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Foreword: The Question of Process

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FOREWORD: THE QUESTION OF PROCESS

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Many in the legal profession have abandoned the great questions of legal process. This is too bad. How a decision is reached can be as important as what the decision is. In an increasingly diverse country with many competing visions of the good, it is critical for law to aspire to agreement on process — a task both more achievable than agreement on substance and more suited to our profession than waving the banners of ideological truth.

By process, I mean the institutional routes by which we in America reach our most crucial decisions. In other words, process is our collective answer to the time-honored question, "Who decides?" Its vintage notwithstanding, many now doubt the salience of this query. We grow more passionate and argumentative over the achievement of substantive ends. And it is to those ends that process has become subservient. Process today lacks a disinterested life of its own. The important thing, it seems, is to advance on all fronts and prevail at all costs. The measure of process has become whether it can take us where we want to go — not whether it is the best route regardless of the destination.

A vision of society where substantive outcomes alone are paramount thus threatens to engulf us. Some would say that it already has. Only by recommitting ourselves to process can we ensure the legitimacy of the outcomes themselves.

I.

The neglect of process has produced confusion on a broad scale. We no longer know who is to perform what role. Worse still, we are no longer persuaded that it matters. The blurring of roles between legislative and judicial, between federal and state, and between public and private is endemic. Naturally, there will always be functional overlap and institutional cooperation. But we ask too infrequently the question of which forum is best suited for the resolution of which disputes. We certainly do not pose that question a priori, before outcomes are known and minds become set.

Every problem in America poses the initial question of which decisionmaker(s) should address it. We have an abundance of potential decisionmaking institutions in our country: Congress, the federal

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courts, the administrative process, the states, the localities, and the private sector. Each of the decisionmakers carries a different balance sheet. The federal judiciary is independent, but also elitist and unaccountable. The Congress is adept at democratic compromise, but beholden to special interests. The bureaucracy is expert, but unfathomable. The problem solving of the states may be creative, but piecemeal. Localities may be participatory democracies, but majoritarian tyrannies. A market may be the agent of general well-being, but also of individual distress.

It is no easy task to agree on the characteristics of decisionmaking institutions, much less which institutions should be trusted with society's most difficult problems. But by refusing to ask the institutional questions a priori, we deny ourselves a sense of detachment. It is not enough to believe, for example, that crime or discrimination is our foremost social problem and then latch on to whatever anti-crime or anti-discrimination proposal lies most conveniently at hand. Crime and discrimination are both subject to an infinite variety of solutions that range from the most national to the most local and from the most public to the most private. If our substantive preferences and process predilections invariably coincide, then we deny the workings of constitutional democracy our most basic respect.

It may seem odd for a judge to lament the demise of process. We are, as the saying goes, part of the problem. Although many decry judicial activism, it is frequently practiced by both "liberal" and "conservative" judges. When the Court decided *Brown v. Board of Education*, it raised hopes that it could serve as a beacon of enlightened decisionmaking, especially on difficult issues such as race. Confidence in the judicial branch produced a boom in public interest litigation — suits brought expressly for the purposes of advancing overtly social goals. First developed as a tool by more liberal groups such as the NAACP and the ACLU, the public interest lawsuit is now also used to great effect by more conservative groups. Frustrated with the gridlock of Congress, savvy activists will often skip the political process altogether and bring their grievances directly to the third branch. When lawsuits become the vehicle of preference for important changes of policy, power shifts from the people to the judges.

For this development, the judiciary shares much of the blame. And the advocacy class has taken its signal from the courts. For example, the question of our commitment to process often comes home to me when considering amicus briefs. Amicus briefs can be quite helpful, and I confess to reading them. Organizations with a demonstrated interest or expertise in a given subject ought as a matter of fair procedure to be allowed their say.[1] But underneath many an amicus

1. *See* FED. R. APP. P. 29.

brief is an unstated assumption — we have a problem and the court might as well find an answer. But why should the court be the one to decide? Many amicus brief writers focus on the urgency of the problem and explain in alarmist tones the consequences of a "wrong" decision. Intriguing social insights and dazzling empirical demonstrations do little to displace the sense that judges are being addressed as legislators and lobbied for a particular result.

The growth of the amicus industry reveals our new judicial age. In 1965, approximately one-third of all Supreme Court cases decided by opinion involved amicus briefs.[2] Between 1986 and 1991, eighty-four percent of cases had at least one amicus brief, and the average case had over four.[3] Each new controversial case breaks the previous record for number of amicus briefs filed. In the 1978 case, *Regents of University of California v. Bakke*, there were fifty-seven amicus briefs.[4] When a major challenge to *Roe v. Wade* arose in the 1989 case, *Webster v. Reproductive Health Services*, the Court received seventy-eight amicus briefs.[5] In *Webster*, 420 organizations participated as filers or co-signatories.[6] Some of the amici reiterate more polemically the arguments already made by one of the parties. These briefs are not by "friends of the court," but rather by friends of a cause.

Public interest groups don't just file briefs in cases before the Court — they also seek to influence which cases are heard by the Supreme Court. Amicus briefs pour in even during the certiorari process, when the Court is deciding which cases to review. Last term the Court received more than 7000 petitions for certiorari, but heard fewer than 100 cases. The amicus briefs filed on certiorari thus act as "cues," indicating to justices the importance of a dispute. Some political scientists estimate that the addition of just one amicus brief increases the likelihood of Supreme Court review by forty to fifty percent.[7]

Some amici do, of course, speak in thoughtful process terms, but others have a thinly veiled political tone. Notwithstanding their usefulness in individual cases, the overall piling up of amicus briefs is part of the "vigorous, extensive, and continuing effort[] on the part of interest groups to lobby the courts."[8] But given the complexity of soci-

2. *See* Bruce J. Ennis, *Effective Amicus Briefs*, 33 CATH. U. L. REV. 603, 603 (1984).

3. *See* Lee Epstein, *Interest Group Litigation During the Rehnquist Court Era*, 9 J.L. & POL. 639, 645 (1993).

4. *See id.* at 646.

5. *See id.*

6. *See id.* at 653.

7. *See id.* at 663.

8. Jane S. Schacter, *The Confounding Common Law Originalism in Recent Supreme Court Statutory Interpretation: Implications for the Legislative History Debate and Beyond*, 51 STAN. L. REV. 1, 47 (1998) (internal quotation marks omitted).

ety and the "orgy of statute-making"[9] that inevitably accompanies it, I suspect the era of the amicus is here to stay. In fact, the matter feeds upon itself. As courts involve themselves in more and more areas, more beams of light are required to illuminate the way. Justice Hugo Black encouraged amicus briefs because they promoted democratic results from a Court that issued broad decisions affecting more than just the litigants before it.[10] Faye Wattleton, President of Planned Parenthood, emphasizes: "The court is not sequestered on another planet. It does hear the voices of the American people."[11] Yes, but isn't that what legislatures do? As we on the bench listen to the drumbeat of political argument, we shall over time become more political ourselves. There is something disquieting about this morphing of institutional roles — with courts as the second act of a protracted legislative debate.

This confusion of roles is not just the judiciary's problem. The change in the judicial culture has an academic analogue. In fact, the interdisciplinary focus of many amicus briefs often parallels the interdisciplinary curriculum of a first-rate law school. The law school might be likened to a culture whose inhabitants find themselves bombarded by exposure to a larger world. The social and physical sciences lay claim to breadth, contemporaneity, sophistication, and modern know-how. And the challenge for legal education is to absorb without being absorbed, to steer between outright rejection and uncritical acceptance. The merger of disciplines and methodologies on the bench and in the classroom is thus in one sense welcome. In another sense, however, it has made it far more difficult for lawyers to pose lawyerly questions. With all these new tools and insights at hand, we need no longer be preoccupied with points of process. As individuals we are liberated. As a discipline, alas, we are no longer distinct.

II.

If our neglect of process were nothing more than an occasion for nostalgia, it would be of little moment. But this neglect carries serious contemporary consequences. There is a price to be paid for confusing legal roles. Think for a moment of how it feels to be bested by someone who does not follow the rules. Then multiply your sense of personal disillusionment by the millions. There is nothing so corrosive to

9. GRANT GILMORE, THE AGES OF AMERICAN LAW 95 (1977).

10. *See* Justice Hugo Black, Memorandum for the Conference from Hugo L. Black (April 9, 1954), *in* Earl Warren Papers, Library of Congress, *cited in* Michael Rustad & Thomas Koenig, *The Supreme Court and Junk Social Science: Selective Distortion in Amicus Briefs*, 72 N.C. L. REV. 91, 97 n.26 (1993).

11. LEE EPSTEIN & JOSEPH F. KOBYLKA, THE SUPREME COURT AND LEGAL CHANGE: ABORTION AND THE DEATH PENALTY 273 (1992).

public confidence in public institutions as the idea that a decision, whether right or wrong, represented at heart an arrogation of authority. Such usurpation is unbecoming in constitutional democracies that should rest on the idea that the crude displacement of proper decisionmaking channels is little better than a putsch.

Each branch of government provides examples of the illegitimacy that flows from a questionable assumption of authority. For instance, administrative agencies regularly make broad policy decisions with uncertain connections to their statutory mandate. The question of the harm caused by private sector activity is not the same as the ability of some public agency to regulate it. Courts have also placed their own gloss on general statutory language. The Sherman Act[12] and 42 U.S.C. § 1983 have seen much judicial flesh added to their bare bones — common law interpretations that stretch far beyond enacted text. One may applaud the imposition of liability on school districts for demonstrating deliberate indifference to one student's sexual harassment of another.[13] One may heartily approve efforts to override Oregon's physician-assisted suicide statute.[14] But is the Supreme Court in the former case and Congress in the latter the proper instrument of decision?

It will be said that the public does not even follow a debate over process. Perhaps faith in public institutions is measured only by our substantive policy preferences concerning sexual harassment and assisted suicide. Then again, the prevalence of public cynicism toward public life may reflect the fact that institutional roles are so muddled and institutional accountability so diffuse that public participation no longer makes a difference. The demise of process leads a citizenry to ask at the end of the day, "Why bother?" Every citizen in a democracy has a role in determining substantive results. But in a democracy it is the special role of the legal profession to maintain the boundaries of institutional authority. When we fail to perform this task, we jeopardize participation in democracy. And fostering alienation from democracy is not what law should be about.

Process dissolution has taken a heavy toll not only on society, but also on the law itself. The concern with orderly process is central to the identity of law, and helps to differentiate legal debate from political dialogue. For the political dialogue is by nature programmatic and concerned with results. The legal conversation is, or at least should be, more attuned to means, that is to say process. The curiosity of the past quarter-century is how often and how far the legal dialogue has strayed off course. Whether the subject is abortion, school prayer,

12. 15 U.S.C. § 1 (1994).

13. *See* Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

14. *See* H.R. 2260, 106th Cong. (1999).

sexual harassment, gay rights or single-sex schooling, lawyers of all persuasions have indulged endlessly the rightness or wrongness of matters to the exclusion of process questions.

The upshot of all this has been a highly politicized legal profession and one that is increasingly less distinct from politics itself. The giant Supreme Court confirmation battles and judicial debates move forward in an atmosphere of competing certitudes, as though the wrenching social, political, and moral dilemmas of our time must somehow yield to one right answer. The irony of this is lost on no one. The foremost goal of law has been the resolution, not the fomentation, of social discord. As law loses sight of process and focuses on outcome, it will raise, not lower, the decibel of social conflict.

III.

The genesis of our predicament lies in the widespread abandonment of the belief that institutions can ever act in a manner indifferent to substantive outcomes. The legal realist critique has led many to forsake the idea of formal neutrality. We have exchanged our belief in process for an unremitting skepticism that neutral principles can ever be discerned, much less embodied in our decisionmaking institutions. We have deconstructed the world, and all is mere politics. An institution is no more than the individuals who comprise it, and their decisions reflect nothing grander than themselves. One's preference for judicial review thus rests solely on who the judges are. One's choice for local democracy depends only on whose side is "in." Whichever game one is playing, it is always rigged. Persons, and not processes, are the only coin in this realm.

Our skepticism about the formal neutrality of institutional arrangements is in no small measure justified. We who came of age with George Wallace, Lyndon Johnson, and Richard Nixon in office awoke to the fact that our supposedly democratic processes were more dishonest and discriminatory than many had been willing to admit. There are also conceptual difficulties with the idea of pure formal neutrality. Legal realism, and contemporary constitutional theory in particular, have forcefully exposed its flaws. For example, Professors Michael Seidman and Mark Tushnet have argued that our choice of legal rules and processes cannot ultimately be divorced from our political preferences.[15] While their ultimate skepticism about the possibility of neutral principles reflects undue despair, the challenge they pose to proponents of neutrality is undeniable. Thus, it is not that the genie of legal realism should be stuffed back in the bottle. It is rather that our lack of faith in legal institutions has proceeded too far.

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15. *See* LOUIS MICHAEL SEIDMAN & MARK V. TUSHNET, REMNANTS OF BELIEF: CONTEMPORARY CONSTITUTIONAL ISSUES 27-28 (1996).

None of us should hail the abandonment of belief in formal neutrality. While the legal realist critique may often be descriptively accurate, it fails to supply adequate fuel for the aspirations of the legal profession. While the decision of an individual judge at a given time may reflect what he or she had for breakfast, this does not mean that we cannot fare better after the next meal. Indeed, the consequences of the abandonment of process have become spiritually deadening. We cannot allow the odes to liberty and justice etched into the facades of law schools and courthouses to be replaced with the admonition, "Abandon all hope, ye who enter here."

Legal academia itself provides a source for professional aspiration just as it poses the challenge. Concern with process is a distinguished tradition in the law. "Reasoned elaborationists," such as Henry Hart and Herbert Wechsler, demonstrated how adherence to neutral principles and the articulation of reasons for decisions could lead to genuinely principled decisionmaking that respected institutional boundaries.[16] Scholars like John Hart Ely have ably advanced process theories showing how law can be distinct from politics even in a world imbued with skepticism about neutrality.[17] One need not subscribe to all the tenets of any of these theories to appreciate their aspirational force. They reaffirm that process calls upon us to realize the best of law's possibilities.

Process questions offer hope. They are mediative inquiries, one step removed from the merits, and they offer the profession the opportunity to discuss institutional arrangements for the resolution of heated social questions — arrangements that incidentally hold out the prospect of ultimate compromise. Agreement as to outcomes lies beyond the power of even a relatively homogeneous society to achieve. And such agreement will surely prove elusive to the racially and culturally diverse America of the twenty-first century. Agreement on process, while difficult, does not present the same impossible obstacles as agreement on substance. This is so for many reasons — among them that we can establish the rules of the game at the outset, that we can demonstrate our bona fides by abiding outcomes that displease us, and that the process itself carries the prospect of ultimate change to our liking.

Attention to process is not therefore a return to the old days. It offers promise for the future. A multicultural nation may find in process a means of muting differences. A society beset by bewildering change may find in process stable ways of making that change come about. A culture torn over questions of personal autonomy may discover in

16. *See generally* G.E. White, *The Evolution of Reasoned Elaboration: Jurisprudential Criticism and Social Change*, 59 VA. L. REV. 279 (1973) (providing an insightful intellectual history of this and other currents of legal thought).

17. *See generally* JOHN HART ELY, DEMOCRACY AND DISTRUST (1980).

process a means of decentralizing and diversifying outcomes. What agreement future Americans achieve may center on process, in part because cultural consensus may not withstand the waves of demographic and technological change. Our constitution encourages this continuing commitment to process — it is one way our changing country remains the same.

A return to questions of process is timely in another sense. The question of discrimination in all its dimensions has dominated legal discourse for much of the past half-century. And the elimination of discrimination has seemed so fastened to a single set of institutional arrangements — the vigorous assertion of federal authority in all its forms — that even to pose questions of process was to engage in a subterfuge. One can understand this perception more easily in the 1950s and 1960s than in the year 2000, when questions of civil rights law are more varied, more complicated, and more amenable to the airing of responsible views on respective sides. With this development, a great obstacle to the discussion of process has been removed, and law may return to consider the structure of governance without the imputation of racial ill will.

Process values should prove neither liberal nor conservative. The fact that courts act "liberally" to enforce constitutional rights says nothing about whether or not they act justifiably. The fact that Congress acts "conservatively" to preempt state law or override "liberal" state social experimentation says nothing about whether the matter is intrinsically one of federal or state competence. Similarly, process values invariably counsel neither activism nor restraint. In enforcing the constitution's grand structural constraints, the Court may be "activist" in the course of "restraining" a coordinate branch. The process debate is meaningful only to the extent that it manages to transcend such shop-worn labels. Properly applied, process values may come to represent neutral principles in much the same sense that the First Amendment protects ideas we love and those we hate.

IV.

I would ask that the reader approach the following books and reviews with the view that no question of substance may be answered without some procedural accompaniment. This is an honorable union in the law, and it ill serves us to engage in advocacy without reflecting on whether courts or legislatures or states or localities or markets or private organizations or some felicitous combination of the same should bring about this or that change for the new century.

The books reviewed in this issue present plenty of material for provocative debate, which itself is a testament to the energy of the modern academic enterprise. Notwithstanding their refreshing variety

of approach and subject matter, there is much to ask in process terms about this latest scholarship.

Some of the books take up discrete areas of contemporary interest and controversy. For example, Professor Milton Regan addresses the institution of marriage;[18] Professor Gerald Frug the state of the modern American city;[19] Professor Lawrence Lessig the regulation of cyberspace;[20] Professor Daniel Farber environmental law and regulation;[21] Professor William Eskridge the history and contemporary status of gay rights;[22] Professor David Cole race and the criminal justice system;[23] and Professor John Lott the consequences of gun control measures.[24] These books address well defined matters of current importance that require the rigorous application of process analysis. Do the authors propose at least partial solutions to the problems they describe? And, critically, do the authors give thought to the institutional processes most appropriate for putting their suggested reforms into practice?

Professors Terri Peretti and Mark Tushnet are thinking in process terms all right, but differently. Professor Peretti unabashedly welcomes a political Court.[25] In a populist assault on judicial review, Professor Tushnet rightly decries the elitist tendencies of federal courts, but wrongly undervalues their independence.[26] The reader may want to ask whether Tushnet's process argument can be fruitfully pressed at this level of generality, or whether the case for or against judicial review must be more closely matched to the problem presented by the particular case or controversy.

Other authors are plainly thinking outside the box. Professors Anne Alstott and Bruce Ackerman propose that all U.S. citizens with high school diplomas receive $80,000 on their 21st birthdays, no strings attached.[27] (The originality of this thesis should not obscure the fact

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18. *See* MILTON C. REGAN, JR., ALONE TOGETHER: LAW AND THE MEANINGS OF MARRIAGE (1999).

19. *See* GERALD E. FRUG, CITY MAKING: BUILDING COMMUNITIES WITHOUT BUILDING WALLS (1999).

20. *See* LAWRENCE LESSIG, CODE AND OTHER LAWS OF CYBERSPACE (1999).

21. *See* DANIEL A. FARBER, ECO-PRAGMATISM: MAKING SENSIBLE ENVIRONMENTAL DECISIONS IN AN UNCERTAIN WORLD (1999).

22. *See* WILLIAM N. ESKRIDGE, JR., GAYLAW: CHALLENGING THE APARTHEID OF THE CLOSET (1999).

23. *See* DAVID COLE, NO EQUAL JUSTICE: RACE AND CLASS IN THE AMERICAN CRIMINAL JUSTICE SYSTEM (1999).

24. *See* JOHN R. LOTT, JR., MORE GUNS, LESS CRIME: UNDERSTANDING CRIME AND GUN-CONTROL LAWS (1998).

25. *See* TERRI JENNINGS PERETTI, IN DEFENSE OF A POLITICAL COURT (1999).

26. MARK TUSHNET, TAKING THE CONSTITUTION AWAY FROM THE COURTS (1999).

27. *See* BRUCE ACKERMAN & ANNE ALSTOTT, THE STAKEHOLDER SOCIETY (1999).

that redistribution outside of education often fares better from young to old, not vice versa.) Professor Paul Kahn regards law not as a system of processes but as a phenomenon of culture, and he proceeds to examine the concepts of time, space, citizen, judge, and sovereignty that comprise it.[28]

Are empirical inquiries and process theories somehow inconsistent? Is a profession devoted to the importance of process too agnostic and relativistic in its own right, as devoid of values as our valueless age? These are questions suggested, respectively, by Judge Richard Posner's[29] and Professor Stephen Carter's[30] books — fair reminders that process is neither a panacea nor the only game in town. In a broad sense, Professor Carter shares with Professors Robert Frank,[31] Alstott, and Ackerman the view that many American citizens lack a sense of connection to the larger social fabric, an ill that Alstott and Ackerman would cure with money, which Frank believes causes much of the problem to begin with.

I regret the inability to touch upon all the books reviewed in this volume. I would certainly not devalue any study of English law in the Fourteenth Century, no matter how distant it might appear from the hot-button issues of contemporary controversy.[32] The books as a whole, however, are concerned with present-day America. And the authors as a whole present, even in this best of economic times, a picture of an ailing nation. The litany of shortcomings is certainly eclectic. We have made a mess of our cities.[33] We tolerate an unfair system of criminal justice.[34] We have shown a lack of respect for religious belief.[35] We have failed to make young Americans stakeholders in our larger society.[36] We indulge in needless luxuries.[37] We have failed to eradicate discrimination against gays, women, and racial and ethnic

28. *See* PAUL W. KAHN, THE CULTURAL STUDY OF LAW: RECONSTRUCTING LEGAL SCHOLARSHIP (1999).

29. *See* RICHARD A. POSNER, THE PROBLEMATICS OF MORAL AND LEGAL THEORY (1999).

30. *See* STEPHEN L. CARTER, THE DISSENT OF THE GOVERNED: A MEDITATION ON LAW, RELIGION, AND LOYALTY (1998).

31. *See* ROBERT H. FRANK, LUXURY FEVER: WHY MONEY FAILS TO SATISFY IN AN ERA OF EXCESS (1999).

32. *See* ANTHONY MUSSON & W.M. ORMROD, THE EVOLUTION OF ENGLISH JUSTICE: LAW, POLITICS, AND SOCIETY IN THE FOURTEENTH CENTURY (1999).

33. *See* FRUG, *supra* note 19.

34. *See* COLE, *supra* note 23.

35. *See* CARTER, *supra* note 30.

36. *See* ACKERMAN & ALSTOTT, *supra* note 27.

37. *See* FRANK, *supra* note 31.

minorities.[38] We have overregulated guns.[39] We have betrayed liberty on campus.[40] We have constructed a court system and constitutional ethos that is out of touch and overly moralistic.[41]

One response to this is: "Come on. This is a wonderful country. Give America a break." But one mark of our magnificence is a willingness to examine our shortcomings, and boosterism is no more the role of law schools than it is of, say, the press. If the law faculties are not critical, then who will be? But just as one expects the academy to level honest criticism at the legal and social order, so also is it fair to ask in return whether scholarship is actually serving its larger purpose, which is to aid and assist that which is taken to task. The widening estrangement between the academic and practicing parts of our profession has surely escaped the attention of no one, and it is just as clear that many in academia regard distance from the larger profession as a good and noble thing. In this view, the less "useful" a study is, the more claim it can lay to its own integrity. Professional peers are too often seen exclusively as other academics — the presence of consulting notwithstanding, when was the last time a professor sent a practitioner a proposed paper to read? Shared fora are becoming infrequent — faculty talks to faculty; judges talk to judges; practitioners talk to other practitioners, and fragmentation proceeds apace.

It is here that process questions might bridge the gap. Because the law of process involves nothing less than institutional routes for implementing ideas in a democracy, the process debate may bring academic proposals to the attention of a broader world. Decisionmakers take an active interest in the question of who is to decide. And a focus on process may imbue legal scholarship with even greater practical value, in the sense that proposals may be matched to institutional competencies for achieving them.

I do not claim that a renewed attention to process will solve all problems, but it will help a lot. America has survived a twentieth century where ideology negated the rule of law in many parts of the world. The tug of ethnic hatreds at the outset of the twenty-first century reminds us that ideological forces, though perhaps beaten back, are merely at bay. Looking to process as a source of legitimacy for our decisions and unity for our nation will help arrest the subjugation of

38. *See* ROBERT S. CHANG, DISORIENTED: ASIAN AMERICANS, LAW, AND THE NATION-STATE (1999); ESKRIDGE, *supra* note 22; CAROLINE A. FORELL & DONNA M. MATTHEWS, A LAW OF HER OWN: THE REASONABLE WOMAN AS A MEASURE OF MAN (2000).

39. *See* LOTT, *supra* note 24.

40. *See* ALAN C. KORS & HARVEY A. SILVERGLATE, THE SHADOW UNIVERSITY: THE BETRAYAL OF LIBERTY ON AMERICA'S CAMPUSES (1998).

41. *See* POSNER, *supra* note 29.

law to ideology. For those committed to a nation ruled by law, there can be no greater benefit.