



MARK WHITE

Gathering Clouds and Raging Storms

Before I heard Rev. Joseph Lowery's benediction and President Barack Obama's inaugural address on January 20, I had already prepared my message for this column. However, I was so moved by the message of their oratory that I scrapped my earlier efforts in order to speak—with their help—from my heart.

Like the nation as a whole, we in the Alabama State Bar face "gathering clouds and raging storms." Americans seem to have lost confidence in their government and, for this, we as lawyers must accept our share of the responsibility. In Alabama, we are all too well familiar with the "seeds of greed" and corruption that have flourished in our native soil. This mentality of law-breaking can only be stopped by a deeply and passionately held conviction that law is not only an instrument of secular policy, but is also part of the ultimate purpose and meaning of life. As lawyers and judges, we are the segment of society most directly responsible for instilling and cultivating that conviction in our citizens.

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In becoming lawyers, we all swore to support the constitutions of the State of Alabama and of the United States. By entering this noble profession, we joined the “movers and shakers” of our society. As lawyers, we are leaders. Just by being members of the bar, we walk among the privileged and educated. Yet, with privilege comes responsibility. To paraphrase one of the first scholars of legal ethics, George Sharswood, “No person can ever be a truly great lawyer, who is not in every sense of the word, a good person.”

As lawyers, we have chosen the path of action. It is not “the path for the faint-hearted—for those who prefer leisure over work, or seek only the pleasures of riches and fame.” We must honor and uphold the ideals of those who have gone before us and walk in the footsteps of all the men and women who have made America great. We cannot allow the mad scramble for material success and the pressures of day-to-day existence push aside the ideal and goal of working toward a better system of justice for all. We must preserve the legacy found in the principles of the documents that form the basis of our Union. We must not forget that as lawyers, we are the keepers of that legacy. We must keep the candle of freedom burning brightly.

Inauguration Day coincided with our state’s investiture ceremony. As he commissioned five of our appellate judges, Governor Riley recognized that they “got here through a political process, but when you put on that robe, politics are left behind.” We must strive for the day when judges are elected on their individual merits and not on party politics. We must choose “hope over fear, unity of purpose over conflict and discord.” We must “proclaim an end to the petty grievances and false promises, the recriminations and worn-out dogmas, that for far too long have strangled our politics,” as well as our judicial system.

This new year brings with it the possibility of change and a renewed hope for the future of our country and our state. Let us not neglect this opportunity to participate in the challenge of transformation and redemption that President Obama has offered. Let us all join together to recognize the hardships we face as a state and a nation. Let us all together kneel and ask for guidance and help from above to meet and overcome those obstacles.

As president of the ASB, I feel I have both a personal and professional obligation to do everything I can to enhance and improve our system of justice in Alabama. There is much work to be done. We must make civil legal services available to the poor, upgrade our system of indigent criminal defense and ensure that Alabamians are served by the best judges possible seated by the fairest means possible. For these efforts, I make no apology.

More so than ever before, I am proud to be an American and a citizen of Alabama. Despite its shortcomings, America’s legal and judicial system is the envy of the world, and for that I am most grateful. As your bar president, I have recently traveled to many other states and met with lawyers and judges from even more states. All this has convinced me that we have some of the very best lawyers and judges anywhere right here in Alabama.

I recognize my debt for the liberal use of the words of President Obama and Rev. Lowery, but I don’t think any apology is necessary. I suspect they want their message spread far and wide. “Let all those who do justice and love mercy say Amen. Say Amen. And, Amen.”

NOTE: As typical of any “President’s Page” that has appeared this year, this product starts with some rambling, incomprehensible offering by me which then is subjected to the wisdom and talent of Kitty Brown and Bill Bowen. Anything relevant and coherent that results is thanks to them and I am in their debt.

