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Professional Responsibility: A Statement

PROFESSIONAL RESPONSIBILITY: A Statement*

I.

A profession to be worthy of the name must inculcate in its members a strong sense of the special obligations that attach to their calling. One who undertakes the practice of a profession cannot rest content with the faithful discharge of duties assigned to him by others. His work must find its direction within a larger frame. All that he does must evidence a dedication, not merely to a specific assignment, but to the enduring ideals of his vocation. Only such a dedication will enable him to reconcile fidelity to those he serves with an equal fidelity to an office that must at all times rise above the involvements of immediate interest.

The legal profession has its traditional standards of conduct, its codified Canons of Ethics. The lawyer must know and respect these rules established for the conduct of his professional life. At the same time he must realize that a letter-bound observance of the Canons is not equivalent to the practice of professional responsibility.

A true sense of professional responsibility must derive from an understanding of the reasons that lie back of specific restraints, such as those embodied in the Canons. The grounds for the lawyer's peculiar obligations are to be found in the nature of his calling. The lawyer who seeks a clear understanding of his duties will be led to reflect on the special services his profession renders to society and the services it might render if its full capacities were realized. When the lawyer fully understands the nature of his office, he will then discern what restraints are necessary to keep that office wholesome and effective.

Under the conditions of modern practice it is peculiarly necessary that the lawyer should understand, not merely the established stand-

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(The late Chief Justice Arthur T. Vanderbilt served on the Conference up to the time of his death.)

ards of professional conduct, but the reasons underlying these standards. Today the lawyer plays a changing and increasingly varied role. In many developing fields the precise contribution of the legal profession is as yet undefined. In these areas the lawyer who determines what his own contribution shall be is at the same time helping to shape the future role of the profession itself. In the duties that the lawyer must now undertake, the inherited traditions of the Bar often yield but an indirect guidance. Principles of conduct applicable to appearance in open court do not, for example, resolve the issues confronting the lawyer who must assume the delicate task of mediating among opposing interests. Where the lawyer's work is of sufficient public concern to become newsworthy, his audience is today often vastly expanded, while at the same time the issues in controversy are less readily understood than formerly. While performance under public scrutiny may at times reinforce the sense of professional obligation, it may also create grave temptations to unprofessional conduct.

For all these reasons the lawyer stands today in special need of a clear understanding of his obligations and of the vital connection between those obligations and the role his profession plays in society.

II.

In modern society the legal profession may be said to perform three major services. The most obvious of these relates to the lawyer's role as advocate and counselor. The second has to do with the lawyer as one who designs a framework that will give form and direction to collaborative effort. His third service runs not to particular clients, but to the public as a whole.

1.

THE LAWYER'S SERVICE IN THE ADMINISTRATION AND DEVELOPMENT OF THE LAW

The Lawyer's Role as Advocate in Open Court

The lawyer appearing as an advocate before a tribunal presents, as persuasively as he can, the facts and the law of the case as seen from the standpoint of his client's interest. It is essential that both the lawyer and the public understand clearly the nature of the role thus discharged. Such an understanding is required not only to appreciate the need for an adversary presentation of issues, but also in order to perceive truly the limits partisan advocacy must impose on itself if it is to remain wholesome and useful.

In a very real sense it may be said that the integrity of the adjudicative process itself depends upon the participation of the advocate. This becomes apparent when we contemplate the nature of the task assumed by any arbiter who attempts to decide a dispute without the aid of partisan advocacy.

Such an arbiter must undertake, not only the role of judge, but that of representative for both of the litigants. Each of these roles must be played to the full without being muted by qualifications derived from the others. When he is developing for each side the most effective statement of its case, the arbiter must put aside his neutrality and permit himself to be moved by a sympathetic identification sufficiently intense to draw from his mind all that it is capable of giving,—in analysis, patience and creative power. When he resumes his neutral position, he must be able to view with distrust the fruits of this identification and be ready to reject the products of his own best mental efforts. The difficulties of this understanding are obvious. If it is true that a man in his time must play many parts, it is scarcely given to him to play them all at once.

It is small wonder, then, that failure generally attends the attempt to dispense with the distinct roles traditionally implied in adjudication. What generally occurs in practice is that at some early point a familiar pattern will seem to emerge from the evidence; an accustomed label is waiting for the case and, without awaiting further proofs, this label is promptly assigned to it. It is a mistake to suppose that this premature cataloguing must necessarily result from impatience, prejudice or mental sloth. Often it proceeds from a very understandable desire to bring the hearing into some order and coherence, for without some tentative theory of the case there is no standard of relevance by which testimony may be measured. But what starts as a preliminary diagnosis designed to direct the inquiry tends, quickly and imperceptibly, to become a fixed conclusion, as all that confirms the diagnosis makes a strong imprint on the mind, while all that runs counter to it is received with diverted attention.

An adversary presentation seems the only effective means for combatting this natural human tendency to judge too swiftly in terms of the familiar that which is not yet fully known. The arguments of counsel hold the case, as it were, in suspension between two opposing interpretations of it. While the proper classification of the case is thus kept unresolved, there is time to explore all of its peculiarities and nuances.

These are the contributions made by partisan advocacy during the public hearing of the cause. When we take into account the prepara-

tions that must precede the hearing, the essential quality of the advocate's contribution becomes even more apparent. Preceding the hearing, inquiries must be instituted to determine what facts can be proved or seem sufficiently established to warrant a formal test of their truth during the hearing. There must also be a preliminary analysis of the issues, so that the hearing may have form and direction. These preparatory measures are indispensable whether or not the parties involved in the controversy are represented by advocates.

Where that representation is present there is an obvious advantage in the fact that the area of dispute may be greatly reduced by an exchange of written pleadings or by stipulations of counsel. Without the participation of someone who can act responsibly for each of the parties, this essential narrowing of the issues becomes impossible. But here again the true significance of partisan advocacy lies deeper, touching once more the integrity of the adjudicative process itself. It is only through the advocate's participation that the hearing may remain in fact what it purports to be in theory: a public trial of the facts and issues. Each advocate comes to the hearing prepared to present his proofs and arguments, knowing at the same time that his arguments may fail to persuade and that his proofs may be rejected as inadequate. It is a part of his role to absorb these possible disappointments. The deciding tribunal, on the other hand, comes to the hearing uncommitted. It has not represented to the public that any fact can be proved, that any argument is sound, or that any particular way of stating a litigant's case is the most effective expression of its merits.

The matter assumes a very different aspect when the deciding tribunal is compelled to take into its own hands the preparations that must precede the public hearing. In such a case the tribunal cannot truly be said to come to the hearing uncommitted, for it has itself appointed the channels along which the public inquiry is to run. If an unexpected turn in the testimony reveals a miscalculation in the design of these channels, there is no advocate to absorb the blame. The deciding tribunal is under a strong temptation to keep the hearing moving within the boundaries originally set for it. The result may be that the hearing loses its character as an open trial of the facts and issues, and becomes instead a ritual designed to provide public confirmation for what the tribunal considers it has already established in private. When this occurs adjudication acquires the taint affecting all institutions that become subject to manipulation, presenting one aspect to the public, another to knowing participants.

These, then, are the reasons for believing that partisan advocacy

plays a vital and essential role in one of the most fundamental procedures of a democratic society. But if we were to put all of these detailed considerations to one side, we should still be confronted by the fact that, in whatever form adjudication may appear, the experienced judge or arbitrator desires and actively seeks to obtain an adversary presentation of the issues. Only when he has had the benefit of intelligent and vigorous advocacy on both sides can he feel fully confident of his decision.

Viewed in this light, the role of the lawyer as a partisan advocate appears not as a regrettable necessity, but as an indispensable part of a larger ordering of affairs. The institution of advocacy is not a concession to the frailties of human nature, but an expression of human insight in the design of a social framework within which man's capacity for impartial judgment can attain its fullest realization.

When advocacy is thus viewed, it becomes clear by what principle limits must be set to partisanship. The advocate plays his role well when zeal for his client's cause promotes a wise and informed decision of the case. He plays his role badly, and trespasses against the obligations of professional responsibility, when his desire to win leads him to muddy the headwaters of decision, when, instead of lending a needed perspective to the controversy, he distorts and obscures its true nature.

The Lawyer's Role As Counselor

Vital as is the lawyer's role in adjudication, it should not be thought that it is only as an advocate pleading in open court that he contributes to the administration of the law. The most effective realization of the law's aims often takes place in the attorney's office, where litigation is forestalled by anticipating its outcome, where the lawyer's quiet counsel takes the place of public force. Contrary to popular belief, the compliance with the law thus brought about is not generally lip-serving and narrow, for by reminding him of its long-run costs the lawyer often deters his client from a course of conduct technically permissible under existing law, though inconsistent with its underlying spirit and purpose.

Although the lawyer serves the administration of justice indispensably both as advocate and as office counselor, the demands imposed on him by these two roles must be sharply distinguished. The man who has been called into court to answer for his own actions is entitled to a fair hearing. Partisan advocacy plays its essential part in such a hearing, and the lawyer pleading his client's case may prop-

erly present it in the most favorable light. A similar resolution of doubts in one direction becomes inappropriate when the lawyer acts as counselor. The reasons that justify and even require partisan advocacy in the trial of a cause do not grant any license to the lawyer to participate as legal adviser in a line of conduct that is immoral, unfair, or of doubtful legality. In saving himself from this unworthy involvement, the lawyer cannot be guided solely by an unreflective inner sense of good faith; he must be at pains to preserve a sufficient detachment from his client's interests so that he remains capable of a sound and objective appraisal of the propriety of what his client proposes to do.

2.

THE LAWYER AS ONE WHO DESIGNS THE FRAMEWORK OF COLLABORATIVE EFFORT

In our society the great bulk of human relations are set, not by governmental decree, but by the voluntary action of the affected parties. Men come together to collaborate and to arrange their relations in many ways: by forming corporations, partnerships, labor unions, clubs and churches; by concluding contracts and leases; by entering a hundred other large and small transactions by which their rights and duties toward one another are defined.

Successful voluntary collaboration usually requires for its guidance something equivalent to a formal charter, defining the terms of the collaboration, anticipating and forfending against possible disputes, and generally providing a framework for the parties' future dealings. In our society the natural architect of this framework is the lawyer.

This is obvious where the transactions or relationship proposed must be fitted into existing law, either to insure legal enforcement or in order not to trespass against legal prohibitions. But the lawyer is also apt to be called upon to draft the by-laws of a social club or the terms of an agreement known to be unenforceable because cancelable by either party at any time. In these cases the lawyer functions, not as an expert in the rules of an existing government, but as one who brings into existence a government for the regulation of the parties' own relations. The skill thus exercised is essentially the same as that involved in drafting constitutions and international treaties. The fruits of this skill enter in large measure into the drafting of ordinary legal documents, though this fact is obscured by the mistaken notion that the lawyer's only concern in such cases is with possible future litigation, it being forgotten that an important

part of his task is to design a framework of collaboration that will function in such a way that litigation will not arise.

As the examples just given have suggested, in devising charters of collaborative effort the lawyer often acts where all of the affected parties are present as participants. But the lawyer also performs a similar function in situations where this is not so, as, for example, in planning estates and drafting wills. Here the instrument defining the terms of collaboration may affect persons not present and often not born. Yet here, too, the good lawyer does not serve merely as a legal conduit for his client's desires, but as a wise counselor, experienced in the art of devising arrangements that will put in workable order the entangled affairs and interests of human beings.

3.

THE LAWYER'S OPPORTUNITIES AND OBLIGATIONS OF PUBLIC SERVICE

Private Practice as a Form of Public Service

There is a sense in which the lawyer must keep his obligations of public service distinct from the involvements of his private practice. This line of separation is aptly illustrated by an incident in the life of Thomas Talfourd. As a barrister Talfourd had successfully represented a father in a suit over the custody of a child. Judgment for Talfourd's client was based on his superior legal right, though the court recognized in the case at bar that the mother had a stronger moral claim to custody than the father. Having thus encountered in the course of his practice an injustice in the law as then applied by the courts, Talfourd later as a member of Parliament secured the enactment of a statute that would make impossible a repetition of the result his own advocacy had helped to bring about. Here the line is clearly drawn between the obligation of the advocate and the obligation of the public servant.

Yet in another sense, Talfourd's devotion to public service grew out of his own enlightened view of his role as an advocate. It is impossible to imagine a lawyer who was narrow, crafty, quibbling or ungenerous in his private practice having the conception of public responsibility displayed by Talfourd. A sure sense of the broader obligations of the legal profession must have its roots in the lawyer's own practice. His public service must begin at home.

Private practice is a form of public service when it is conducted with an appreciation of, and a respect for, the larger framework of government of which it forms a part, including under the term govern-

ment those voluntary forms of self-regulation already discussed in this statement. It is within this larger framework that the lawyer must seek the answer to what he must do, the limits of what he may do.

Thus, partisan advocacy is a form of public service so long as it aids the process of adjudication; it ceases to be when it hinders that process, when it misleads, distorts and obfuscates, when it renders the task of the deciding tribunal not easier, but more difficult. Judges are inevitably the mirrors of the Bar practicing before them; they can with difficulty rise above the sources on which they must depend in reaching their decision. The primary responsibility for preserving adjudication as a meaningful and useful social institution rests ultimately with the practicing legal profession.

Where the lawyer serves as negotiator and draftsman, he advances the public interest when he facilitates the processes of voluntary self-government; he works against the public interest when he obstructs the channels of collaborative effort, when he seeks petty advantages to the detriment of the larger processes in which he participates.

Private legal practice, properly pursued, is, then, itself a public service. This reflection should not induce a sense of complacency in the lawyer, nor lead him to disparage those forms of public service that fall outside the normal practice of law. On the contrary, a proper sense of the significance of his role as the representative of private clients will almost inevitably lead the lawyer into broader fields of public service.

The Lawyer as a Guardian of Due Process

The lawyer's highest loyalty is at the same time the most intangible. It is a loyalty that runs, not to persons, but to procedures and institutions. The lawyer's role imposes on him a trusteeship for the integrity of those fundamental processes of government and self-government upon which the successful functioning of our society depends.

All institutions, however sound in purpose, present temptations to interested exploitation, to abusive short cuts, to corroding misinterpretations. The forms of democracy may be observed while means are found to circumvent inconvenient consequences resulting from a compliance with those forms. A lawyer recreant to his responsibilities can so disrupt the hearing of a cause as to undermine those rational foundations without which an adversary proceeding loses its meaning and its justification. Everywhere democratic and constitutional government is tragically dependent on voluntary and under-

standing co-operation in the maintenance of its fundamental processes and forms.

It is the lawyer's duty to preserve and advance this indispensable co-operation by keeping alive the willingness to engage in it and by imparting the understanding necessary to give it direction and effectiveness. This is a duty that attaches not only to his private practice, but to his relations with the public. In this matter he is not entitled to take public opinion as a datum by which to orient and justify his actions. He has an affirmative duty to help shape the growth and development of public attitudes toward fair procedures and due process.

Without this essential leadership, there is an inevitable tendency for practice to drift downward to the level of those who have the least understanding of the issues at stake, whose experience of life has not taught them the vital importance of preserving just and proper forms of procedure. It is chiefly for the lawyer that the term "due process" takes on tangible meaning, for whom it indicates what is allowable and what is not, who realizes what a ruinous cost is incurred when its demands are disregarded. For the lawyer the insidious dangers contained in the notion that "the end justifies the means" is not a matter of abstract philosophic conviction, but of direct professional experience. If the lawyer fails to do his part in educating the public to these dangers, he fails in one of his highest duties.

Making Legal Services Available to All

If there is any fundamental proposition of government on which all would agree, it is that one of the highest goals of society must be to achieve and maintain equality before the law. Yet this ideal remains an empty form of words unless the legal profession is ready to provide adequate representation for those unable to pay the usual fees.

At present this representation is being supplied in some measure through the spontaneous generosity of individual lawyers, through legal aid societies, and—increasingly—through the organized efforts of the Bar. If those who stand in need of this service know of its availability, and their need is in fact adequately met, the precise mechanism by which this service is provided becomes of secondary importance. It is of great importance, however, that both the impulse to render this service, and the plan for making that impulse effective, should arise within the legal profession itself.

The moral position of the advocate is here at stake. Partisan advocacy finds its justification in the contribution it makes to a

sound and informed disposition of controversies. Where this contribution is lacking, the partisan position permitted to the advocate loses its reason for being. The legal profession has, therefore, a clear moral obligation to see to it that those already handicapped do not suffer the cumulative disadvantage of being without proper legal representation, for it is obvious that adjudication can neither be effective nor fair where only one side is represented by counsel.

In discharging this obligation, the legal profession can help to bring about a better understanding of the role of the advocate in our system of government. Popular misconceptions of the advocate's function disappear when the lawyer pleads without a fee, and the true value of his service to society is immediately perceived. The insight thus obtained by the public promotes a deeper understanding of the work of the legal profession as a whole.

The obligation to provide legal services for those actually caught up in litigation carries with it the obligation to make preventive legal advice accessible to all. It is among those unaccustomed to business affairs and fearful of the ways of the law that such advice is often most needed. If it is not received in time, the most valiant and skillful representation in court may come too late.

The Representation of Unpopular Causes

One of the highest services the lawyer can render to society is to appear in court on behalf of clients whose causes are in disfavor with the general public.

Under our system of government the process of adjudication is surrounded by safeguards evolved from centuries of experience. These safeguards are not designed merely to lend formality and decorum to the trial of causes. They are predicated on the assumption that to secure for any controversy a truly informed and dispassionate decision is a difficult thing, requiring for its achievement a special summoning and organization of human effort and the adoption of measures to exclude the biases and prejudgments that have free play outside the courtroom. All of this goes for naught if the man with an unpopular cause is unable to find a competent lawyer courageous enough to represent him. His chance to have his day in court loses much of its meaning if his case is handicapped from the outset by the very kind of prejudgment our rules of evidence and procedure are intended to prevent.

Where a cause is in disfavor because of a misunderstanding by the public, the service of the lawyer representing it is obvious, since he helps to remove an obloquy unjustly attaching to his client's position.

But the lawyer renders an equally important, though less readily understood, service where the unfavorable public opinion of the client's cause is in fact justified. It is essential for a sound and wholesome development of public opinion that the disfavored cause have its full day in court, which includes, of necessity, representation by competent counsel. Where this does not occur, a fear arises that perhaps more might have been said for the losing side and suspicion is cast on the decision reached. Thus, confidence in the fundamental processes of government is diminished.

The extent to which the individual lawyer should feel himself bound to undertake the representation of unpopular causes must remain a matter for individual conscience. The legal profession as a whole, however, has a clear moral obligation with respect to this problem. By appointing one of its members to represent the client whose cause is in popular disfavor, the organized Bar can only discharge an obligation incumbent on it, but at the same time relieve the individual lawyer of the stigma that might otherwise unjustly attach to his appearance on behalf of such a cause. If the courage and the initiative of the individual lawyer make this step unnecessary, the legal profession should in any event strive to promote and maintain a moral atmosphere in which he may render this service without ruinous cost to himself. No member of the Bar should indulge in public criticism of another lawyer because he has undertaken the representation of causes in general disfavor. Every member of the profession should, on the contrary, do what he can to promote a public understanding of the service rendered by the advocate in such situations.

The Lawyer and Legal Reform

There are few great figures in the history of the Bar who have not concerned themselves with the reform and improvement of the law. The special obligation of the profession with respect to legal reform rests on considerations too obvious to require enumeration. Certainly it is the lawyer who has both the best chance to know when the law is working badly and the special competence to put it in order.

When the lawyer fails to interest himself in the improvement of the law, the reason does not ordinarily lie in a lack of perception. It lies rather in a desire to retain the comfortable fit of accustomed ways, in a distaste for stirring up controversy within the profession, or perhaps in a hope that if enough time is allowed to pass, the need for

change will become so obvious that no special effort will be required to accomplish it.

The lawyer tempted by repose should recall the heavy costs paid by his profession when needed legal reform has to be accomplished through the initiative of public-spirited laymen. Where change must be thrust from without upon an unwilling Bar, the public's least flattering picture of the lawyer seems confirmed. The lawyer concerned for the standing of his profession will, therefore, interest himself actively in the improvement of the law. In doing so he will not only help to maintain confidence in the Bar, but will have the satisfaction of meeting a responsibility inhering in the nature of his calling.

The Lawyer as Citizen

Law should be so practiced that the lawyer remains free to make up his own mind how he will vote, what causes he will support, what economic and political philosophy he will espouse. It is one of the glories of the profession that it admits of this freedom. Distinguished examples can be cited of lawyers whose views were at variance from those of their clients, lawyers whose skill and wisdom made them valued advisers to those who had little sympathy with their views as citizens.

Broad issues of social policy can and should, therefore, be approached by the lawyer without the encumbrance of any special obligation derived from his profession. To this proposition there is, perhaps, one important qualification. Every calling owes to the public a duty of leadership in those matters where its training and experience give it a special competence and insight. The practice of his profession brings the lawyer in daily touch with a problem that is at best imperfectly understood by the general public. This is, broadly speaking, the problem of implementation as it arises in human affairs. Where an objective has been selected as desirable, it is generally the lawyer who is called upon to design the framework that will put human relations in such an order that the objective will be achieved. For that reason it is likely to be the lawyer who best understood the difficulties encountered in this task.

A dangerous unreal atmosphere surrounds much public discussion of economic and political issues. The electorate is addressed in terms implying that it has only to decide which among proffered objectives it considers most attractive. Little attention is paid to the question

of the procedures and institutional arrangements which these objectives will require for their realization. Yet the lawyer knows that the most difficult problems are usually first encountered in giving workable legal form to an objective which all may consider desirable in itself. Not uncommonly at this stage the original objective must be modified, redefined, or even abandoned as not being attainable without undue cost.

Out of his professional experience the lawyer can draw the insight needed to improve public discussion of political and economic issues. Whether he considers himself a conservative or a liberal, the lawyer should do what he can to rescue that discussion from a world of unreality in which it is assumed that ends can be selected without any consideration of means. Obviously if he is to be effective in this respect, the lawyer cannot permit himself to become indifferent and uninformed concerning public issues.

Special Obligations Attaching to Particular Positions Held by the Lawyer

No general statement of the responsibilities of the legal profession can encompass all the situations in which the lawyer may be placed. Each position held by him makes its own peculiar demands. These demands the lawyer must clarify for himself in the light of the particular role in which he serves.

Two positions of public trust require special mention. The first of these is the office of public prosecutor. The manner in which the duties of this office are discharged is of prime importance, not only because the powers it confers are so readily subject to abuse, but also because in the public mind the whole administration of justice tends to be symbolized by its most dramatic branch, the criminal law.

The public prosecutor cannot take as a guide for the conduct of his office the standards of an attorney appearing on behalf of an individual client. The freedom elsewhere wisely granted to partisan advocacy must be severely curtailed if the prosecutor's duties are to be properly discharged. The public prosecutor must recall that he occupies a dual role, being obligated, on the one hand, to furnish that adversary element essential to the informed decision of any controversy, but being possessed, on the other, of important governmental powers that are pledged to the accomplishment of one objective only, that of impartial justice. Where the prosecutor is recreant to the trust implicit in his office, he undermines confidence, not only in his profession, but in government and the very ideal of justice itself.

Special fiduciary obligations are also incumbent on the lawyer who becomes a representative in the Legislative Branch of government, especially where he continues his private practice after assuming public office. Such a lawyer must be able to envisage the moral disaster that may result from a confusion of his role as legislator and his role as the representative of private clients. The fact that one in this position is sometimes faced with delicate issues difficult of resolution should not cause the lawyer to forget that a failure to face honestly and courageously the moral issues presented by his position may forfeit his integrity both as lawyer and as legislator and pervert the very meaning of representative government.

Mention of special positions of public trust should not be taken to imply that delicate moral issues are not confronted even in the course of the most humble private practice. The lawyer deciding whether to undertake a case must be able to judge objectively whether he is capable of handling it and whether he can assume its burdens without prejudice to previous commitments. In apportioning his time among cases already undertaken the lawyer must guard against the temptation to neglect clients whose needs are real but whose cases promise little financial reward. Even in meeting such everyday problems, good conscience must be fortified by reflection and a capacity to foresee the less immediate consequences of any contemplated course of action.

III.

To meet the highest demands of professional responsibility the lawyer must not only have a clear understanding of his duties, but must also possess the resolution necessary to carry into effect what his intellect tells him ought to be done.

For understanding is not of itself enough. Understanding may enable the lawyer to see the goal toward which he should strive, but it will not furnish the motive power that will impel him toward it. For this the lawyer requires a sense of attachment to something larger than himself.

For some this will be attainable only through religious faith. For others it may come from a feeling of identification with the legal profession and its great leaders of the past. Still others, looking to the future, may find it in the thought that they are applying their professional skills to help bring about a better life for all men.

These are problems each lawyer must solve in his own way. But in solving them he will remember, with Whitehead, that moral education cannot be complete without the habitual vision of greatness.

And he will recall the concluding words of a famous essay by Holmes:

Happiness, I am sure from having known many successful men, cannot be won simply by being counsel for great corporations and having an income of fifty thousand dollars. An intellect great enough to win the prize needs other food besides success. The remoter and more general aspects of the law are those which give it universal interest. It is through them that you not only become a great master in your calling, but connect your subject with the universe and catch an echo of the infinite, a glimpse of its unfathomable process, a hint of the universal law.