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ESSAY

WAKE THE NATION: LAW STUDENT INSIGHTS INTO THE NEW JERUSALEM¹

THOMAS L. SHAFFER²
ANTHONY J. FEJFAR³

Let the River Run,
Let All the Dreamers Wake the Nation,
Come the New Jerusalem!⁴

Mike Nichols's 1988 movie *Working Girl*⁵ gave Melanie Griffith "a star-making showcase" for her talents; it gave Harrison Ford a chance to show that he could play light comedy; and its theme song, *Let the River Run*, won an Academy Award for Carly Simon.⁶ After watching and discussing the movie with groups of law students from our respective universities,⁷ we noticed that both the movie and the song make a religious claim, one that we take seriously. This claim can be found in the principal apocalyptic literature in the New Testament:

And I saw a new heaven and a new earth: for the first heaven and the first earth were passed away; and there was no more sea.

And I John saw the holy city, new Jerusalem, coming down from God out of heaven, prepared as a bride adorned for her husband.

1. Title adapted from CARLY SIMON, *Let the River Run*, on WORKING GIRL SOUNDTRACK (Arista Records 1989).

2. Robert and Marion Short Professor of Law, University of Notre Dame. B.A. 1958, University of Albuquerque; J.D. 1961, University of Notre Dame; LL.D. 1983, St. Mary's University.

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4. SIMON, *supra* note 1.

5. WORKING GIRL (Twentieth Century Fox 1988).

6. LEONARD MALTIN, LEONARD MALTIN'S MOVIE AND VIDEO GUIDE 1410 (1993).

7. The Harrisburg campus of the Widener University School of Law is a constituent part of the largest law school in the United States. The law school at the University of Notre Dame, now in its 126th year, is a culturally and ethnographically Roman Catholic, but otherwise widely diverse, institution.

To remove fluency obstacles, not noticeable to listeners but which would be distracting to readers, we have edited the students' oral remarks that are presented here. Additionally, the remarks are arranged thematically.

And I heard a great voice out of heaven saying, Behold, the tabernacle of God *is* with men, and he will dwell with them, and they shall be his people, and God himself shall be with them, *and be* their God.

And God shall wipe away all tears from their eyes; and there shall be no more death, neither sorrow, nor crying, neither shall there be any more pain: for the former things are passed away.

And he that sat upon the throne said, Behold, I make all things new. And he said unto me, Write: for these words are true and faithful.⁸

"Let the River Run," the song says. "Let All the Dreamers Wake the Nation. Come the New Jerusalem!"⁹

In *Working Girl*, Tess McGill is a secretary in a New York City securities firm who goes to night school, pays attention to business as if she were an analyst rather than a secretary, and prepares to be, as she thinks, more than she is. She is not content to ride the ferry across New York Harbor between Wall Street and New Jersey twice a day; she is not content, as it turns out, to share her life with a boyfriend whose ambition is to own his own boat.

Tess McGill's creators may have envisioned Thomas Hardy's Tess,¹⁰ but their creation, unlike Hardy's, is not an object of fate. Tess McGill takes control of her life; she is out to change things. She is a "Dreamer" out to "Wake the Nation." She is a bright, working-class young woman, determined to get ahead. Tess does get ahead, not by diligence alone (she is not a

8. *Revelation* 21:1-5 (King James Int'l Version). This Christian vision invokes the more ancient Hebraic version:

Awake, awake;
Put on thy strength, O Zion;
Put on thy beautiful garments,
O Jerusalem, the holy city;
For henceforth there shall no more come into thee
The uncircumcised and the unclean.
Shake thyself from the dust,
Arise, and sit down, O Jerusalem;
Loose thyself from the bands of thy neck,
O captive daughter of Zion.

Isaiah 52:1-2 (Jewish Publication Society). Rabbi Joseph Hertz says, in an editorial note to this Jewish apocalyptic vision of the restoration of the Temple after the Babylonian captivity: "Jerusalem will rise again from its present degradation. Let her array herself as a queen, surrounded by her restored children. The mountains and waste places of Judea shall rejoice at the Lord's triumphal return to Zion." PENTATEUCH AND HAFTORAHS 837 (J.H. Hertz ed., 2d ed. 1987).

9. SIMON, *supra* note 1.

10. See generally THOMAS HARDY, *TESS OF THE D'URBERVILLES* (Juliet Grindle & Simon Gatrell eds., Oxford University Press 1983) (1891).

Horatio Alger heroine), nor because she locates powerful patrons (she is no Pygmalion either), but by trickery. Tess pretends that she is her boss, an ambitious, socially credentialed yuppie named Katharine Parker. While Parker is in the hospital recovering from a skiing injury, Tess is able to succeed in her undertakings because of the deception.

"Who makes it happen?" Tess asks herself in a little self-help exercise she learned from her boss. "I do. I make it happen," she answers. For a while, she, like a lawyer, exercises power she does not have. Or rather, she exercises power without authority. However, unlike most lawyers, she acts through deception. For a while, as she puts it, she refuses to follow "rules that I had nothing to do with setting up."

Eventually, the deception is uncovered and for a while Tess is defeated. But then Tess attracts the attention of her own Daddy Warbucks, and by the end of the movie, she is a entry-level corporate manager in a new job. She has her own office, dresses like Katharine Parker, and is far from the madding crowd of the secretarial pool. She telephones her friends there and tells them what has happened, and they cheer at her success.

In the last scene of the movie, Nichols's camera pans away from Tess's new office, like a bird flying away, out of the window and into the sky over New York City. The scene widens to show Tess's office as a cubicle among cubicles, like a shoe box on the shelf with hundreds of other shoe boxes in the back of a store. It is a single-occupant, junior manager's cubicle, though, in a building on Wall Street, a place of power and yet perhaps the most provincial place in America. It is surrounded by scores of offices with scores of junior managers working in them, but Tess has her own window now. She is one of the managers, ready, in a phrase Auden used, for another entirely male generation of young managers to trudge on time to a tidy fortune.

* * * *

This final scene could as easily have shown the office of a beginning associate in a law firm on Wall Street or in one of the scores of law firms in other cities that have adopted the ethos of Wall Street law. We law teachers and our students, of course, thought of Tess's resemblance to a beginning big-firm lawyer as we asked ourselves about Tess's vision—the New Jerusalem:

Tom (not Shaffer): I'll say the New Jerusalem is her office, definitely. Getting the office. I think her religion . . . was to get this job, and she's in heaven at the end of the movie when she gets her office.

Cindy: Her New Jerusalem was not just the job. I think it was the happiness. I think she is going to change the system by the way she does things herself.

Eric: But is that saying she's just become one of the cogs in the system? Is the dream to become one of the cogs in the system? It seemed to me that her life was much more vibrant and real before she became successful.

Regina: I don't think that just because she had that one office in that big office building makes her a cog. I think it's just a start of her New Jerusalem. She's just starting out; she's going to, hopefully, go forward. At the end with her new secretary, she doesn't lay down any rules; she doesn't lay down any laws; they're going to work together. I think that's building her New Jerusalem. She has to make a difference and make it a little better.

Fred: You do get the sense that she's become one of the pillars in the New Jerusalem. She is a woman buying into a man's system instead of a woman looking to change the system that she saw the initial fault in. At the end, the elation shows to me a kind of complacency that doesn't indicate that she's going to change the system that was giving her the shaft in the beginning.

Bobby: When you become a part of corporate America, you may very well change to reflect the values of the individuals that brought you there. The position is tailored by the people who brought you there. You have to fit in to what they have chosen to put you into. You become one of them.

Monica: How many corporate men did we see? Not very many; we saw a few. But look at those vast secretarial pools. I mean floors and floors of them. So she went and got out of that. I think that is really a huge contribution, rather than just this ditsy little thing who was looking for a mink or a six-thousand-dollar dress. I didn't see it as quite that superficial.

Barry: She wasn't going to go along with what everybody else was doing. I thought that was the perfect victory for her.

Paul: That remains to be seen. The movie ends with her finally having somebody underneath her. You never know what is going to happen after that, when the pressure comes down and you know you are faced with all these pressures. Who knows what somebody else is going to do? She may very well turn into another Katharine. You don't know.

Deb: Do you really think that [Tess] is going to turn bad?

Todd: You never know. Maybe. The system does strange things.

* * * *

Our discussions led us to issues relating to values, the meaning of life, and cultural trends:

Todd: I think the movie really exemplified what was going on in the 1980s: You have to bend the rules to get to the top. And you have to get to the top at all costs. When the 1990s started, people started to reject that

and are now kind of going back to a simpler tradition. I think you can see that in American culture.

Matt: Maybe if you want to talk about a transition from one decade to the next, maybe *Pretty Woman*¹¹ “shows [better] how that transition is moving. In that movie [the ruthless lawyer deal-maker played by Richard Gere] is not going to be like that anymore. Maybe the reason people like that movie so much is . . . because they have this whole ideal that they don’t believe in anymore, and a new ideal they are starting to believe in again.

Todd: I think a lot of people our age are finally beginning to realize that the 1980s and greed, and success at all costs, even at the cost of not being happy in your social life—I don’t think that’s important anymore, because people want to go back to the family and go back to having a life outside the workplace. Materialism has changed, and . . . values have changed.

Barry (contrasting Tess McGill with her boss, Katharine Parker): Katharine is a kind of false person. She uses all of these stereotypes, all this very proper language, and she has all these dates at the country club, and the perfect vacation, but you get the impression that she doesn’t have any friends in her fake, fragile world. I contrast that with the real life that Tess is trying to lead, where she does have values; she does have a personality; she wants accomplishments of her own. She’s concerned about personal things, whereas the other characters seem more concerned about their environment and keeping and protecting it the way it is. Maybe in the 1980s there were so many people that were worried about creating [Katharine’s] kind of world for themselves and creating that kind of image for themselves. When I am that old, I certainly hope I am not doing that kind of dance.

Cindy: There is no set thing that we have to do. That’s what was said about our generation which is so true.

* * * *

We also reflected upon “the system” and “society,” and our own dreams and hopes for the future:

Bobby: From my perspective as a black man, the system is bad. . . . I don’t want to belabor the point, but I think there is a way to change it, and a few people are in a position where they really can. Those are some of the people that have a goal in mind and are not really looking for a lot of return from things. . . . If you are not looking solely for monetary reward for what you are doing, then I think it becomes a little easier to keep changing things

11. *PRETTY WOMAN* (Touchstone Pictures 1990).

and to not necessarily buy into the system, and yet still be part of the system.

Tom: I don't think society is so bad. I think maybe what needs to be changed is for people to set their goals not necessarily based so much on success, so that "success" is going to make me an unhappy or happy person. But maybe to say some things like: "If you make it that's great, but if not, if you are happy, that is the most important thing." To de-emphasize the material things in life.

Cindy: One of the things I have realized since coming to law school and having had the opportunity to reflect on my life is that we can do anything we want with this degree. You can go out there and teach, or work in shelters, work for a corporate firm, whatever. There is not one set thing.

Susan: I came from an ethnic family and I'm the first woman from my family to graduate from college and will be the first lawyer in the family. . . . The American Dream in my family, though, is not to be educated. It took me eight years out after college to go back to higher education. In my family, it was more the work ethic. Get out and get a job. You were only valued if you worked. For me, education has been part of the American Dream. So now I'm being educated, and when I get out I'm going to be fifty thousand dollars in debt. So I don't know whether that is a dream or not. Sometimes I get scared that I traded one thing for another.

Cindy: There are a lot of things you can do that will also [allow you to] pay your loan payments. There are lots of things you can do and still pay your loan payments and live in a meager way. I mean there is no set way that you have to do things. I think people need to realize that, and you need to go out and look for that.

Deb: You hear a lot about our generation being lazy. Just because a large consensus doesn't want to work sixty to eighty hours a week, like the last generation did, I don't think that's lazy. I think it's just a change of priorities. Make enough money just to have enough fun and a good life.

Matt: So your priorities really have changed. Once everybody has obligations, *i.e.*, family, children, I think we will try to be at least as involved with our children as our parents were with us. In the 1990s, that is going to take a tremendous amount of work. I don't think things are going to slow down.

John: As long as law schools are so expensive, if you've been to law school, it makes people almost have to take out loans, have to take jobs that are high paying and usually very demanding. I think it's a vicious cycle.

Todd: Not necessarily. It just takes longer to pay them off. I'm taking a job that is nowhere near the amount of money I could be making. It's just going to take longer to pay it off, just because it's what I want, here, right

now. I just want to forsake that twelve-hour workday because I don't think it's worth it. All you do is get ulcers; you don't accomplish anything in the long run. You are not happy. What's the point of living the life if all you are doing is working, working, working, when you don't have time off for yourself and your loved ones?

Keri: But the thing is, you are going to get ulcers if you're forty-five and you can't buy a house yet. I mean, maybe this is selfish of me, but I don't want to have to struggle like my parents did, and I won't.

Matt: I don't want my kids to have to struggle either.

* * * *

There are, perhaps, two notions in those conversations about what the New Jerusalem is. One notion is, like the imagery the song appropriates, apocalyptic: a new personal horizon for Tess,¹² a position from which she can be effective against injustice, enjoy freedom from oppression, and even realize the American Dream of prosperity and self-sufficiency. The other notion is what the theologians call a prophetic notion: Tess represents a generation that will return to and proclaim the values of its living tradition.¹³

The risk, in either notion, is that Tess will become like her oppressors; she will become an oppressor of others. She will take on, from those in other junior-manager cubicles and those who put them there, what Walter Brueggemann calls "static royalist consciousness," a religion whose god is limited by those who exercise political and religious power.¹⁴ The culture that accompanies such a god is characterized by what Brueggemann calls

12. Strictly speaking, there is no such thing as a "new" horizon. Rather, a new horizon can only develop out of a past horizon or tradition, and what is "new" will always retain some of the "old." See HANS G. GADAMER, *TRUTH AND METHOD* 306 (Joel Weinsheimer & Donald Marshall trans., 2d rev. ed. 1989) ("[T]he horizon of the present cannot be formed without the past.").

13. In the text we refer to "tradition" as "living" because a tradition can only be preserved through the creative acts of those who have inherited it. As Gadamer puts it, "In a tradition . . . old and new are always combining into something of living value, without either being explicitly foregrounded from the other." *Id.*

14. WALTER BRUEGGEMANN, *THE PROPHETIC IMAGINATION* 17 (1978). According to Brueggemann, during the life of Moses the gods of Egypt were the "immovable lords of order." *Id.* Theirs was a culture of "static royalist consciousness" and a religion of "static triumphalism," where the gods called for the legitimization of the societal status quo:

In Egypt . . . there were no revolutions, no breaks for freedom. There were only the necessary political and economic arrangements to provide order, "naturally," the order of Pharaoh. Thus the religion of the static gods is not and never could be disinterested, but inevitably it served the interests of the people in charge, presiding over the order and benefiting from the order. And the functioning of that society testified to the rightness of the religion because kings did prosper and bricks did get made.

Id.

the "religion of static triumphalism" and the "politics of oppression and exploitation."¹⁵

Brueggemann's alternative Hebraic and biblical religion is suggested in the students' perception that Tess's relationship with her secretary will be different than the relationship Katharine Parker had with Tess. It is what he calls "alternative prophetic consciousness," a faith in which the believer sees and feels the suffering of other persons and dares to imagine and act to help bring about an alternative vision of society based upon love and justice.¹⁶ Such a person is moved by a consciousness that integrates creative

15. *Id.* The Israel of King Solomon, characterized by static royalist consciousness, was one where consumer goods seemed plentiful and survival assured—at least for the King and royal society. *Id.* at 33. The affluence of the royal class, however, did not come without a price: "Covenanting which takes brothers and sisters seriously had been replaced by consuming which regards brothers and sisters as products to be used." *Id.*

Brueggemann also points out that the affluence of the royal class was made possible by the presence of an "oppressive social policy":

[This] affluence was undoubtedly hierarchical and not democratic in its distribution. Obviously some people lived well off the efforts of others, for we are reminded that there were those 'who built houses and did not live in them, who planted vineyards, and did not drink their wine.' Fundamental to social policy was the practice of forced labor, in which at least to some extent citizens existed to benefit the state or the corporate economy.

Id.

Additionally, Brueggemann suggests that there was a relationship between imperial economics and a religion of static triumphalism. *Id.* at 34. The economics of affluence and the accompanying social policy of repression were effectuated through the "establishment of a controlled, static religion in which God and his temple have become part of the royal landscape, in which the sovereignty of God is fully subordinated to the purpose of the king." *Id.* (emphasis omitted). This is a domesticated god who is under the "control" of the political-religious status quo, a god who is static and distant and whose passion is tamed. *See id.* at 35.

16. Moses, the paradigm of the prophet, carried a prophetic vision of an alternative consciousness that had two dimensions: "a religion of God's freedom as alternative to the static imperial religion of order and triumph and a politics of justice and compassion as alternative to the imperial politics of oppression." *Id.* at 18. The underlying point being that "there is no freedom of God without the politics of justice and compassion, and there is no politics of justice and compassion without a religion of the freedom of God." *Id.* Thus, Brueggemann states that alternative prophetic consciousness must be *both* critical *and* energizing: "Our faith tradition understands that it is precisely the dialectic of criticizing and energizing which can let us be seriously faithful to God." *Id.* at 14. It is precisely here, Brueggemann points out, that our popular political culture, in both its "conservative" and its "liberal" manifestations, fails to seriously challenge the status quo. This is because:

The liberal tendency has been to care about the politics of justice and compassion but to be largely uninterested in the freedom of God. Indeed, it has been hard for liberals to imagine that theology matters, for it seemed irrelevant. It was thought that the question of God could safely be left to others who still worried about such matters. As a result, social radicalism has been like a cut flower without nourishment, without any sanctions deeper than human courage and good intentions. Conversely, it has been the tendency in conservative quarters to care intensely about God, but uncritically, so that the God of well-being and good order is not understood to be precisely the source of social oppression.

imagination and critical analysis with passionate, caring love.¹⁷ Several students suggested that an alternative prophetic consciousness would manifest itself in Tess's relationship with her secretary, since one of the lasting impressions of Tess (a credit to the character and to Griffith's art) is her ability to love. The fact that such a skill is realistically related to doing business on Wall Street is a piece of feminist consciousness that is evidently apocalyptic.¹⁸

Both of these postures, as well as what our students see as the New Jerusalem and what they fear may come to them instead, are matters of faith. The faith of static royalist consciousness is faith in evident power, the sort of evident power Tess saw around her when she was in the secretarial pool. Under this faith, individual capacity for creativity, critical analysis, and even for care, is repressed, numbed, or skewed in such a way that Tess becomes oblivious to the fact that personal, communal, and societal consciousness can be transformed. She becomes so weary, perhaps, or cynical, or diverted, that she cannot find the energy to challenge the arrangements of power in which she is getting by.¹⁹

Id. at 18. The epistemological message of such consciousness may not be a popular one: "[T]he dominant culture, now and in every time, is grossly uncritical, cannot tolerate serious and fundamental criticism, and will go to great lengths to stop it." *Id.* at 14.

17. See Anthony J. Fejfar, *A Road Less Traveled: Critical Realist Foundational Consciousness in Lawyering and Legal Education*, 26 GONZ. L. REV. 327 (1990/91) (discussing critical realist foundational consciousness as an integrated mode of consciousness).

18. See ROSEMARY R. RUETHER, *NEW WOMAN, NEW EARTH: SEXIST IDEOLOGIES AND HUMAN LIBERATION* (1975) (discussing the need for a new society in which love is no longer relegated to a passive domestic sphere, but is instead expressed passionately in all dimensions of life).

19. See BRUEGGEMANN, *supra* note 14, at 41, 46. Brueggemann points out that in order to maintain itself, the static royalist consciousness of the Solomonic era had to find a way to numb the feelings of the people and direct their energies away from prophetic concerns and lifestyles. *Id.* This was accomplished in several ways. First, through the development of a static cosmos theology, in which it is assumed that the constitution of present and future society has been pre-ordained, and in which human nature, forms of human interaction, and even God are assumed to be static and unchanging. *Id.* at 34, 41. Moreover, the presence of passionate, caring love in religion, people, and community had to be eliminated: "[P]assion as the capacity and readiness to care, to suffer, to die, and to feel is the enemy of imperial reality." *Id.* at 41.

Second, there is another equally powerful tool at the disposal of royalist consciousness: individual or familial satiation. *Id.* "Imperial economics is designed to keep people satiated so that they do not notice. Its politics is intended to block out the cries of the denied ones. Its religion is to be an opiate so that no one discerns misery alive in the heart of God." *Id.* Within this political-religious reality of Solomon's time, "the human agenda of justice was utilized for security. The God of freedom and justice was co-opted for an eternal now. And in place of passion comes satiation." *Id.* at 40-41. Thus, Brueggemann concludes that "the dominant history of that period, like the dominant history of our own time, consists in briefcases and limousines and press conferences . . . and new weaponry systems. And that is not a place where much *dancing* happens and where no *groaning* is permitted." *Id.* at 41-42.

"Sometimes I sing and dance around the house in my underwear," Tess's friend Cyn tells her. "Doesn't make me Madonna. Never will." And Tess, in a rare moment of discouragement, tells herself to wise up and not take the whole thing so seriously. That is the way static royalist consciousness feels to a person at the bottom of the ladder. Our students seemed to say that such consciousness is idolatry. It is as much idolatry as it is the self-deceptive perpetuation of injustice that their immediate forebears accepted and that they will not accept. Still, the weariness or cynicism that Tess experiences does not simply materialize out of nowhere. It comes from within an organizational culture in which persons, especially working-class women, are treated as objects or commodities.²⁰ They are to be used as Tess's male superiors attempted to use her for their own advancement. In an early scene that our students did not discuss, Tess has an opportunity to improve her situation, and that of her immediate superiors, by granting sexual favors to a man who is able to help them along.

In this and other scenes in the movie, Tess is made the object of sexist jokes by nonclerical male colleagues. Tess is not taken seriously as a person who is unique and talented; rather she is told that in order to "get ahead" she will have to "put out" sexually.

* * * *

Although our students did not discuss situations of sexual harassment as blatant as those depicted in the movie, they did describe work experiences in which women were marginalized, stereotyped, or ridiculed:

Susan: The real movie is the one that's not told here. The movie that's not made; the movie that happens after she's in that position, the way they treat you. I was told right out: "I have no time for you to have children, because I have a business to run." I think that you see that culture there in who [Katharine Parker] was in the movie.

Gretchen: The hardest part, I found, was to have personal relationships, not necessarily romantic relationships, but friendly relationships with the people at work.

Carla: Well, you have to walk a really fine line between not being too feminine—because you look too weak compared to the big boys—and then you have to be feminine enough because you are still a woman and you have to wear make up.

20. See JOHN KAVANAUGH, *FOLLOWING CHRIST IN A CONSUMER SOCIETY: THE SPIRITUALITY OF CULTURAL RESISTANCE* (1981) (discussing the impact that economic theory and practice can have in "commodifying" persons); cf. BRUEGGEMANN, *supra* note 14, at 26 ("The language of the empire is surely the language of managed reality, of production schedule and market. But that language will never permit or cause freedom because there is no newness in it.").

Gretchen: The woman's voice on the phone was never the person that I wanted to talk to; I always wanted to talk to the person she was working for . . . so I had to combat that on the other end.

Susan: In my company, I dealt with all men except one other woman who was also a manager. One time I tried to set up a meeting with her and she said well, she couldn't do it that day, because she was going to get her period. I mean, what was I supposed to say? And these men treated her like a little girl. I tried to be more professional, and they just didn't know what to do about it. I didn't get any support from the men, and there were no other women in management, so what are you going to do there? Your friends at home don't even know what you're doing; they don't even understand. I felt very alone. Nobody understood, because the men think you're whining and complaining. So I left. I lasted six months.

Carla: I think many times you have to work harder as a woman to be taken seriously. You have to be a little bit more careful about the way you dress, the things that come out of your mouth, when you show emotion in an office setting. I think you have to be more careful about doing those kinds of things.

* * * *

One of several interesting aspects of the movie as a description of cultures is the fact that Tess, Cyn, and Tess's former boyfriend, Mick, all apparently grew up in the same Irish-Italian ethnic neighborhood in northern New Jersey. While some of us thought that certain parts of the movie were unrealistic, Cindy, who grew up in an ethnic Italian family and neighborhood on the East Coast, identified with Tess:

Cindy: I identified very, very much with the movie and the way [Tess] evolves from what she was in the beginning. That reminds me a lot of what I have done with my career up to this point, in what I've done with my life, how I've evolved professionally. . . . I think the reason I identified so well with the movie . . . is that I grew up in a neighborhood very much like that, very ethnic, very Italian. There is so much of that religious thing. I wanted to do everything I could in my power to get out. I could not wait to get out. I left home when I was sixteen. I wanted to get the whole vision—of New York City, the big city—and to leave the neighborhood.

* * * *

Similarly, Susan, who grew up in an ethnic Italian family, identified with Tess's mixed feelings toward her ethnic neighborhood and culture. On the one hand, just as Tess identified with her friends in the old neighbor-

hood, Susan laments the fact that the neighborhood and familial relationships that she grew up with are disappearing.²¹

Susan: When my great-grandmother came to this country, everybody all lived together. The aunts, the uncles, they all lived within a couple of houses of one another. The Italian church was here, the Irish church here, and the Polish church here. The religion and the family thing were all one. The family and your religion were your support. But let's face it, who of us lives near their family anymore? We all live away. My brothers live on the West Coast and our family structure has broken down, and with it we have all become individuals. Now we can only relate to one another as individuals.

* * * *

Susan, however, also attributes the patriarchal attitudes that Tess experienced at the hands of her old boyfriend, Mick, to that same type of ethnic culture:

Susan: I come from an ethnic Italian family and also was in a managerial position and was the only woman in that position in the company. I think that your "family" situation can sort of alienate you. Tess didn't relate to her boyfriend [Mick] anymore. She told him she got a promotion and he never even asked her to what [position]? The biggest thing for him was what was going on with him. I think that was the culture. I mean, look who he chose [to marry, after he and Tess broke up]? He chose Doreen Agalagucci, or whatever her name was. . . . Even [Tess's] girlfriend [Cyn] wanted to keep her down. Her girlfriend was stressing that she was breaking out of the mold. They want to keep you where they're at and the minute you get there they don't understand you, so they really, I think, discount you.

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Susan, however, is not rejecting relationship or community. Instead, she appears to be looking for relationships of mutual support, rather than those of domination and subjugation.²² In the movie, Susan saw Tess's relationship with Jack [played by Harrison Ford] as suggesting the possibility of such mutual support:

Susan: I don't know what the answer is. Maybe the answer is that in the movie, the man [Jack] might have been somewhat of a support to her.

21. See THOMAS L. SHAFFER & MARY M. SHAFFER, *AMERICAN LAWYERS AND THEIR COMMUNITIES* ch. 5-7 (1991) (relating the experiences of Italian-American lawyers).

22. See EVELYN EATON WHITEHEAD & JAMES D. WHITEHEAD, *MARRYING WELL: STAGES ON THE JOURNEY OF CHRISTIAN MARRIAGE* (1983) (discussing interdependent marriage relationships involving role sharing and mutual support).

He seemed a little supportive with the lunch box—better than the average bear—as far as that kind of stuff. He believed in her.

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Given the experiences that some of our students related, and the religious imagery suggested in the Carly Simon sound track to the movie, it seems that a deficiency in the picture was the absence of characters and themes that explicitly involve family and religion. While individual life experiences and attitudes differed, many of our students recognized the importance of their families and religious communities. The issue of family surfaced in relation to career plans and parental attitudes toward work:

Deb: When I saw this movie I thought of my parents. This movie is the epitome of what my parents would want me to do—they would love to see me in a big office. That's what they would think of as success for me and they would be thrilled if that's what I would do. My values are different from theirs. I guess it goes back to them having to work really hard all their lives just to get where they were, and our generation didn't have to work as hard. [Our generation has] always had everything. We are already set and programmed to go into the [Katharine Parker] position.

Susan: My Dad was a businessman and I guess I thought the American Dream was to make money; or for a woman it was to get into the man's world, be as successful as possible, and don't let them keep you in a box. I don't know though. Now I think, we can all see the end of law school coming and I wonder what the dream really is. Is it to get out there and fall into these stereotypes?

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For many of our students, experiences of community and family life related closely to the religious dimension of their lives. Regina, for example, had a positive experience of family, community, and religion, which had a substantial impact on her attitudes toward work and social justice.²³ Her comments suggest an integrated approach to living in which she refuses to compartmentalize her life.²⁴ It is interesting, in reference to the community Tess thinks she is leaving behind and the vague possibilities of a new

23. Apparently, the impact of religious upbringing on attitudes toward social justice is not just limited to our students. See SHAFFER & SHAFFER, *supra* note 21, at 189-90 (where Mario Cuomo discusses in his diary the impact that Catholic education had on his concern for, and actions on behalf of, those persons in society who are in need).

24. See DANA JACK & RAND JACK, *Women Lawyers: Archetype and Alternatives*, in *MAPPING THE MORAL DOMAIN: A CONTRIBUTION OF WOMEN'S THINKING TO PSYCHOLOGICAL THEORY AND EDUCATION* 263 (Carol Gilligan et al. eds., 1988) (discussing women lawyers who refuse to "split" themselves, and who attempt to express the virtues of care in their professional activities); see also Fejfar, *supra* note 17 (contrasting consciousness constituted by a "truncated self" and consciousness constituted by an "integrated self").

community to be joined, that the religious dimension for these students is communal. The New Jerusalem, like the old one, is a community:

Regina: I think you said, Bobby, that you can't be in the business world and be religious. I don't know what you meant. For me I never thought of it that way. For me religion is a part of my life everyday. And I couldn't get through school or work without reflecting on who I am and how I am behaving. Thinking of others, not passively, but actively. Doing things for others. I think social consciousness is great and that is what we need. For me religious faith is more of a personal thing. I was brought up going to church on Sunday, but it didn't end there. In my family life, we were always doing things together. Actually, where I am from is a very community place, and that must be why I am fortunate. I think that you can't split yourself.

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Cindy and Monica also seem to express an integrated approach to religion and living:

Cindy: I think religion, whether you go to church on Sunday or whatever, has to be your way of life. I got very interested in the Jewish faith. . . . In the Jewish religion, part of their belief is that, although a lot of them are orthodox and they follow it strictly as far as going to synagogue and doing traditional Jewish things, the reality is that religion to them is not just going to synagogue once a week. It is a way of life; it's family. And that is what I am about. When I go to church now on Sunday, I do it because I want to be there and I want to share in what I want to share in. What I wish is that what a lot of people could get out of religion is that it should be a way of life. And it's not just that you do things for people, but you are really thinking about the next person.

Monica: I was brought up in a real religious background. My mother had been a nun and my father had been a brother in a religious order. Religion is such a part of everything I think, and everything I do. I stopped going to church for a long time. I didn't need it. Then I realized that you go to church for that communal support. You go to help the group.

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While Regina, Cindy, and Monica seem to have found an experience of religious identity akin to what Brueggemann describes as "alternative prophetic consciousness" within institutional religious structures, other students have not. These students, although they have rejected institutional religious practices, seem not to be rejecting religious faith or community as

such. Instead, they are searching for a more authentic community and religious experience.²⁵

Susan: I grew up going to Catholic school. I wore the uniform every day and the whole deal. I also grew up in an Italian family. So there is that whole thing, the Catholic thing. Since getting to college, I haven't been to church hardly at all. So I guess I have made a choice against the traditional version, and I've tried. I've searched a little bit. It's hard to do it by yourself. So if we are asking, is there a New Jerusalem, a middle ground or type of community? I think it takes an incredible amount of energy to find it. I don't find it here at school at all. I feel very alienated here at school. Because I feel people are in a box. Nobody is interested in anybody different, or if you speak out too much. So I don't know where you find community. So if you go searching for community that takes a lot of energy. I don't know. If you've found it, I would like to know. But I don't know where it is. I think that the New Jerusalem is inside: It has to be some peace you come to about yourself. You can't look at this world out here because this will drive you nuts. I don't know; it's nice and everything; I just don't know where it is. I mean, I guess it is in my friendship with Setarah or Cindy; do you know what I mean? That would be the New Jerusalem for me, to feel some sort of spiritual community with other people. But I think it is a lot of work.

Sophia: I just had a comment about the Catholic religion and the hierarchy. I didn't want it at all, which is why I left it. I couldn't wait to get out of Catholic school after grade school; I just split. The problem was that I think the hierarchy, and the way the religion is run, to me is just a business. It is all just glitter and everything else. They have the Pope and all that stuff. My experiences were just discipline. All you had to do is sit there and fold your hands and do this and do that and sing in church. Don't question anything, just memorize everything. It was just totally ridiculous. So then I explored other types of religion. With any type of organized religion, my problem was one extreme or the other. Either you didn't understand, you weren't to question things, like in the Catholic reli-

25. See GUSTAVO GUTIERREZ, *WE DRINK FROM OUR OWN WELLS: THE SPIRITUAL JOURNEY OF A PEOPLE* (William E. Jerman ed. & Matthew J. O'Connell trans., 1984) (discussing the relationship between the experience of authentic spiritual solitude and authentic religious community). Interestingly, nine out of 10 adults in the United States say they believe in God; nearly as many say they have never doubted God's existence. Eight out of 10 believe in miracles. George Gallup, Jr. & Jim Castelli, *9 of 10 Share a Belief in God*, WASH. POST, Nov. 28, 1987, at B6 (reporting on the results of a Times-Mirror Corp. poll, "*The People, Press, and Politics*"). Sixty-nine percent of adults in the United States claim membership in a religious congregation; 80% say they feel led by God in making decisions, and 40% say that God has spoken to them. *Religion in America*, THE GALLUP REPORT, April 1987.

gion when I was very small, or else it was too much of a "do-goody" type of atmosphere. Everybody was real "happy" and everybody "loved" everybody, and, you know, it was sickeningly sweet. So that didn't fit me right either. I feel being inter-related with people in the community is really a good idea. I don't think it takes that much of an effort, as Susan said. I think it's just laziness. I think everyone is just so bogged down with doing their own thing that they just don't think about it. I don't think it really takes that much of an effort.

Susan: I was home recently for a funeral, and these two priests and nuns that I know from home were there. They're living in community; and they are living with lay people in community. It was the most wonderful funeral because these people are all in a community and they got up and they all talked about this woman who was dead. They all wanted to die like her. I thought to myself, this is not reality. These people have a wonderful support system, but, God, I don't know—other than what I witnessed there, where do you find it? When you get out into the work world, especially the legal field that we're going into, I mean, I don't know where—uhhgg—it's frightening, I think.

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The discussion above seems to indicate that, for many of our students, family and religion are very important. They are not rejecting relationships and community. Rather, they are looking for an experience of community and spirituality that is integrative personally, mutually supportive relationally, and interdependent communally. They seem to be rejecting a god and religious community characterized by dominance-submission and distant hierarchical authority.²⁶

After having listened to the insightful discussion of our students, several thoughts come to our minds. We wonder, how many students at law schools throughout the country share similar dreams for the future? We

26. Lutheran pastor and theologian Karen Bloomquist describes religious consciousness characterized by such attitudes and such communities:

God becomes the paradigm of a distant, hierarchical authority; the legitimization of the authority that is structured into all other orders of life; an authority who calls for a submissiveness that serves the interests of a class structured society. . . . Subordinates are forbidden to get angry over their situation, but those in positions of authority are to exercise their anger as an expression of God's anger. God puts us in our place and intends for us to live in harmony with our neighbors, regardless of their material advantage over us. These kinds of understandings, whether or not they are true to what was intended, help keep in place the structures and ideology of classism.

KAREN L. BLOOMQUIST, *THE DREAM BETRAYED* 49 (1990).

Gadamer suggests that true authority is not based upon blind obedience, but rather upon competence and knowledge:

hope that our students are right in predicting that students in the 1990s will have a strong desire to build relationships of mutual support and respect at home, in their communities, and at work. Contrary to what one may hear around the law school or in the media, there are law students and future lawyers who are concerned with more than merely maximizing their salaries.

Finally, the discussion raises questions for those of us who are law teachers and law school administrators. Do we spend a disproportionate amount of our time in our teaching and writing describing or analyzing what is or has been, to the detriment of imagining or helping to create what might be?²⁷ Do we emphasize competitive individualism and spend insufficient time helping to develop and nurture mutually supportive relationships within, and beyond, the law school community?²⁸ Are we doing enough to set an active example in service to others in the larger community through probono, civic, charitable, or religious involvement? We hope the answers to these (as we think of them) "prophetic" questions are yes. But, in our own cases at least, we suspect that we could be doing more. If we members of the law school community are to be participants in helping our students to more effectively "Dream" and "Wake the Nation," then perhaps these questions need our attention.

Based on the Enlightenment conception of reason and freedom, the concept of authority could be viewed as diametrically opposed to reason and freedom: to be, in fact, blind obedience. . . .

But this is not the essence of authority. Admittedly, it is primarily persons that have authority; but the authority of persons is ultimately based not on the subjection and abdication of reason but on an act of acknowledgment and knowledge—the knowledge, namely, that the other is superior to oneself in judgment and insight and that for this reason his judgment takes precedence—i.e., it has priority over one's own. . . . Authority in this sense, properly understood, has nothing to do with blind obedience to commands. Indeed, authority has to do not with obedience but rather with knowledge.

GADAMER, *supra* note 12, at 279.

27. See Anthony J. Fejfar, *Legal Education and Legal Scholarship: From Rationalist Discourse to Dialogical Encounter*, 20 CAP. U. L. REV. 97 (1991) (discussing the influence of one-sided analytic "visualism" upon legal education).

28. See THOMAS L. SHAFFER & ROBERT S. REDMOUNT, *LAWYERS, LAW STUDENTS AND PEOPLE* (1977) (suggesting that legal education does not do enough to develop interpersonal capabilities in students).

