴⁶ Randy Lee, *Can a Single Masterpiece Sustain a Lawyer's Lifetime and Other Questions that Cross a Lawyer's Way*, 22 *PROF. LAW.* 89, 99-100 (2014).

dock.”⁴⁷ Just like Gatsby, my friend “had come such a long way” and also like Gatsby, my friend had found himself so close to the prize he pursued that “he could hardly fail to grasp it.”⁴⁸ Truly, it was but a single answer away. When so much rides on a single answer, can we really be certain what belongs to Caesar and what belongs to God.⁴⁹

Jesus once said that we are to “seek first” the Kingdom of God,⁵⁰ but He also said that the first and most important commandment is to “[l]ove the Lord your God with all your heart and with all your soul and with all your mind.”⁵¹ Unfortunately or not, such an all-encompassing command leaves little room to seek Caesar second.

Roman law once forbade the teaching and practice of the Jewish faith, but in that time, Rabbi Akiba insisted on teaching and practicing that faith anyway.⁵² Even as he was threatened, tortured, and led away to his death, Rabbi Akiba continued to pray to his God.⁵³ When even his disciples asked Rabbi Akiba, “Even now?” the rabbi responded, “All my life I have been troubled by a verse: ‘Love the Lord your God with all your heart and with all your soul,’ which means even if He take your life. I often wondered if I would ever fulfill that obligation. And now I can.”⁵⁴

Thus, Rabbi Akiba left this world uttering, “The Lord is One.”⁵⁵

The Jewish people wandered the desert for forty years, but when the opportunity to enter the promised land finally presented itself, that opportunity did not come as an order to enter or an invitation.⁵⁶ It came as a choice, and not even a choice to enter or not.⁵⁷ It

⁴⁷ F. SCOTT FITZGERALD, *THE GREAT GATSBY* 180 (Scribner ed. 2004).

⁴⁸ *Id.*

⁴⁹ See *supra* note 32 and accompanying text.

⁵⁰ *Matthew* 6:33 (RSVCE) (“But seek first his kingdom and his righteousness, and all these things shall be yours as well.”).

⁵¹ *Id.* at 22:37.

⁵² ROBERT COVER, *Violence and the Word*, in *NARRATIVE, VIOLENCE, AND THE LAW: THE ESSAYS OF ROBERT COVER*, at 203, 207 (2004).

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ *Id.* (quoting MAHZOR FOR ROSH HASHANAH AND YOM KIPPUR, A PRAYER BOOK FOR THE DAYS OF AWE 555-57 (J. Harlow ed. 1972)).

⁵⁶ *Joshua* 24:15 (RSVCE).

⁵⁷ *Id.*

came as a choice of masters. As Joshua presented it, “choose this day whom you will serve.”⁵⁸

When the representatives of the lawyers who questioned Jesus did go away, Jesus did not attempt to call them back. Instead, Jesus left the lawyers to determine for themselves what belongs to God and what belongs to Caesar, just as one day, He would leave it to Father Pro to do the same.⁵⁹ This should come as no surprise. The question, “What is God’s, and what is Caesar’s?” is the question that God does not answer. God has left that answer to each human heart. Indeed, God has continued to do so even as that question has echoed down from Eden,⁶⁰ through Moses⁶¹ and Joshua,⁶² through the judges and the kings and the prophets, down into the time of the Maccabees and the martyrdom of the seven brothers and their mother,⁶³ and down into both the Early⁶⁴ and Modern⁶⁵ Church.

It is precisely the question Peter and John were asked by the powers of their age after Peter and John had been arrested and

⁵⁸ *Id.*

⁵⁹ See *supra* notes 6-26 and accompanying text (showing Father Pro’s choice to give his vocation and life entirely to God regardless of the laws of the state).

⁶⁰ *Genesis* 3:2-6 (RSVCE) (Adam and Eve choose not to serve God’s law).

⁶¹ *Deuteronomy* 28:1 (“[I]f you obey the voice of the Lord your God, being careful to do all his commandments which I command you this day, the Lord your God will set you high above all the nations of the earth.”); *but see id.* at 28:15 (“But if you will not obey the voice of the Lord your God or be careful to do all his commandments and his statutes which I command you this day, then all these curses shall come upon you and overtake you.”).

⁶² *Joshua* 24:15 (“[I]f you be unwilling to serve the Lord, choose this day whom you will serve, whether the gods your fathers served in the region beyond the River, or the gods of the Amorites in whose land you dwell; but as for me and my house, we will serve the Lord.”).

⁶³ See, e.g., *2 Maccabees* 7:1-2 (“[S]even brothers and their mother were arrested and were being compelled by the king, under torture with whips and cords, to partake of unlawful swine’s flesh. One of them, acting as their spokesman, said, ‘What do you intend to ask and learn from us? For we are ready to die rather than transgress the laws of our fathers.’”).

⁶⁴ See, e.g., *infra* notes 66-68 and accompanying text (discussing Peter and John subjecting themselves to the consequences of earthly law rather than disobey the call of God).

⁶⁵ See, e.g., *supra* notes 6-26 and accompanying text (showing Father Pro’s choice to give his vocation and life entirely to God regardless of the laws of the state).

imprisoned for offering their work for the glory of God,⁶⁶ the God who had loved them enough to come back to be with them even from the dead.⁶⁷ When pressed to put the laws of the Temple rulers before the call of God, Peter and John answered, “Whether it is right in the sight of God to listen to you rather than to God, you must judge; for we cannot but speak of what we have seen and heard.”⁶⁸ We are, indeed, as they might have put it, soldiers but only in His army.

In the end, a government cannot make the answer to the question whether a lawyer can be a Christian any easier or more obvious by making the practice of law illegal for Christians. The government can only change the stakes, and they can do that only in an earthly sense.

As the world increases its consequences and raises its stakes, the question for those who claim to “[l]ove the Lord your God with all your heart and with all your soul and with all your mind,”⁶⁹ remains what are they willing to suffer, to risk, to let go of and leave behind, to serve Him whom they lovingly call their God.⁷⁰ The question, then, of whether one can be a Christian and a lawyer both is not a question of law but of loving.

II. WHETHER ONE CAN BE A CHRISTIAN AND A LAWYER BOTH—AS A MATTER OF LOVE

What would it mean to respond to God’s call to love Him as a lawyer?

In 1977, Voyagers 1 and 2 launched, unmanned, to explore interstellar space—the void in space between the stars.⁷¹ In case one of

⁶⁶ *Acts* 4:1-4 (RSVCE).

⁶⁷ *See, e.g., John* 20:19-20 (RSVCE) (“On the evening of that day, the first day of the week, the doors being shut where the disciples were, for fear of the Jews, Jesus came and stood among them and said to them, ‘Peace be with you.’ When he had said this, he showed them his hands and his side.”).

⁶⁸ *Acts* 4:19-20 (RSVCE).

⁶⁹ *Id.* at 22:37.

⁷⁰ Randy Lee, *A Tale of Two (Religious) Freedoms in Such a Time as This*, in *THE CRISIS OF RELIGIOUS LIBERTY: REFLECTIONS FROM LAW, HISTORY, AND CATHOLIC SOCIAL THOUGHT* 23, 27 (Stephen M. Krason ed., 2015).

⁷¹ *Voyager: Mission Overview*, NASA: JET PROPULSION LAB’Y, CAL. INST. TECH., <https://voyager.jpl.nasa.gov/mission/> (last visited Nov. 21, 2022).

the probes should encounter a higher life form, each space probe continues to carry with it into the dark void of space a twelve-inch, gold-plated, copper phonograph record.⁷² These records serve as a time capsule, “containing sounds and images selected to portray the diversity of life and culture on Earth.”⁷³ The records come “with a cartridge and a needle” although no actual phonograph on which to play the records has been included.⁷⁴

A large portion of what we have chosen to portray on the records as life on Earth is music.⁷⁵ Music was chosen for the records to show others that here on Earth, we have the capacity for beauty and for love.⁷⁶ The music chosen includes, among other pieces, three pieces by Bach, two by Beethoven, and one by Chuck Berry.⁷⁷

Voyagers 1 and 2 only recently left our galaxy and entered the void of interstellar space.⁷⁸ There the probes will either disappear into the darkness or make the dark void more beautiful. That will all depend on whether their music is shared. One might insist that the journeys of these probes have much to do with engineering, perhaps something to do with music, but nothing to do with the life of a lawyer. Such a view, however, would be wrong.

In the *Gospel of Luke*,⁷⁹ a lawyer famously pressed Jesus to address what it would mean to respond to God’s call to love God as a

⁷² *Voyager: The Golden Record*, NASA: JET PROPULSION LAB’Y, CAL. INST. TECH., <https://voyager.jpl.nasa.gov/golden-record/> (last visited Nov. 28, 2022).

⁷³ *Id.*

⁷⁴ *Voyager: What Are the Contents of the Golden Record*, NASA: JET PROPULSION LAB’Y, CAL. INST. TECH., <https://voyager.jpl.nasa.gov/golden-record/whats-on-the-record/> (last visited Nov. 28, 2022).

⁷⁵ *Id.*

⁷⁶ Ben Santer, *Voyager 1 and the Beauty and Power of Science*, SCI AM. (Sept. 14, 2017), <https://blogs.scientificamerican.com/observations/voyager-1-and-the-beauty-and-power-of-science/>.

⁷⁷ *Voyager: Music from Earth*, NASA: JET PROPULSION LAB’Y, CAL. INST. TECH., <https://voyager.jpl.nasa.gov/golden-record/whats-on-the-record/music/> (last visited Nov. 28, 2022).

⁷⁸ Jamie Carter, *Voyager 1 Marks 10 Years in Interstellar Space*, SPACE.COM, <https://www.space.com/voyager-1-marks-10-years-interstellar-space> (last visited Feb. 19, 2023) (noting that Voyager 1 entered interstellar space in 2012, while Voyager 2 entered in 2018).

⁷⁹ *Luke* 10:25-28 (RSVCE).

lawyer.⁸⁰ The lawyer and Jesus quickly agreed that the inheritance of “eternal life” came down to loving God and loving neighbor.⁸¹ The lawyer, however, as Jackson Browne might have expected,⁸² was not entirely comfortable with these requirements of love.⁸³ Therefore, “desiring to justify himself,”⁸⁴ the lawyer asked Jesus to establish more precisely the boundaries, the outer limits, of love.⁸⁵ More specifically, the lawyer asked Jesus, “And who is my neighbor?”⁸⁶

In this question, the lawyer did not seek to limit the command to love one’s neighbor by limiting love itself. It was too late to do that: the lawyer had just conceded the propensity of love to demand that one love “with all your heart, and with all your soul, and with all your strength, and with all your mind.”⁸⁷ Thus, the lawyer was left to seek to limit this command by limiting the pool of “neighbors.” If the lawyer could identify that small subset of people who were his neighbors, the lawyer could be certain of all the remaining people who did not constitute his neighbors and whom, therefore, the lawyer did not have to love.

Jesus responded to the lawyer’s question about neighbors with the *Parable of the Good Samaritan*:

A man was going down from Jerusalem to Jericho, and he fell among robbers, who stripped him and beat him, and departed, leaving him half dead. Now by chance a priest was going down that road; and when he saw him he passed by on the other side. So likewise a Levite, when he came to the place and saw him, passed by on the other side. But a Samaritan, as he journeyed, came to where he was; and when he saw him, he had compassion, and went to him and bound up his wounds, pouring on oil and wine; then he set him on his own beast

⁸⁰ *Id.*

⁸¹ *Id.*

⁸² See *supra* note 2 and accompanying text (noting Jackson Browne’s view that a lawyer in love is an absurdity).

⁸³ *Luke* 10:29 (RSVCE).

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ *Id.* at 10:27.

and brought him to an inn, and took care of him. And the next day he took out two denarii and gave them to the innkeeper, saying, "Take care of him; and whatever more you spend, I will repay you when I come back."⁸⁸

At the conclusion of the Parable, Jesus asked the lawyer, "Which of these three, do you think, proved neighbor to the man?"⁸⁹

While Jesus's response to the representatives of the lawyers who asked about taxes may have been amazing and marvelous,⁹⁰ the question with which Jesus responded here was haunting, and that question continues to haunt Christians to this day. The question continues to haunt because even now, the Parable from which the question comes contains every person who one might choose to be in life.

In the Parable, there are the robbers who enrich themselves through the man with no concern about the consequences to him;⁹¹ the priest and the Levite who are indifferent to the man because of their own needs and priorities;⁹² the innkeeper who helps the man but only for a profit;⁹³ and the Samaritan who helps the man even at a cost to himself.⁹⁴

Lawyers travel the road to Jericho every day.⁹⁵ It remains, as it was in Jesus's time, a very dangerous road. Along the way, we encounter people who are wounded, cast to the side, ignored, and every step of the journey, we are choosing to be one of the characters in the Parable. On a good day, we are the Good Samaritan seeing and loving the person God has placed in our path. Sometimes, however, we are the priest or Levite putting our will, our priorities, before the person whom God has placed in our path. We may also find ourselves the innkeeper, resolving another's hardship but only if we gain a profit for

⁸⁸ *Id.* at 10:30-35.

⁸⁹ *Id.* at 10:36.

⁹⁰ *See supra* notes 34-35 and accompanying text (the Gospel writers describing the responses to Jesus's answer).

⁹¹ *Luke* 10:30.

⁹² *Id.* at 10:31-32.

⁹³ *Id.* at 10:35.

⁹⁴ *Id.* at 10:33-35.

⁹⁵ *See* Father Jerry Ragan, Homily at Saint Michael's Church (Tybee Island, Georgia, July 10, 2022) (recognizing that all of us are on the road to Jericho every day, encountering people in need whom we need to see as our neighbors).

ourselves. Other times, we may even have to admit to being the robbers, callously creating another's hardship for our own profit. We may even find ourselves on occasion the wounded person needing to be loved. Thus, like the Voyager space probes, lawyers practice their craft in a very dark void. Lawyers, also like those probes, will either disappear into that void or make it more beautiful. It all depends on whether the music they were created to carry is shared.

There is much talk today about restorative justice,⁹⁶ but justice cannot be restorative unless justice, unless lawyers restore the dignity of the people whose lives they encounter. Lawyers, however, cannot restore dignity without loving, and, as the Samaritan demonstrates, there is no love unless there is a gift of self.⁹⁷ As Jesus explained, "Greater love has no man than this, that a man lay down his life."⁹⁸

We exist in a world where there are people who cause human suffering, people who profit from human suffering, and people who are indifferent to human suffering—and there are certainly people who suffer. All of this can make for a very dark world. Yet, as the folk singer John McCutcheon has been apt to observe recently, that darkness should never cause us to forget our capacity to make something beautiful even where our world is dark.⁹⁹ When the lawyer asked, "[W]ho is my neighbor,"¹⁰⁰ he did so because he believed who they are defines what we do. When Jesus asked in response, who "proved neighbor to the man?"¹⁰¹ Jesus confronted the lawyer with a different reality: that what we do can define who they become.

⁹⁶ See, e.g., *What is Restorative Justice?*, RESTORATIVE JUST. EXCH., <https://restorativejustice.org/what-is-restorative-justice/> (last visited Nov. 28, 2022) ("The three core elements of restorative justice are the interconnected concepts of Encounter, Repair, and Transform. Each element is discrete and essential. Together they represent a journey toward wellbeing and wholeness that victims, offenders, and community members can experience.").

⁹⁷ *Luke* 10:33-35 (RSVCE).

⁹⁸ *John* 15:13 (RSVCE) ("Greater love has no man than this, that a man lay down his life for his friends.").

⁹⁹ See, e.g., *John McCutcheon*, SUSQUEHANNA FOLK MUSIC SOC'Y, <https://www.sfmsfolk.org/concerts/JohnMcCutcheon.html> (last visited Nov. 18, 2022).

¹⁰⁰ *Luke* 10:29 (RSVCE).

¹⁰¹ *Id.* at 10:36.

Ironically, in our world, as in the Parable, the thieves, the priests and Levites, the innkeepers all ultimately disappear into the story—they dissipate into the void.¹⁰² Only the Samaritan illuminates the void—his love defines the story.

After the lawyer told Jesus that it is only the Samaritan “who was neighbor to the man,” Jesus instructed the lawyer to “[g]o and do likewise.”¹⁰³ Jesus made no exception here because the lawyer was a lawyer. Lawyer or not, it was all the same to Jesus: all called by God are called to love. In addition, by turning the parable into an instruction, Jesus took the conversation from the theoretical and the theological and made it personal. After all, it was a conversation about law, and law is about life. Law always becomes personal when it is applied. Law, when done right, is a gateway to life.

Abraham Lincoln was a Christian, and he was a lawyer, but I do not know whether Lincoln considered himself a Christian lawyer. I do know that Lincoln represented a widowed mother of three children once in a tort claim, and when he did, Lincoln created a gateway to life.¹⁰⁴

The widow and her husband had run the general store in town until her husband had died.¹⁰⁵ When the husband had died, he had left every aspect of the family’s lives in shambles, from the state of their personal finances to the condition of the floor boards in their store.¹⁰⁶ Then shortly after the husband’s death, a customer had fallen through those floor boards and been injured.¹⁰⁷

The customer asked the widow to pay for his injuries.¹⁰⁸ Having no money to pay him, the widow refused.¹⁰⁹ The customer sued

¹⁰² *Malachi* 4:1 (RSVCE) (“For behold, the day comes, burning like an oven, when all the arrogant and all evildoers will be stubble; the day that comes shall burn them up, says the LORD of hosts.”).

¹⁰³ *Luke* 10:37 (RSVCE).

¹⁰⁴ Seminar, Brian T. Guthrie et al., *Lincoln on Professionalism*, ATLANTA BAR ASS’N (2009).

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

the widow for damages.¹¹⁰ The widow, still having no money to pay the customer, contested the suit.¹¹¹

The widow ended up with a lawyer, and the lawyer she ended up with was Lincoln.¹¹² After looking into the case, Lincoln told the widow she was liable for the customer's damages.¹¹³ Lincoln invited the widow to seek the help of another attorney if she still hoped to pursue a different answer.¹¹⁴ Then, however, Lincoln told the widow two things.¹¹⁵ First, Lincoln told her that any lawyer worth his salt would tell her the same thing.¹¹⁶ Second, Lincoln told the widow that there was still a way to restore her life.¹¹⁷

Lincoln began by telling the widow that the damages the customer was seeking seemed high.¹¹⁸ Lincoln knew the attorney on the other side and knew him to be a reasonable lawyer.¹¹⁹ Lincoln indicated that he was confident they could settle the case for less than the amount demanded.¹²⁰

Lincoln next pointed out that there was more than one way to compensate the customer for his losses.¹²¹ Certainly, the widow would have to pay some cash for expenses for which the customer had already had to pay.¹²² She could, however, also compensate the customer for some of his damages in store credit.¹²³ That store credit would cost the widow nothing until it was redeemed and, even then, a dollar's worth of store credit to the customer would only cost the widow fifty cents.¹²⁴

¹¹⁰ *Id.*

¹¹¹ *Id.*

¹¹² *Id.*

¹¹³ *Id.*

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ *Id.*

¹¹⁸ *Id.*

¹¹⁹ *Id.*

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² *Id.*

¹²³ *Id.*

¹²⁴ *Id.*

Finally, Lincoln indicated to the widow that he had spoken with the carpenter who had originally examined the floor.¹²⁵ Lincoln explained that he knew no one in town wanted the store to close, and offered her hope that there was a path to fixing the floor and keeping the store open.

There is no indication that Lincoln ever did or said anything overtly religious in the representation. He just got his client back to a life that, as the client described it, she “could live with.”¹²⁶ This is no small thing: to help someone from a life they cannot live with to a life they can. That, however, is what justice does, “the sun of justice with its healing rays.”¹²⁷

Of course, one might argue that all this love and lawyering, finding your neighbor on the side of the road stuff might have worked out on the prairie, back in the day, or with widows and orphans. It does not, however, fit with what lawyers do in the real and modern world. Lawyers today do not have neighbors; they have clients, and clients are not looking to their lawyers for the love of God.

I did, however, come across a master musician once at a local folk festival—he did not think his job was Christian either. During his set, this master musician delivered “a fiery mix of deep Delta blues, screaming slide guitar leads and grooves so deep, you could dig a ditch with 'em,”¹²⁸ and he did it all on stringed instruments he made from discarded wood and old cigar boxes.¹²⁹ This master musician rocked out on songs called *Drinkin’ Beer; Whiskey Blues; Strung Out, Drunk, and Busted*; and *Hard Times & Cigarettes*.¹³⁰ He, however, also closed out his set with *How Great Thou Art* played hauntingly on a two-string boat oar.¹³¹

¹²⁵ *Id.*

¹²⁶ *Id.*

¹²⁷ *Malachi 3:20a* (RSVCE) (Catholic Lectionary trans.).

¹²⁸ Shane W. Speal, Sr., *Meet the Band*, SHANE SPEAL’S SNAKE OIL BAND, <https://shanespeal.com/about> (last visited Jan. 22, 2023).

¹²⁹ *Id.*

¹³⁰ See, e.g., Shane W. Speal, Sr., *Downloads*, SHANE SPEAL’S SNAKE OIL BAND, <https://shanespeal.com/music-downloads> (last visited Jan. 22, 2023).

¹³¹ *Id.*

After the show, I told this master musician that I had a friend who had a popular kids' show on a Christian music station.¹³² I added that I thought that my friend would jump at the chance to have him and his instruments on her show. My master musician shifted uncomfortably for a moment, an odd turn for a guy with the courage to find "[t]he thrill" in "playing junk in concert,"¹³³ especially junk that "could self-destruct at any moment."¹³⁴ Then he balked at the opportunity.

It was not, as this musician explained, that it was a kids' show or Christian, per se. The guy was, after all a Christian himself, "a born-again Christian."¹³⁵ There was, however, nothing Christian in what he did;¹³⁶ he was a blues guy—he played rock 'n roll in bars, and he would never want to have people come to his shows, bring their kids to his shows, under false pretenses.¹³⁷

We left it at that, but I still come back from time to time to the conversation that we might have had but did not:

Did God make you a really good musician?

Did He empower you to make these instruments from junk and cast-off parts and to figure out how to keep them together?

What do you do with what He gave you: do you teach people that they can spend two-and-a-half hours on a Friday night with a born again Christian and actually have a great time?

Do you close out the night playing *How Great Thou Art* on a two-string boat oar, and do they listen?

Through you being you, do people come to realize that maybe there is joy in Heaven, in the presence of God, after all?

Does that, on occasion, give them hope here on Earth?

¹³² Brian Crow, *Welcome to the Kids' Cookie Break*, WJTL, <https://kidscookiebreak.com> (last visited Jan. 30, 2023) (featuring show host Lisa Landis).

¹³³ Speal, *supra* note 128.

¹³⁴ *Id.*

¹³⁵ Interview with Shane Speal (Aug. 14, 2022) (notes available through the author).

¹³⁶ *Id.*

¹³⁷ *Id.*

Does encountering you get people back on their feet
and sometimes get them moving toward a life they can
live with?

And do you do all that because that is what you were
made for, that is what He made you to do?

So are you a Christian musician?

This musician had pointed out approvingly that the Spiritual Messengers Warriors for God, also on the bill, are “really Christian.”¹³⁸ Sure stylistically, they did R&B and soul, reggae, pop, and Motown, but their songs were explicitly Christian;¹³⁹ you could do them in a church—the band even had God in their name.

My master musician-friend was right—the Spiritual Messengers Warriors for God are really Christian. Somewhere, however, we have gotten this odd sense that if we do not do it in church, it cannot be Christian, and no one practices law in church, at least not the secular kind. It is also true, however, that we do not serve food in church, at least not the secular kind. Yet, no one questions that Mother Teresa did God’s work when she fed the hungry. Thank God Christians have Jewish brothers and sisters to teach us that everything we do, from the clothes we wear to the food we eat to the work we do, can be of God, even if we do not do it in a church and even if it hurts.

It is not just what it is that makes it Christian, but also whose light and love are in it. It is His if we have searched for His purpose and lovingly pursued it. Mother Teresa met her broken and wounded people on her way as a Missionary of Charity just as we will meet ours as lawyers. Her love made her work fruitful, and ours can do the same.

¹³⁸ See Interview with Shane Speal, *supra* note 135. For background on the Spiritual Messengers, see *Folk Artists Gallery: The Spiritual Messengers*, SUSQUEHANNA FOLK MUSIC SOC’Y, https://www.sfmsfolk.org/folkarts/artist.html?a=spiritual_messengers (last visited Nov. 22, 2022).

¹³⁹ See *Folk Artists Gallery: The Spiritual Messengers*, *supra* note 138.

III. CONCLUSION

In the end, Jesus is right: even a lawyer is called to love if God has called him to be a lawyer.¹⁴⁰ But Jackson Browne is right as well: lawyers do live in a dark world, and to expect one to love in such a world has to be an absurdity.¹⁴¹

The Lord has said, however, that our thoughts are not His thoughts, neither are our ways His ways,¹⁴² and “God chose what is foolish in the world to shame the wise.”¹⁴³ Absurd it may be, but that does not make it any less divine.

If lawyers, like the thieves, see people as opportunities for exploitation, lawyers will treat them as opportunities for exploitation. If, like the priest and the Levite, lawyers see people as inconveniences, lawyers will treat them as inconveniences. If, like the innkeeper, lawyers see people as profit centers, we will treat them as profit centers. If, like the poor man at the side of the road, lawyers see people as oppressors, lawyers will treat them as oppressors. If, however, lawyers see people as neighbors, perhaps lawyers will treat people as neighbors and love them.

Lawyers are not the first to venture out into the dark and formless void. God went there first.¹⁴⁴ God moved through that darkness, but God refused to be defined by it. Instead, God brought light to that darkness,¹⁴⁵ and in God’s hands, the void became a garden.¹⁴⁶ Then He created us “in His own image,”¹⁴⁷ and He called us to “[g]o and do likewise.”¹⁴⁸

¹⁴⁰ See *supra* note 1 and accompanying text (recognizing Christ’s ultimate command is to “love one another”).

¹⁴¹ See *supra* note 2 and accompanying text (recognizing Jackson Browne’s ultimate absurdity is a lawyer in love).

¹⁴² *Isaiah* 55:8 (RSVCE).

¹⁴³ *1 Corinthians* 1:27 (RSVCE).

¹⁴⁴ *Genesis* 1:1-2 (RSVCE).

¹⁴⁵ *Id.* at 1:3.

¹⁴⁶ *Id.* at 2:8.

¹⁴⁷ *Id.* at 1:27.

¹⁴⁸ *Luke* 10:37 (RSVCE).