

STANFORD LAW SCHOOL

Law Class of 2006 Graduation Ceremony

Charge to the Class

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GRADUATION SPEECH: CHARGE

It's the last day of a long journey. Finally. The end of many long years of education and preparation. You have worked and studied in anticipation of this day, and you should feel proud. As proud of yourselves as your families and friends are proud of you. As proud as we, your teachers, are.

Of course, the end of this journey begins of another: the longer, more exciting, less predictable journey of your life as an adult and your career as a lawyer. And in becoming a lawyer, you join one of the oldest, most important, and, yes, most respected professions in the world.

There are nearly a million lawyers in the United States today, which seems like a lot until you think about the significance of our profession in the world and the myriad roles lawyers play in our culture. We live in a society that prides itself on being governed by "the rule of law." A society in which law provides the structure and framework necessary not just for government, but for commerce, and art, and industry. For war, and for peace. For protecting individuals from the state and protecting the state from individuals.

It takes lawyers to make this system of law work. Lawyers who know and understand and respect law, and who are in turn respected for it. There is a reason such a large share of the leadership in this country comes from the ranks of people trained in the law. A reason why, ubiquitous lawyer jokes notwithstanding, our country turns again and again to men and women with legal training to help solve its stickiest problems.

By earning a JD, you acquire a very special privilege and power: the privilege and power to practice law. There are now things you can do—people you can help, or hurt; lives you can improve, or destroy; institutions you can build, or tear down—that no one without your training can do. Privilege and power. But also responsibility and obligation.

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It was not always so. Professionally trained lawyers were a rarity when our nation was founded: few in number because they were not especially needed or particularly well respected. There were no bar associations outside New England, and formal legal education scarcely existed at all. The first law school in the United States, begun by Tapping Reeve in Litchfield Connecticut, only started in 1774. Its first student, the first law student in American history, was Aaron Burr, who is, of course, remembered mostly for killing Alexander Hamilton.

It was not a system of legal education to envy or miss. Students did not face the anxiety of the Socratic method or have to make sense of complex appellate opinions. But they did have to sit through hour after interminable hour of unbearably dull lectures, and they had to read and memorize painfully dry treatises. So much rote memorization was required that mnemonics became part of the standard course of study.

Many things have changed since then. Yet not everything. Consider the legal education of John Adams, who became one of the greatest lawyers of his generation. Adams did not come to law from a burning passion to be a lawyer. When he finished college, he had no idea what he wanted to do. “I was like a boy in a carrefour in a wilderness in a strange country, with half a dozen roads before him groping in a dark night to find which he ought to take,” Adams later wrote. “Farming, merchandize, seas, and above all war. Nothing but want of interest and

patronage prevented me from inlisting in the Army. . . . It is a problem in my mind to this day whether I should have been a coward or a hero.”

So why law? Adams was invited to join a club whose members spent their evenings together reading. “I was as often requested to read as any other, especially tragedies, and it was whispered to me that I had some faculty for public speaking and that I should make a better lawyer than divine [that is, minister, which is what his mother wanted him to become].”

But Adams faced a daunting problem that many of you are familiar with. “I must be boarded and clothed for several years. I had no money; and my father, having three sons, had done as much for me, in the expenses of my education, as his estate and circumstances could justify, and as my reason or my honor would allow me to ask.”

There were, of course, no loans or financial aid programs. So Adams went to work for a few years as a schoolteacher, which he loathed—describing it as “a place of torment” and his students as “Fops, Buffoons, Fiddlers, Sycophants, Fools, Coxcombs, [and] chimney sweeps.” Eventually, he found an escape: a generous lawyer named Putnam who agreed in effect to give Adams a scholarship to learn law.

What kind of student was John Adams? His diary describes a typical day of legal studies:

I have smoaked, chatted, trifled, loitered away this whole day almost. By much the greatest Part of this day has been spent in unloading a Cart, in cutting oven Wood, in making and recruiting my own fire, in eating nuts and apples, in drinking Tea, cutting and smoaking tobacco and in chatting with the Doctor’s Wife at their House. Chores, Chatt, Tobacco, Tea, Steal away Time.

Still, not everything was the same. How many of you have received advice like that young John received from Jeremiah Gridley, then Massachusetts Attorney General? Ingratiating himself shamelessly, Adams asked Gridley how to become a great lawyer. “I have a few Pieces

of Advice to give you, Mr. Adams,” Gridley replied. “One is . . . not to marry early. For an early Marriage will obstruct your Improvement, and in the next Place twill involve you in Expense. Another Thing is not to keep much Company. For the application of a Man who aims to be a lawyer must be incessant. His Attention to his books must be constant, which is inconsistent with keeping much Company.”

Adams approached the sage Gridley again when he sought admission to the bar. As you contemplate the coming joys of studying for the bar exam, consider how Adams obtained permission to practice. Gridley took Adams before the judges and said:

Of Mr. Adams, as he is unknown to your Honours, It is necessary to say that he has lived between 2 and 3 years with Mr. Putnam of Worcester, has a good Character from him, and that he was with me the other day several Hours, and I take it he is qualified to study the Law by his scholarship and that he has made a very considerable, a very great Proficiency in the Principles of the Law, and therefore that the Clients Interest may be safely intrusted in his Hands.

And that was that. The clerk swore Adams in. “I shook Hands with the Bar, and received their Congratulations and invited them over to Stones to drink some Punch. Where the most of us resorted, and had a very chearful Chat.” (Stone’s Tavern, by the way, was where the Boston Massacre later took place and the Boston Tea Party was plotted.)

Despite this inauspicious beginning—and Adams’s first years as a lawyer were truly inauspicious, as he lost one case after another—Adams eventually triumphed and emerged as one of the signal figures in American history. He refused to be anything less. “What am I doing?” he wrote in his diary early in his practice.

Shall I sleep away my whole 70 years? No, by every Thing I swear I will . . . attempt some uncommon unexpected Enterprize in Law. . . . I will not confine myself to a chamber for nothing. . . . I’d rather be lost in a whirlwind of . . . great and good designs of promoting the honor, grandeur, wealth, happiness of mankind.

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I've always been fond of John Adams. Of the Founders, he is in many ways my favorite. He felt things deeply and was honest about his feelings and willing to express them. He is the easiest Founder to identify with because, as a person, he is the most accessible. I like Adams as well because he was ordinary. He came from an ordinary background and seemed to be a person of modest talent at best. But he had ambition. He set his sights high: on changing the world and making it a better place. And he succeeded. Not alone, but in very significant measure.

And why not? Why not be ambitious? Why not set your sights high and expect to change the world? Because you can. The world needs changing, and it will be people like you who do it.

You are, as I know you know, privileged: privileged as a group and privileged as individuals. You may have earned that privilege through hard work, but you are privileged nonetheless. You have options and opportunities and abilities that are available to very few, and with these options and opportunities and abilities come responsibilities.

So make choices that make sense for you, that fit your interests and your needs, your desires for family and your vision of a good life. But do not make that your sole object. Keep ever in mind that you are part of a larger community and that your legal training gives you the ability to shape that community for the better. Make that part of your career too.

Most of you will spend nearly half your waking hours over the next several decades at work. Some may spend more, but even the most balanced lawyer will spend at least that much time at his or her profession. Think about that. Think about what it means for your life. Think about how much of your life will be about your work. Make it count. Make it meaningful. Do

something of which you can be proud. Or try. Because that's something you can be sure you will never regret.

In a famous public letter written in 1776, Adams said: "You and I, my dear friend, have been sent into life at a time when the greatest lawmakers of antiquity would have wished to live. How few of the human race have ever enjoyed an opportunity [such as ours]? . . . I hope you will avail yourself and your country of that extensive learning and indefatigable industry which you possess, to assist her in the formation of the happiest governments and the best character of a great people."

Opportunities to make a difference for the better abound. Look for them. We wish you all great success and the very best lives.