

Speech given on receiving Seton Hall Law School's St. Thomas More Medal, October 1995.

Thank you very much. I am very pleased to be here this afternoon, and I was tremendously honored to receive the Saint Thomas More Medal at the Red Mass earlier today. The Medal is an honor that, I know, is not merited by anything I have done thus far in my legal career, but I hope that in the future I can merit it, as we lawyers say, nunc pro tunc.

I want to thank the members of the committee that selected me and the entire Seton Hall Law School community. Although I am not a Seton Hall graduate, I have a great appreciation for the contribution that Seton Hall Law School has made and is making to our profession here in New Jersey and elsewhere.

One of the things that has made this a very special day for me has been the presence here of my family and so many of my friends and colleagues. I would like to acknowledge the presence of my wife, Martha; my children, Phillip and Laura; my mother, Rose Alito; my sister, Rosemary Alito; my mother and father-in-law, Barbara and Gene Bomgardner; and my aunt Dorothy Fradusco. If time allowed, I would very much like to publicly thank many other people whose presence here today means a great deal to me, but I am afraid that mentioning so many names would unduly try your patience. Instead, I would simply like to thank you all for being here and to say a few words about the meaning I take from the annual celebration of the Red Mass.

The Red Mass seems to me to be a wonderful tradition in part because it provides a much needed occasion for members of the legal profession to pause and think about the moral dimension of what we do from day to day. As I say these words, however, I can almost hear the many critics of the legal profession respond in derision: "The moral dimension of the practice of law? You must be kidding? And what is this about a mass for lawyers and judges? They certainly need it, but I doubt that it will do them much good."

Anyone who practices law in 1995 is surely accustomed to such remarks. One indication of what much of the public thinks about lawyers is provided by the popularity of lawyer jokes, and one of the main themes of lawyer jokes, it seems to me, is that most lawyers and judges are on, let us say, rather shaky moral ground.

In one joke, a doctor, a teacher, and a lawyer are standing at the gates of Heaven, waiting to be assigned to living quarters. St. Peter gives the doctor a one-bedroom efficiency with a sun room, assigns the teacher to a cottage, and gives the lawyer a palatial mansion. The doctor and the teacher demand an explanation, and St. Peter replies, "Well he's the first lawyer we've ever gotten up here."

In another joke, an attorney passes on and finds himself in Heaven, but he is not at all happy with his

you any attempt at a brogue - stops in a cemetery before a
 There is a joke in which an Irishman - and I will spare

more importantly, he was a martyr and a saint.
 indeed, the Lord High Chancellor of England. But in addition and
 things, a practicing lawyer. Later, he was a judicial official,
 and figurative sense of the term, Thomas More was, among other
 has moral consequences. A Renaissance man in both the literal
 can have moral worth, should be guided by moral principles, and
 of St. Thomas More serve to remind us that the practice of law
 The Red Mass and the invocation of the name and model
 doubts about the moral worth of what they are doing.

they can. As a result, I think they begin their careers with
 necessity that they earn as much money as they can as quickly as
 but (b) weighted down with enormous debts that make it a virtual
 belief that the actual practice of law is morally questionable
 students leave law school (a) having been inculcated with the
 frankly contemptuous of the actual practice of law. Thus, many
 contributed to this problem. Too many professors have become
 at Seton Hall, but certainly at some other institutions - has
 I think that law teaching - not, I sincerely believe,

"processing," and "terminating" their cases.
 openly bureaucratic terms, worrying incessantly about "managing,"
 other. Likewise, the courts have come to view their work in
 to take a certain pride in thinking of it) as a business like any

tombstone that says: "Here lies a lawyer and an honest man."
 "And who'd ever think," the Irishman murmurs, "there'd be room
 for two men in that one little grave!" But in the case of Thomas
 More, we see not just a lawyer and an honest man, but a lawyer
 and a righteous man - and indeed a lawyer and a saint.
 Saints of course are very rare, and I greatly doubt
 that any of us, while engaged in the pursuit of our profession
 will be tested as Thomas More was. But I think that all of us
 can aspire to practice law during the upcoming year in a way that
 is, not just commercially successful, not just bureaucratically
 efficient, not just in conformity with the governing ethical
 standards, but in a way that is morally worthy. The starting
 point to doing that, in my view, is to recognize once again that
 the practice of law is supposed to result in justice; that being
 a lawyer therefore entails certain duties to the public; and that
 when we do our work as practicing lawyers in the way we should,
 the practice of the profession of the law is an honor and a
 morally worthy pursuit.