

Listen to that again. Four things, three of which are wholly within the control of any of us:

To hear courteously.

To consider soberly.

To decide impartially.

In simpler words, to give each litigant who comes before us his or her day in court. To hear them out. To consider what they say, and then to explain to them in words they can understand why they win or lose.

Admittedly, the fourth requirement “to answer wisely” is sometimes beyond our control.

Although we may decide many cases with confidence, some require much more. Benjamin Cardozo put it this way, “It is when the colors do not match, when the references in the index fail, when there is no decisive precedent, that the serious business of the judge begins.”

In those cases, our demeanor on the bench and the words used in our judgments or opinions are most important. For if they show a sincere and humble yearning for justice, a yearning that seri-

ously considers all arguments, a yearning that, for better or worse, explains clearly its decision-making process, rather than parroting the arrogance of some predetermined ideology, then our people will have cause to and will in fact have faith in our decisions. As much as they want to win, most Americans can accept losing if they are accorded common dignity in the process and receive a straight and honest answer at the end.

I suppose this is just a long-winded way of reminding you of how important our system of law is to our nation and how important you are in upholding our system of law. While much can be said about public trust and confidence in the courts, the public’s trust and confidence is won or lost day by day, case by case, by each of us, in our courtrooms and in our written work by simply doing our jobs in a humble, considerate, and straightforward way. A way that yearns for justice. For after all, as written by George Eliot: “Justice is like the kingdom of God—it is not without us a fact, it is within us a yearning.” 

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