

Can a Good Christian Be a Good Lawyer? Homilies, Witnesses and Reflections

reviewed by [Kyle Pasewark](#) in the [April 21, 1999](#) issue

Can a Good Christian Be a Good Lawyer?: Homilies, Witnesses and Reflections

Edited by Thomas A. Baker and Timothy W. Floyd. University of Notre Dame Press, 206 pp.

When I left my career as a professor of theology in order to pursue law, two fellow academics told me that I was leaving heaven for hell. I, however, saw law as a way to extend my religious commitments, not discard them. I certainly did not think I was leaving morality behind, though I did have my own prejudices. Although the practice of law is governed by rules of professional ethics, and although most lawyers I know are quite ethical, I did not think that the legal profession engaged in much systematic ethical reflection. But I quickly discovered that literature on legal ethics is burgeoning and discussions about ethics are frequent.

Texas Tech law professors Thomas Baker and Timothy Floyd contribute to this discussion with a widely varied collection of writings by practitioners. They do not so much try to answer the title's question as to show how it is possible to be a good Christian and a good lawyer. The "how" generally does not involve theological nuance; with the exception of Michael Joseph Woodruff's thoughtful article on the relation of justice and mercy, readers seeking new theological insights will be disappointed. But those who are interested in honest examinations of how one can bring one's religious ethics to one's professional conduct will be rewarded.

The best essays acknowledge the frequent conflict between legal practice and Christianity. Dan Edwards's reflections on remaining Christian while representing unsavory but nevertheless human clients are gems. Articles by Teresa Stanton Collett, Ashley Wiltshire and Alan Perry illuminate the challenge of maintaining allegiance to two valuable but often conflicting systems. The trying, necessary and ultimately rewarding processes of fitting law and religion into serviceable lives of relative integrity makes fascinating reading, particularly because neither the fit nor the lives seem safely complete. Both have jagged edges. Reflecting on a long life as a lawyer and a Christian, one contributor hopes merely that he has done more good than ill--ethically, perhaps the most anyone can honestly lay claim to.

The volume's strength is the number of essays that recognize moral ambiguity; its weakness is that there are not enough of these. The need to answer the title's question affirmatively leads some contributors to produce a mere apologia for the compatibility of Christianity and law, ignoring the ethical ambiguities of both. This is especially true of essays in the book's first section by Nancy Miller-Herron and William Bentley Ball, and of a later piece by Marcus Faust. The danger of this approach is clearest when one thinks of the consequences of Kenneth Starr's confident proclamation--offered in his contribution to the book--that "the Christian perspective" (note the singular) and the law are "cheerfully compatible."

Most secular work in legal ethics is less sanguine and more anguished, recognizing that ethical questions suffuse legal practice and that eternal answers, whether from professional codes or the Bible, are unavailable.

Most of the essayists, however, do insightfully show the difficulties of ethical action, and many freely and courageously admit to having made some less than honorable choices. I am not aware of another profession that so consistently criticizes its own ethics. This reflectiveness may help account for the fact that, so far, I am considerably happier with lawyers' ethics than with those of academics. Perhaps part of the reason is that lawyers and the broader culture do ask whether one can be a lawyer and a person of integrity--Christian, Jew, Buddhist, humanist or secularist. We do not ask whether a person can be a good Christian and a good minister, professor, college president, social worker and so on. Perhaps we should.