
LAWYERS DEFENDING AMERICAN DEMOCRACY



A Call for Lawyers to Lead Action Plan and Toolkit

GUARDIANS of JUSTICE - *A Call for Lawyers to Lead* is an Initiative proposed and developed by [Lawyers Defending American Democracy](#), a non-profit, non-partisan organization whose mission includes galvanizing the legal profession to defend democratic institutions, constitutional principles, and the rule of law. **The goal of this Initiative is to encourage lawyers to seek elected office or appointments to public sector roles, and to observe certain fundamental obligations in the process.**

Lawyers bring unique values, experiences, and skills to the public arena. For example, the Lawyer-Leader has consistently had a key role in contributing to the political and legal stability of the United States and to the existence of our long-lived Constitution. **GUARDIANS of JUSTICE** hopes to inspire a new wave of lawyers – firmly committed to democracy and the rule of law – to seek political leadership in our country at the local, state, and national levels.

This toolkit provides the following key information:

1. The ten fundamental principles that lawyers – indeed, all individuals – seeking office or appointment to government service should observe;
2. The history of lawyers as leaders in government and the decline in the number of lawyers serving;
3. The current state of American democracy and the rule of law;
4. Resources for educating about and analyzing the state of American democracy, the rule of law, and public opinion on these issues; and
5. Ways that bar associations can use and support this effort.

Lawyers Defending American Democracy – A Mission Devoted to the Legal Profession’s Role as Guardians of Justice

Lawyers Defending American Democracy (“LDAD”) is a non-profit, non-partisan organization founded on the belief that the legal profession has a special obligation to protect the rule of law, to speak up when democracy is threatened, and to lead by inspiration and example.

This Initiative takes this belief one step further by encouraging lawyers to bring their unique skills, experiences, and dedication to our country’s fundamental values into elected office and key appointed roles in government at a time when these core principles are under unprecedented strain. LDAD commits to working with and providing educational resources to lawyers, including bar associations around the country, about the importance of this Initiative.

GUARDIANS of JUSTICE offers an opportunity to reach the profession in a shared goal of educating lawyers on their fundamental obligations to serve as guardrails in protecting democracy and the rule of law, promoting civic engagement and civil discourse, and inspiring action.

We invite the legal profession to join us and demonstrate to the country that we will defend the norms and principles of our democratic institutions and our justice system, and remain steadfast to our historic role as Guardians of Justice.

LDAD will be a resolute partner in this process.

Thank you,

Scott Harshbarger, Chair of the Board

Lauren Stiller Rikleen, Executive Director

Acknowledgement

Lawyers Defending American Democracy is deeply grateful to Sean Cailteux, a student at Georgetown University Law Center, for his dedicated and extraordinary work in preparing this Action Plan and Toolkit. His diligence, attention to detail, and creative ideas have made an important contribution to LDAD’s goal of encouraging members of the legal profession to better understand their opportunities and responsibilities as Guardians of Justice.

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Introduction

“...there is a call upon the legal profession to do a great work for this country.”

-Louis Brandeis, 1911.

American democracy is under immense strain. In recent years, [experts](#) have ceased to rank the United States as a “full democracy” and instead label it a “flawed democracy” (alongside Greece, Israel, Poland, Brazil, and others). While the explanation for this decline, or “democratic erosion,” is complicated and driven by many factors, it is clear that [Americans](#) and, more specifically, *American political leaders* increasingly lack a values-based consensus on the rule of law, constitutionalism, the separation of powers, and the proper role of the justice system.

Partisan disagreement has always existed and served as a sign of a robust and healthy democratic environment. But, perhaps more than ever in American history, political leaders today often do not share a critical common foundation: a dedication to certain bedrock notions embedded in our Constitution and interwoven throughout our political and legal systems.

Even as lawyers comprise a small portion of American society – approximately .4% of the population according to data from the [American Bar Association](#) and [United States Census Bureau](#) – lawyers have played a critical and often decisive role in American politics as elected officials, as further explored in section I. While law has not been and should not become the exclusive pathway into politics, lawyers often bring a unique set of skills and experiences to these governing roles which can make them effective leaders.

Also of significance, because of their knowledge of and implicit dedication to the Constitution, the rule of law, and democratic norms and principles, at critical junctures in our history, lawyers have led the way in ensuring the survival of our republic as we know it. As one [legal commentator noted](#), “...lawyers have unique skills that make them well-suited to govern, owing to their specialized training as advocates, problem solvers, and guardians of the rule of law, and professional commitment to the public good.”

This document serves as a guide and resource for encouraging lawyers to run for office or seek appointment to key governing roles, and in doing so, commit to protect American ideals that include taking a stand for our Constitution, the rule of law, and the foundational norms and principles of democracy.

This Initiative is non-partisan. The values this Initiatives hopes to encourage and embolden are those so central to our nation’s identity that they supersede political affiliation. Indeed, these values should unite all of us, regardless of partisan background or ideology.

This toolkit includes the following 5 sections:

- **Section I** lays out the ten fundamental principles which this Initiative strongly encourages the aspiring Lawyer-Leader – indeed all leaders – to observe.
- **Section II** provides a brief overview of the role of the Lawyer-Leader in American history and the decline of lawyers serving in elected office and other public roles.

- **Section III** examines the state of America’s democratic institutions, the rule of law, and public consensus surrounding constitutional norms and values.
- **Section IV** includes resources for education about and analysis of the state of American democracy, the rule of law, and the Constitution.
- **Section V** provides ideas for how state bar associations and other legal-professional-affiliated organizations can encourage lawyers to seek public service roles and, in so doing, provide support to help them understand and embrace the values articulated in this Initiative as paramount to their service.

I. The Fundamental Values

All Leaders, whether elected or appointed to a public sector role, should agree that the following ten fundamental values will be at the core of their service in their role as **GUARDIANS of JUSTICE**, and in defense of the rule of law, democracy, and the Constitution.

1. Preserve, protect, and defend the Constitution of the United States, the rule of law, and our democratic system of government

Our Constitution, the rule of law, and our democratic system are interwoven; an attack on one is an attack on them all. We expect our leaders to preserve, protect, and defend the Constitution, uphold the rule of law, and safeguard our democratic system of government.

2. Respect the separation of powers and insist on adherence to checks and balances within government

The system of dispersed powers and distinct roles among the three branches of government is an essential foundation for our democracy and fundamental freedoms. Government officials must honor the system of checks and balances designed to prevent abuses of power.

3. Support freedom of the press and fact-based, honest journalism

Leaders in the public sphere must support and advocate for a free, honest, and fact-based media, in all its many platforms, as essential for an informed public that holds power to account.

4. Insist that all public officials speak truthfully and make fact-based decisions

Truth and trust are critical components of our democracy. But it is not enough to express one's own commitment to truth and facts. Our leaders have a duty to hold each other accountable and ensure that their colleagues also tell the truth and ground their decisions in facts and evidence, not ideology or disinformation.

5. Protect the integrity of our justice system and safeguard all those who work within it from threats of violence, false attacks, and undue pressure

The justice system is at risk when it is used as a political weapon to discredit the courts and target opponents. Leaders must demonstrate respect for the rule of law, fairness, and impartiality, and protect the integrity of the justice system, speaking out against threats, political pressure, and attacks.

6. Commit to civil discourse and constructive dialogue

Leaders should model respectful dialogue. Civic debate all too often quickly devolves into vitriolic attacks and arguments ad hominem, and the anonymity of social media platforms only exacerbates this significant challenge. Everyone must do their part to promote civil discourse and engage in community dialogs in a civil and respectful manner.

7. Respect the rights and dignity of every person

Leaders must honor the inherent dignity and rights of every person and be a force for fairness, equality, and justice in how they lead and serve.

8. Support the fundamental American principle that no person is above the law

Leaders must uphold the fundamental principle that every person, regardless of position or power, is subject to the law equally. We are a country of laws, not a monarchy.

9. Support ballot access and election integrity, and commit to ensuring free and fair elections throughout the country

Leaders should uphold the bedrock principle that participation in free and fair elections is a fundamental right. Leaders should also speak out against those who attempt to manipulate or distort the electoral process to overturn an electoral result.

10. Act with courage to oppose corruption, the abuse of political power, or the use of office or position to unfairly target political opponents or use the justice system for political ends

Leaders must speak out when elected or appointed officials abuse their powers, target political opponents, or misuse the justice system for partisan purposes. Leaders are obligated to responsibly, ethically, and lawfully use the powers, privileges, and potential immunity of their office.

II. The Lawyer-Leader in American History

The Lawyer-Leader is an essential figure in American history. From our nation's founding to the present day, lawyers serving in elected offices have guided the United States' trajectory and ensured that it remains true to its foundational principles – principles which were, in large part, written by lawyers. In fact, lawyers comprised [22 of 39 signers of the U.S. Constitution](#) in 1787.

Whether it has been forming our country, defending its principles and values, or guiding the evolution of our government, institutions, and Constitution, Lawyer-Leaders have been a necessary ingredient to our success. Senior Legal Advisor at the International Center for Not-for-Profit Law [Nick Robinson wrote in the Buffalo Law Review](#):

“United States democracy emerged from a unique set of historical and political circumstances. ... Significantly, it was not just the country's laws and institutions, or the preferences of its citizens, that fostered the country's strong commitment to the rule of law—it was also the norms that its leaders have followed. ... The decline of the lawyer politician in all branches of government may undermine these governing norms: whether it is fewer politicians that are immersed in the language of rights and due process or fewer judges that are savvy to the world of politics. Of course, the arrival of those from backgrounds ... different than the lawyer politician—whether those from a specialized political class or a professionalized judicial class—bring their own advantages and we should not romanticize the lawyer politician (either historically or certainly today). ... Yet, in a time when liberal democracy seems under threat globally, and many express concern for its health in the United States, ... there is an urgency in exploring the role lawyer-politicians have played in supporting the rule of law in the United States and the implications of this group's decline.”

Robinson's article explores in detail data correlating key government roles and the percentage of those roles held by lawyers over the years. For example, since America's independence, more than half of all presidents, vice presidents, and members of Congress have come from a law background, a dominance that has extended to a variety of appointed positions as well. As of 2016, 78% of Secretaries of State, 70% of Secretaries of Treasury, 69% of Secretaries of the Interior, and 100% of Secretaries of Homeland Security were former members of the legal profession.

Lawyers have historically held important leadership roles at the state level as well. From 1870 to 1950, around [45% of American governors](#) were former lawyers. In fact, during this period, nearly 40% of statewide elected offices, including both executive and legislative positions, were occupied by former members of the legal profession. In New York's case, this trend has been even more pronounced – from 1900 to 2000, [69% of the state's governors](#) were lawyers.

In these roles, lawyers have brought unique skills and values to political leadership. Before he became President, Abraham Lincoln developed and refined his rhetorical skills and deeply held principles in his legal practice, including [praise by legal scholars](#) for his diligence and preparation in a case he argued before the Supreme Court. His ability to zealously and meticulously advocate for a

cause and to navigate complex policy dimensions contributed to his effectiveness as the world-changing leader he would become as President.

Lawyers often excel at oral advocacy and learn to navigate ambiguity and complexity. In light of this skillset, lawyers, law professors, and former judges have often filled the ranks of the legislative and executive branches at the local, state, and national levels. Such skills elevated [William Howard Taft](#) to both the Presidency and later to becoming Chief Justice of the United States Supreme Court. By the 1850s, 80% of the members of Congress were lawyers.

Many American lawyers who stepped up to serve their country leave an immense legacy of extraordinary dedication to American Constitutionalism and democracy. For example, Abraham Lincoln refined his “[keen sense of justice](#)” through the practice of law which subsequently guided his actions during the United States’ greatest crisis of democracy – the Civil War. Lawyers throughout history have played a role in preserving our democratic order and the rule of law, exemplifying what it means to responsibly and ethically govern and contributing to the success and liberty of our nation for centuries.

But the intimate relationship between the legal profession and elected office has been in decline for at least the past 60 years. By 1960, only [60% of Congress](#) were lawyers, and in 2023, this number had fallen to 34%. Being a lawyer was once so inherently linked to political activity that, in 1890, one in every 265 American lawyers served as a member of Congress. In 2025, that figure is one in 6900.¹

A similar trend exists at the state level. In 1976, 22.3% of state legislators were lawyers, but by 2015 this figure had [declined to 14.4%](#). Taking New York as a case study, in the 1968-69 legislative session, 75% of the State Senate and 56% of the State Assembly were lawyers. In 2024, these numbers had [declined to 30% and 29% respectively](#). Among statewide executives (excluding Attorneys General), only [34% had legal backgrounds](#) as of 2025.

Lawyer engagement at the local level is also low. Only 22 of America’s 100 largest cities have mayors with legal backgrounds,² and 2018 polling data suggests that as few as [2%-3% of public-school board members](#) are lawyers.

The decline of the American Lawyer-Leader has been driven by several factors, in particular, the rise of a professional political class composed of individuals who lack a prior career in something besides politics. [This shift](#) is key to understanding the decline of lawyers serving in elected office.

By training, lawyers hold a special understanding of the rule of law and the Constitution. They know the risks posed by verbal or other attacks on judicial independence and impartiality, attempts to weaponize the justice system or prosecutorial powers, and efforts to undermine the separation of powers.

¹ This figure was calculated using publicly available information on the educational and professional backgrounds of members of Congress and data on lawyer demographics from the [American Bar Association](#).

² This figure was determined by consulting information provided on the profiles of mayors on [Ballotpedia](#).

Lawyers also know what it means to zealously and passionately pursue a particular outcome while not abandoning foundational principles and processes. This ability to balance one's desired policy outcomes with a continued respect for rules and laws is what makes lawyers the kind of political leaders America needs right now.

It is likely no coincidence that the decline of the Lawyer-Leader has paralleled America's decline into a crisis of democracy – one where the fabric of the rule of law is becoming increasingly frayed.

It is critical to stop further backsliding. We believe that this can be accomplished by a resurgence of lawyers running for and serving in elected and appointed government roles who place their commitment to the Constitution, the rule of law, and the code of professional ethics ahead of their political views and loyalties. Only with such renewed dedication to the Constitutional and democratic foundations that have united our republic for so long can we find our way out of the present dilemma.

III. The State of Our Democracy

American democracy is in crisis. It is natural in a free and open society for there to be substantive policy disagreements. This has been the story of much of American history, with shifting parties and political coalitions assuming different sides of various issues in a civil struggle over the shape and direction of the republic.

But throughout most of that history, Americans have generally been guided by norms and procedures for making decisions, as set forth in our country's laws and Constitution. Bedrock constitutional principles have united the country irrespective of ideology in the process by which policy goals should be sought and achieved. This has ensured that even when a decision is made that is contrary to an individual or group's policy preferences, they abide by the process that effectuated that result.

Faith in the fairness and regularity of democratic procedure and the rule of law is fundamental to accepting disfavored outcomes. This is primarily for two reasons: 1) regimented and disciplined adherence to democratic rules and procedures help all sides to feel heard and that the outcome was fair; and 2) a system that is perceived to be fair and regularly observed assures the losing side that they will still have the chance to prevail on future occasions.

Unfortunately, Americans are losing faith in democracy and our institutions. A failure to uphold democratic principles and to pursue political objectives within the standard legal and constitutional limits of our society makes our system appear unfair, irregular, and lopsided. A [2024 Gallup poll](#) revealed that a record low 28% of Americans are satisfied with the way democracy is working – representing a precipitous drop compared to the 61% who responded affirmatively when Gallup first asked the question in 1984.

In 2023, the [American public's confidence](#) in the presidency, Congress, and Supreme Court declined. In fact, the public's confidence in all of these institutions was at or near all-time lows: only 8 percent of Americans reported feeling confident in Congress. An April 2024 survey by Pew Research Center reported that only [22% of Americans](#) trust the government to “do what is right.” The highest that this number has been in the past 40 years was 54%, in the wake of the September 11th attacks.

At the State level, democracy is also in decline. For example, in its [2024 Compendium](#), LDAD outlined the growing threat posed to democratic norms and the rule of law in Alabama, Arizona, Florida, Iowa, Louisiana, Ohio, Tennessee, and Texas. Increasingly, State governments are passing and stringently enforcing laws that restrict ballot access, dilute anti-discrimination efforts, impair fact-based decision-making, suspend appropriate restraints on the exercise of power, undermine public confidence in public and private institutions, and erode systemic checks and balances. At both the federal and state levels, America's democratic institutions are under assault.

With public officials [calling into question judicial authority](#), high-level officials being [unlawfully terminated or sidelined](#), and public officials, [including the President](#), calling for the impeachment of federal judges on partisan grounds, the rule of law - the crucial foundation of American democratic governance - is at risk of becoming a façade where the line between law and politics has been completely erased.

On another front, [Congress' power of the purse](#) has seemingly been reduced with little resistance from Congress itself, and Constitutional safeguards which secure the independence of

executive branch officials have been [illegally overridden](#). All of this and more has driven lawyers, [scholars](#), and average citizens to question if the United States is headed toward, or perhaps is already in, a [constitutional crisis](#).

This historic time in our country needs a non-partisan response from the legal profession and a commitment to support the norms and principles of democracy and the rule of law. Actions that undermine the Constitution, our rule of law, the separation of powers, and other norms of democracy are contrary to our history and traditions and should concern all Americans and all lawyers.

It is not the substantive policy goals of any individual or group that endanger the existence of our republic – it is the willingness to ignore the Constitution and the rule of law, and the abdication of the Constitutionally mandated separation of powers. Adherence to a fair process no longer unites us. This is a grave threat posed to American democracy.

For example, the belief that the size of the federal workforce should be smaller may be the subject of vigorous debate, but there is a process that is to be followed as to *how* those cuts should be achieved. Laws and procedures are necessary instruments if we are to continue living in a free, open, and fair society. No person, no party, no president is above the law, and until the supremacy of the Constitution and the rule of law are re-established, the United States will remain mired in a crisis of democracy.

This moment calls for lawyers to serve as Guardians of the Rule of Law. Our nation needs reinvigorated dedication to the Constitution, fair and predictable rules and procedures, and civil democratic debate.

This Initiative does not prescribe or support any partisan leaning or set of policy preferences. Instead, it hopes to remind potential Lawyer-Leaders of the history and traditions of the United States, inform them of the present crisis, and encourage them to be part of the solution by bringing their unique values and skills as lawyers into elected office.

Below are a series of resources that can help inform and encourage lawyers to seek elected or appointed positions, and adhere to the ten fundamental values set forth in this toolkit.

These values are essential for Lawyer-Leaders to observe if they are to help America find its way out of this crisis.

IV. Democracy, the Rule of Law, and the Constitution

Below are resources on various subjects which may be instructive for lawyers interested in running for or seeking an appointment to government leadership roles, or for those encouraging other lawyers to do so. These resources include ways to stay informed of efforts to combat the assault on the rule of law and democracy, articles on the importance of lawyerly values in a democracy, and information on the current state of American politics.

Lawyer Defending American Democracy invites additions to this list of resources by submitting proposed links to Hello@LDAD.org.

The History of the American Lawyer-Leader:

As detailed above, the American Lawyer-Leader is an essential character of American history. The following resources speak to this history, the importance of the Lawyer-Leader at key moments, and the decline of lawyers serving in elected office.

Lawyer-Presidents and the Founders

Over half of American Presidents have been lawyers. The following resource offers a glimpse into this history:

[The Long History of America's Lawyer Presidents](#)

This article describes the time Abraham Lincoln argued a case before the Supreme Court:

[The Time Abraham Lincoln Argued a Case at the Supreme Court](#)

This brief article describes the legal career of William Howard Taft and his service as Chief Justice following his presidency:

[Chief Justice William Howard Taft](#)

John Quincy Adams argued before the Supreme Court on behalf of enslaved persons in the *Amistad* case:

[John Quincy Adams and the Amistad Case, 1840](#)

In addition to the many lawyers who served as president, the majority of those who framed and signed the United States Constitution were members of the legal profession:

[Data on the Framers of the Constitution](#)

The Rise and Fall of the Lawyer-Leader

This article, paying special attention to the New York State legislature, explores the history of the Lawyer-Leader and the decline of lawyers serving in elected office:

[The Declining Presence of Lawyers in Elected Office: A Trend to Be Reversed](#)

This law review article by a lecturer at Yale Law School fully details the historical dominance of the legal profession in American politics, the decline of the Lawyer-Leader, and reasons for this decline:

[The Decline of the Lawyer-Politician](#)

Similarly, this article reviews the declining influence of the Lawyer-Leader and the negative implications this has for American society and politics:

[Lawyers, Democracy, and Dispute Resolution: The Declining Influence of Lawyer-Statesmen Politicians and Lawyerly Values](#)

This piece focuses on the decline of lawyers in state legislatures across the country, paying special attention to the shift in Texas:

[State Legislatures Have Fewer Farmers, Lawyers; But Higher Education Level](#)

The following piece discusses American Lawyer-Leaders with special attention to their service at the state level and as governors:

[Lawyers and American Politics: A Clarified View](#)

The following two pieces explore the relationship between the legal profession and politics, the decline of the Lawyer-Leader, and reasons for these phenomena:

[Declining Dominance: Lawyers in the U.S. Congress](#)

[Politics Outside of Office: The Lawyer-Lobbyist](#)

The Current Crisis:

The resources below describe the crisis the United States currently faces.

Survey Data

The following provides a representative sample of available survey data on the declining belief in American institutions, democracy, government, and Constitutional values:

[Center for Politics Study: Partisan Desires Override Support for Constitutional Freedoms and American Values](#)

[Record Low in U.S. Satisfied With Way Democracy is Working](#)

[Historically Low Faith in U.S. Institutions Continues](#)

[Public Trust in Government: 1958-2024](#)

Constitutional Crisis

These articles, videos, and symposia summaries explore the current state of American constitutionalism and the existence of a Constitutional Crisis. One [general definition](#) of a Constitutional Crisis describes it as “[a political conflict] in which branches of government clash, potentially breaching the system of checks and balances.”

Note: The situation is evolving rapidly and some resources provided below may warrant updating at the time of reading. Please submit any updates think would be helpful to [Hello@ldad.org](mailto>Hello@ldad.org).

[Experts Discuss “Democracy and the Rule of Law Under Pressure” at Symposium](#)

[Is the U.S. experiencing a constitutional crisis?](#)

[Is the United States in a Constitutional Crisis?](#)

[Are we in a constitutional crisis?](#)

[How is civil society responding to the US constitutional crisis?](#)

[Dangerous cracks in US democracy pillars](#)

[Legal experts warn of “constitutional crisis” as JD Vance and Elon Musk question judges’ authority over Trump](#)

[Is the Trump administrations conflict with judges a constitutional crisis? What to know](#)

[Trump Defying Courts Orders is “Stress Test” for the Judiciary](#)

Crisis of Democracy

The following address the recent decline of democracy in the United States in comparison to other countries and the increasing decline in respect for the rule of law:

[Understanding democratic decline in the United States](#)

[The Erosion of Respect for the Rule of Law in America](#)

[Marching Towards Autocracy: How States are Failing Democracy – And What We Can Do About It](#)

[World Justice Project Rule of Law Index](#)

[International Institute for Democracy and Electoral Assistance Annual Reports](#)

The Importance of Lawyers in Politics, Lawyerly Values, and Defense of the Rule of Law

These articles reinforce the important role of lawyers to reinvigorate our politics with a dedication to this country’s bedrock principles and common values:

[Why Are So Many Politicians Former Lawyers?](#)

[The Lawyer’s Role\(s\) in Deliberative Democracy](#)

[The Rule of Law, the Lawyer’s Role as a Public Citizen, and Professional Identity: How Fostering the Development of Professional Identity Can Help Law Schools Address the Crisis Facing American Democracy](#)

[The Lawyer’s Role in a Contemporary Democracy, Promoting Social Change and Political Values, The Lawyer as Catalyst of Social Change](#)

[2022 Samuel Dash Conference on Human Rights: The Role of Lawyers in a Democracy in Crisis](#)

[The Role of the Lawyer in the American Democracy](#)

[What Must Lawyers Do to Protect the Rule of Law?](#)

[Lawyers' Special Role in Preserving Democracy: More Important Today Than When First Described by a Great Chronicler of America](#)

[Lawyers in Backsliding Democracy](#)

[Complicity in the Perversion of Justice: The Role of Lawyers in Eroding the Rule of Law in the Third Reich](#)

[A Law Unto Oneself: Personal Positivism and Our Fragmented Judiciary](#)

[The Attorney's Duty to Democracy: Legal Ethics, Attorney Discipline, and the 2020 Election](#)

["This is Not Normal": The Role of Lawyer Organizations in Protecting Constitutional Norms and Values](#)

[Lawyers and the Abuse of Government Power](#)

[Ethical Quagmires for Government Lawyers: Lessons for Legal Education](#)

[A New Approach to Attorney Regulation](#)

[Lawyer Lies and Political Speech](#)

[Protest Lawyering](#)

[Movement Lawyers: The Tension Between Solidarity and Independence](#)

[Make an Impact](#)

On Democracy, the Rule of Law, and the Constitution

The following are educational resources about the importance of the rule of law, its relationship with democracy, and how it can be strengthened. The [World Justice Project defines the rule of law](#) as a durable system of laws, institutions, norms, and community commitment that delivers four universal principles: accountability, just law, open government, and accessible and impartial justice." The following enables the reader to better understand the rule of law in order to defend and explain it to others:

[What is the Rule of Law and Why is it Fundamental To American Democracy](#)

[Democracy: The Rule of Law and Human Rights](#)

[American See Rule of Law as Key to Democracy, Oppose Abuse of Military and Justice Department](#)

[Democracy Playbook 2025](#)

[What is the Rule of Law?](#)

[The Doctrine of the Rule of Law; a Necessity to Democratic Governance](#)

[What is the Rule of Law](#)

[Overview – Rule of Law](#)

[What Exactly Is the Rule of Law?](#)

The Challenges and Strategies of Lawyers Seeking Governmental Positions

Running for office or seeking a key governmental appointment is not an intuitive endeavor, and lawyers may face unique challenges and obstacles in the process. Articles in this section highlight the challenges and obstacles lawyers might face and offer strategies for overcoming these obstacles.

The following report highlights the potential challenges lawyers face when seeking public positions, including a lawyer's past representation of unpopular or controversial clients that could unfairly affect their efforts seeking an elected or appointed public role:

[NYSBA Report Looks at Challenges for Lawyers Who Want to Serve in Public Office](#)

The following article analyzes Formal Opinion 509 of the American Bar Association's Standing Committee on Ethics and Professional Responsibility regarding conflict-of-interest provisions applicable to currently serving and former government employees and officers:

[ABA issues ethics guidance on how disqualification rules apply to current, former public lawyers](#)

In this interview, former Massachusetts Governor Deval Patrick reflects on challenges lawyers can face in a governmental sphere, for example, the difference between legal training and campaigning, the decline in public trust, and law students avoiding public office positions:

[Lawyers in Politics: a conversation with Deval Patrick](#)

Through interviews of Stanford Law School (SLS) Alumni, this article highlights common challenges faced when running for office, such as fundraising, name recognition, discrimination, and more. Additionally, the article shares resources for lawyers that have been developed at SLS, including mentorship programs, training programs, the Women in Politics group, and the Levin Center for Public Service:

[The Run for Office: JDs in Politics](#)

This article serves as a resource on the public service academies established by various state bar associations, offering tools and support for lawyers interested in running for office:

[Through Public Service academies, bars encourage lawyers to run for office](#)

V. Ways to Support this Effort

There are many ways that bar associations and other organizations can participate in this effort. Below are four suggestions.

1. Recognize Lawyer-Leaders

While the number of lawyers serving in elected office has declined, there are still many prominent and effective Lawyer-Leaders serving throughout the federal and state governments. To help recognize these Lawyer-Leaders, their backgrounds, activities, and dedication to the rule of law, an effective step is for organizations to highlight these individuals. This step would help encourage Lawyer-Leaders already in office to maintain their dedication to the fundamental values identified in this toolkit, show how a legal background lends itself to public service, and embolden lawyers to run for office or seek a government appointment.

For examples of bar associations that have showcased lawyer legislators, see:

[Maryland State Bar Association](#)

[Michigan Bar Journal](#)

2. Hold Lawyer-Leaders Accountable

It is not enough to elect officials who believe in defending the rule of law and the fundamental values outlined above. Officials, including Lawyer-Leaders, must remain steadfast in their dedication to these values throughout their terms of service. Organizations hoping to support this effort should help hold elected officials accountable and continually remind Lawyer-Leaders of their special relationship with and duty to defend the rule of law and the Constitutional foundations of our country.

Lawyer-Leaders that ignore legal restraints, actively refuse to honor the separation of powers, ignore their oaths to the Constitution and to the rules of professional responsibility, or otherwise undermine the democratic fabric of the United States must be publicly held accountable. This does not involve taking a partisan stance on an issue; it merely requires a vocal and stalwart defense of foundational values that should unite all Americans, regardless of their party affiliation. Organizations hoping to support this Initiative should use their platforms to call on government officials, including Lawyer-Leaders, to desist from and resist rhetorical and real actions that undermine our Constitution and our democracy.

3. Provide Nonpartisan Resources on Running for Office or Seeking Governmental Appointments

Lawyers bring unique values and skills to their role in the public sector, but there are considerations that are not intuitive and that require adherence to a variety of laws, including campaign finance and conflict of interest requirements. Bar associations and other law-related

organizations aiming to support this Initiative could consider hosting educational events or providing other resources.

For example, the Arkansas Bar Association hosts an annual Public Service Academy that provides information and training on how to run for office. A sample of the program for the academy in 2024 and other details can be found [here](#).

While not explicitly aimed at running for elected office, some bar associations also offer leadership programs and programs that promote public service. Examples include:

[Ohio State Bar Association's Leadership Academy](#)

[Arkansas Bar Association Public Service Academy](#)

[The Arkansas Bar PAC](#) is dedicated to electing more members of the Arkansas Bar Association to the state legislature.

4. Stand Up for Democracy and the Rule of Law

Now is the time to speak up for democracy and the rule of law. Lawyers have a unique duty to speak out in a time of crisis. As American Bar Association past president William R. Bay said in a [statement](#):

“There are clear choices facing our profession. We can choose to remain silent and allow these acts to continue or we can stand for the rule of law and the values we hold dear...if the ABA and lawyers do not speak, who will speak for the organized bar? Who will speak for the judiciary? Who will protect our system of justice? If we don't speak now, when will we speak?”

Lawyers, bar associations, and other affiliated organizations can employ their platforms to condemn attacks on the rule of law, mobilize the legal profession in defense of our country's most fundamental and essential values, and, most importantly, speak truth to power. The ABA's [statements in response to recent events](#) are a potential model for other organizations to follow.

The institutions which are now under attack are essential to America's identity as a constitutional republic. As **GUARDIANS of JUSTICE**, we cannot afford to let them go quietly.