



National Security Law Report

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Special Tributes to a Great Friend

Lewis Franklin Powell, Jr. (1907-1998)

Retired Supreme Court Associate Justice, former ABA President, and Standing Committee co-founder Lewis F. Powell, Jr., passed away on August twenty-fifth at the age of ninety. He was our friend, and we offer the following tributes in his memory. —Ed.

Eulogy by Justice Sandra Day O'Connor

The remarks which follow were delivered by Associate Supreme Court Justice Sandra Day O'Connor at funeral services for Justice Powell in Richmond, Virginia, on August 31, 1998. —Ed.

We are gathered here today to remember and to celebrate the life of Lewis F. Powell, Jr. Last week, Lewis left us and went home to God and to rejoin his beloved wife, Jo. I was at the Supreme Court in January 1972 to witness the investiture of Lewis Powell and William Rehnquist. I met the Powells at the reception following, but little did I dream then that I would know Lewis Powell as a colleague on the Supreme Court nine years later.

Justice Powell was the ninety-ninth Justice to serve on the Supreme Court and perhaps the most reluctant. It is reported that, on the day in January, 1972 when Lewis was sworn in, Nan Rehnquist asked Justice Powell's wife, Jo, if it wasn't the most excit-

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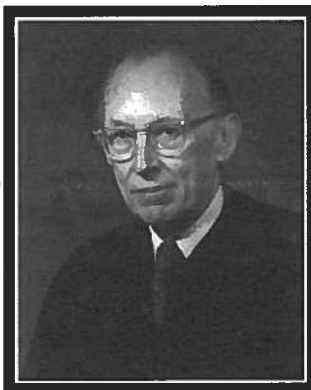
Standing Committee Cofounder R. Daniel McMichael

I first came to know Justice Powell during a difficult period in our nation's history—the McCarthy period. I did not encounter him in the courtroom or in the corporate boardroom, which were his professional arenas in those days. I encountered him in the public sphere, where I felt the force of his arguments as he addressed the difficult and, in those days, divisive, questions concerning the need to understand the realities of the Cold War.

Justice Lewis Powell had the intellectual and moral courage to address these issues of great national import in

a measured and rational manner. Entering into the debate over national security when he did was not risk-free, but he did so, unafraid to articulate hard truths.

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Lewis F. Powell, Jr.

Standing Committee Chair Elizabeth Rindskopf

I leave to others descriptions of Justice Powell's role in many of the most important legal issues touching on national security in this century—his decision in *The Keith Case* (United States v. United States District Court), 407 U.S. 297 (1972), his critical role in achieving consensus to support the *per curiam* decision of *Snepp v. United States*, 444 U.S. 507 (1980) and his inspiration, as an original founder, in creating the ABA Standing Committee on Law and National Security.

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ing day of her life. Jo reportedly said, "no, it is the worst day of my life. I am about to cry." Lewis Powell had turned down an appointment to the Court in 1969 and was prepared to do so again in 1972. Luckily for the Court and the Nation, he finally agreed to accept the nomination when President Nixon convinced him it was his duty to his country to do so.

His family dates back to Thomas Powell who came to the James River area of Virginia from England in 1635. Lewis was born in Suffolk, Virginia, but lived most of his life in Richmond. He was an able student and a good athlete—playing basketball and baseball. He learned how to shoot and enjoyed hunting. He also learned as a youngster the demanding nature of life on a farm—his father bought a milk cow named Mollie. Lewis was directed to feed her, take care of her, and milk her. Anyone who has done that knows there is never a day off. Lewis said one of his happiest days was some years later when he went out to the barn and "found the damn cow dead."

He attended college and law school at Washington and Lee University in Lexington, Virginia. He quickly demonstrated his leadership qualities—president of his fraternity, managing editor of the student newspaper, student body president. He graduated first in his class from law school, then did a post graduate year at Harvard.

Lewis returned to Richmond to practice law and after a couple of years joined the law firm of Hunton and Williams, at the handsome salary of \$50.00 per month. Soon after, he married Jo Rucker—a beautiful and talented graduate of Sweet Briar. It was a marriage made in heaven, as they say. One that remained joyous and loving for over 60 years. They had four wonderful children—Jody, Penny, Lewis, III and Molly. Nine grandchildren and one great grandchild.

He volunteered in the Army Air Force in 1941. He served in North Africa, Sicily, and England. Eventually he was assigned to military intelligence and served as a representative in the most sensitive and top secret intelligence group known as ULTRA. In the military service, he made a very important contribution to the victory of the allies, and it was a significant part of his life.

After the War, he returned to Hunton and Williams. He represented some important clients, including Colonial Williamsburg.

Qualities of leadership emerged again at once—within his law firm, in the House of Delegates of the

American Bar Association, and as chairman of the Richmond School Board. In that capacity, he served on the board during the years immediately following the Supreme Court's decision in *Brown v. Board of Education*, keeping the public schools open. Later he served on the Virginia State Board of Education. He supported reform of the curriculum, and he strongly opposed those who were proposing massive resistance to the desegregation of the public schools.

He became president of the Colonial Williamsburg Foundation and in 1964, president of the American Bar Association.

He served on the Supreme Court of the United States from 1972 to June 1987. He wrote more than 500 opinions, many very significant. It was a great privilege to serve on the Court with him for six full years. No one did more than Lewis Powell to help me get settled as a new Justice. He found us a place to live. He allowed me to hire one of his two secretaries as my chamber's secretary. Most important—he was willing to talk about cases and the issues. His door was always open. I miss those visits and discussions still today.

He was very hard working. He went over every detail. He was concerned in every case about the equity at the bottom line—about reaching a fair and just result. He brought a lifetime of experience as a lawyer and as a leader. He was enormously kind and thoughtful. But underneath that kind and gentlemanly exterior was a firmness and resolve. He would hold his ground when he decided on a course of action.

Despite the hard work, Lewis and Jo would occasionally attend social functions with their friends. Lewis was an excellent dancer and I had the privilege of dancing with him several times. Lewis once

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Elizabeth Rindskopf

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Former Chairman John Norton Moore

A defining struggle throughout human history has been that between state centrist models empowering the ruler, and democracy and the rule of law, empowering the individual and celebrating human freedom. The first of these models of government, as it evolved through Hegel, has led to slaughter and misery on an apocalyptic scale. Indeed, we are only now, in the aftermath of the Soviet collapse, fully learning of the cost of this model in human slaughter, famine, economic stagnation and suppression of the human spirit. The second model, given its greatest definition in the writings of James Madison, has, despite its flaws, produced unprecedented human progress, freedom and prosperity. Certainly in comparative terms the second model *has* been a shining city on the hill.

Others have written of the larger than life achievements of Justice Lewis F. Powell, Jr., Supreme Court Justice, leader of the law and of education, intelligence leader in the service of his Nation, and a magnificent presence. Particularly valuable is the brilliant biography, *Justice Lewis F. Powell, Jr.: A Biography* authored by my University of Virginia Law School colleague Professor John Jeffries. I would like simply to add that on the defining struggle in human history, Lewis F. Powell was a beacon long before the costs of the failed experiment with Leviathan was fully understood, and, indeed, even in an era when it was unfashionable to educate about the contrast between Communism and democracy under law.

Justice Powell, who had participated in the struggle against Nazi tyranny, understood as clearly as Madison, the centrality of freedom, democracy and the rule of law for human dignity and progress. His founding of the ABA Committee on "Education Against Communism and Its Contrast With Liberty Under Law" became the current National Security Law Committee which publishes this newsletter. Lewis Powell was, then, quite literally the father of this ABA Committee. At a time in which some had difficulty distinguishing the excesses of McCarthyism from education about the virtues of democracy and the rule of law, Lewis Powell's nurturing of the ABA Committee was an act of faith and considerable courage. Above all he was right on a central issue on which it is crucial to be right. His resulting efforts on many fronts have made an enduring difference in the eternal struggle for human freedom.

Professor Moore is a former Standing Committee Chairman. ABA

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asked me to speak at a meeting of the Richmond Bar Association. He introduced me and I still remember when he said, "now on my tombstone it will say 'here lies the first Supreme Court Justice to dance with another Justice.' "

Many of you may have read his wonderful biography by a former clerk, John Jeffries. As I read it I was struck by how Lewis Powell has followed General Robert E. Lee's precept:

Do your duty in all things. You cannot do more. You should never do less.

As another observer of Lewis Powell said:

For those who seek a perspective grounded in realism and leavened by decency, conscientious in detail and magnanimous in spirit, solicitous of personal dignity and protective of the public trust, there will never be a better Justice.

I would add: For those who seek a model of human kindness, decency, exemplary behavior and integrity, there will never be a better man.

Sandra Day O'Connor is Associate Justice of the U.S. Supreme Court. ABA

Former Chairman John H. Shenefield

The remarks which follow were delivered during a dinner honoring Justice Powell on November 7, 1997, at the Standing Committee's Seventh Annual Review of the Field Conference. —Ed.

Mr. President, Mr. Chairman, Assembled Guests: It is for me a very special and personal pleasure to pay tribute to Lewis Powell. He was my first boss. I was his law partner for a time. I was proud to serve on his confirmation team. He was my mentor. He is a model I use frequently when I talk to younger lawyers about life in the law. He is a living lesson in how to practice law in the grand tradition.

His career, with its sweep of achievement, is a true wonder. Many of us younger lawyers, as we then were, used to marvel at how he could put together all of the components of the career that he did. It was all the more amazing because through a career of forty years in the private practice of law, he built a great law firm, one that has continued to flourish even after he left it for the bench. And if that

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were not enough, he amassed a record of public service throughout those years of private practice that is really quite extraordinary.

I do not suggest for a Commonwealth that has produced the likes of Jefferson and Marshall and Madison and Monroe that he is at the head of the parade, but he is certainly in the very next rank. I suppose if he were here tonight, he would want us to call attention to the fact that he was a practicing lawyer for most of his career. I think he was equally proud of his military service. Many lawyers believe if you haven't practiced law, you haven't earned your spurs, and he lectured us remorselessly on that point. You were a success if clients were willing to pay you for your legal services. He was a senior active partner in every matter that he undertook for clients. I very well remember that he was senior trial counsel in a bank merger case in the Alexandria Division of the Eastern District of Virginia in a case brought by the U.S. Department of Justice, within four months of the time that he was nominated to be an Associate Justice of the Supreme Court. He was proud of the fact that he had ended his practicing career as a litigator, just as he had started it. He was proud of the fact that he knew his way around the courtroom. And he and the rest of his trial team were pleased that he ended his career as a litigator with a victory. But he also — and this is another dimension of the remarkable quality of this man — was a trusted and value counselor of large corporate concerns. And he was very proud of that fact, too. He was valued not just for his legal advice, but he was valued for his business advice. He sat on boards, many of them, of banks, large chemical companies, and others.

That's a dimension that we can all admire and learn from, but his career had a depth and a dimension in addition to that. We have heard about his service in the Air Corps, and he loved that part of his life. He has also been interested in national security throughout his entire career. Once, when Justice Powell was invited to visit the National Security Agency, he looked at our colleague, Elizabeth Rindskopf, and said: "You have the job I've always wanted." (She was then NSA General Counsel). In addition, he served his country on the Crime Commission for President Johnson. He was a member of President Nixon's Blue Ribbon Defense Panel, and he was proud of all that; and he was especially proud of conceiving the program of legal services for the poor and middle class at a time when it was not conventional, and when indeed it took some

courage.

One of the things about his confirmation was how many different kinds of people appeared in support of him, among them civil rights leaders of the 1960s, and it was in part because of that that he was confirmed so overwhelmingly. It was also in part — and this is something Virginians remember with a little ache in their hearts — because he was Chairman of the Richmond Board of Education and also the State Board of Education in the 1950s and in the 1960s at a time when the words "massive resistance" were in the air and when schools were sometimes closed to avoid integration. It was by force, I believe, of his leadership and independent cast of mind, and his obvious humanity, that he was in that turbulent and divisive time for the Commonwealth of Virginia able to be a moderating and constructive force — and he was proud of that.

He served terms as President of the American Bar Association, President of the American College of Trial Lawyers, President of the American Bar Foundation. He was an honorary member of Lincoln's Inn.

And then, of course, he was nominated to the Supreme Court, and as they say—the rest is history. That's the paper record of his life. Let me give you a sense of the man.

First, there is Powell the Teacher. When you went to work for Lewis Powell, as I did in the summer of 1965, you got a sense of the guildhall origins of this profession. He was not a lawyer who wanted you to learn by pulling down the form file so that you could fill in the blanks. I remember walking into Lewis' office, where he said: "John, we need to have a lease for a shopping center. We've done fifteen of them, but don't read any of those leases. Write it from scratch." So I went away to my office and tried to make up a lease, utterly incompetently, and came back. He talked me through it and then gave me the actual lease, and he sent me back to study the differences. As a teacher, he forced me to go through the mental discipline of thinking it through myself. Lessons learned by doing are never forgotten.

Second, there is Powell the Student. *United States v. United States District Court* was the result of Lewis Powell's learning something that he hadn't known anything about. He was considerably helped by a Senator who sat on the Judiciary Committee that helped to confirm him: Birch Bayh. Senator Bayh seized on this issue as discussed by Mr. Powell in an article for one of the FBI internal house organs. Senator Bayh was a relentless cross-examiner; and under that hammering cross-examination, he showed Lewis Powell that the issue was complicated, and worthy of further thought. Then, in



Former Standing Committee Chairman John H. Shenefield practiced law with Justice Powell for many years. He was one of several speakers who paid tribute to Justice Powell during the November 1997 Seventh Annual Review of the Field Conference in Washington, DC, which was dedicated to Powell.

response to the question, "Will you, Mr. Powell, be able to come to this question with an open mind, and decide a case on its merits?" Powell said yes. The result, a year later, was his opinion for the Court in *United States v. United States District Court*, which came at the issue from an entirely new direction.

Third, there is Powell the Worker. At least for the young lawyers who worked in his law firm, he was legendary simply for the hours he put in. He worked as hard, or harder, than any lawyer I have ever seen. That's explained by his sense of what excellence requires. He was considered to be chairman of "The Sunday Morning Club": His office was open and active on Sunday morning, unless there was a Redskins game he was trying to attend. He was a hard worker.

And then there was Powell the Detail Man, the Organizer. When he was nominated, Judge Haynesworth came up the hill from the Courthouse and said to him, "Whatever you do, don't trust the Justice Department. Take your own people to Washington, and do the confirmation work yourself." That advice played right to Powell's preferences — nothing was left to chance, not a single thing. He

had scripted the entire confirmation: He organized everything; politics, logistics, document production, the hearing. Everything went like a military campaign. Positions were catalogued, research was done, briefing books were prepared, senators were contacted, staffs were lobbied. Witnesses were enlisted in this great crusade — former ABA presidents were brought in, one after another; potential adversaries were talked to and provided factual information we hoped would be persuasive; and at worst we tried to neutralize their testimony. The Hay-Adams Hotel became our command center; rooms were reserved; dinners were organized; and witnesses were staged until they were taken to testify at the hearings. Nothing was left to chance.

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Former Chairman Paul Schott Stevens

Longfellow observed that when a great person dies, the light he leaves behind him lies longer upon the paths of men than we can comprehend. So it must be with Justice Lewis F. Powell, Jr. Others have noted his remarkable achievements as a jurist, as a leader of the bar and of his community, as a practicing lawyer, as a devoted husband and father. I can add to their tributes little except my own deep sense of respect and wonder at a life so well spent.

It is especially fitting that Justice Powell's legacy should be celebrated in the pages of the National Security Law Report, which chronicles the continuing work of the ABA Standing Committee on Law and National Security that he helped to found. As reflected in the tribute paid by the Committee at its conference in 1997, all those involved with the Committee owe a special debt of gratitude for Justice Powell's vision and initiative. More importantly, the strong example of his life and work deserves to be placed before all who serve as lawyers in promoting the security of the United States. May his example strengthen us in convictions worthy of our own public trust — love of country, devotion to duty, principled adherence to the rule of law, and an abiding respect for the institutions of our constitutional government. These qualities are as a beacon across many generations of Americans, shining even today. We can be humbly thankful that the path forward is brighter, and our footing more sure, because of the light Justice Powell leaves behind him.

Paul Schott Stevens is immediate past Chairman of the Standing Committee. ABA

Former ABA President Jerome Shestack

Learned Hand once said of Justice Brandeis that his life is like a richly woven tapestry made up of many strands. To separate one is to do injustice to the beauty of the whole.

So it must be with our tributes here. Even in the aggregate of their glowing eloquence and their depth of feeling they cannot do justice to the rich and full tapestry of Justice Powell's life.

Indeed, Justice Powell's memorial already stands writ at large in the annals of our nation, boldly printed in the jurisprudence of our Court, memorialized in the achievements of our profession, and preserved best of all in the minds and hearts of men and women whose lives he touched.

He has, indeed, touched our lives—those whom he mentored and taught, and those whom he trained and deeply influenced. And he has touched all in our profession in a singular way, motivating and inspiring us to walk on sure courses and strive for higher ground.

Yet, despite misgivings, I want to mention briefly one strand that Justice Powell wove when President of the American Bar Association during 1964 and 1965 - the exquisite strand of equal justice.

When Justice Lewis F. Powell became President of the ABA, legal services to the poor was submerged by states of neglect and apathy. As late as 1964, all of the legal aid and defender agencies in our nation served less than five percent of the poor. The entire 1964 budget for the country's legal aid agencies serving the poor was less than six million dollars. Thomas Jefferson's admonition that "equal and exact justice to all," was a "bright constellation of our political faith," was, in reality, a distant and dim star.

In this context, Justice Powell brought his prestige, his persuasion and his power as leader of the bar to advance the then unembraced concept of federal funding for the poor. The subject was controversial; many lawyers feared that such federally funded legal services would detract from their practice; some were blind to the need, others viewed with angst the prospect of government involvement; there were objections galore and support was sketchy.

But President Powell made funding of legal services to the poor a priority of his administration and the object of his advocacy. In February 1965, he fathered through the ABA House of Delegates an historic resolution—unanimous, no less—placing the American Bar Association stunningly behind

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Justice Powell also has a sense of humor which I'd like to share with you. I'd describe it as wry, refined, and aristocratic — never at anyone else's expense — probably just enough to get you to chuckle; but I can hear him laughing at something that he'd said — probably something about his own athletic exploits.

He was a great sports fan — the Redskins were his team. Young Lewis, now a litigator at Hunton & Williams, was a gifted athlete and Lewis Powell took great pride in telling us about his son, the quarterback. The elder Powell once came to work with a finger in splints. How could that have happened? He didn't allow us to ask — he told us he had broken it playing football. We later found that he had stuck his finger at the ball in an effort to catch it, but he exploited it as an athletic injury for all it was worth.

He is a quintessential family man. It didn't take any effort at all to see how proud he was of his wife, Jo, and of his children. And he was interested in your family, too: It was obligatory that you be prepared to answer his question — "how is your wife doing, and how are the boys?" He is a true gentleman, almost quiet, and certainly understated, never in any sense, rough or crude. He is one of the most loyal people I know — to his family, to his friends, to this Committee, to the Bar Association, to his profession, to his Country.

He was for all of us younger lawyers the essence of integrity and honesty. We used to think that there was a right way to do things and there was a wrong way to do things. You either did them as Lewis Powell did them, or you did them the wrong way. He taught me, and many of my colleagues, that ethics was simply too important an issue in the practice of law ever to walk close to the line. He always made clear where he stood, and I think he is shocked at what he might read in the papers today.

At the bottom line, for me it comes down to this: If I needed a lawyer, I would hope to find a Lewis Powell to represent me. If I were before the Bar of Justice, and my fate and my freedom hung in the balance, I would hope to find a Lewis Powell on the bench. If I needed a model for my son, that model would be Justice Powell. If I needed a counselor, and a friend, in a time of difficulty, a Lewis Powell would be my hope. This is a very great man, and we all ought to congratulate ourselves for our very good fortune to have been in his company for awhile.

John Shenefield is former Chairman of the Standing Committee. ABA

Professor John C. Jeffries

The excerpts which follow were delivered during a dinner honoring Justice Powell on November 7, 1997, at the Standing Committee's Seventh Annual Review of the Field Conference. The full text appears in the July 1998 issue of the Report (vol. 20, no. 3). —Ed.

Like a lot of people who served in World War II, Lewis Powell came away with a certain conviction in the essential rightness of the United States. Maybe that explains his attitude in the following story.

In 1967, Powell was a member of President Johnson's Crime Commission, and there was an issue on the table about whether legislation would be enacted authorizing wiretaps. After a long and bitter debate, the Omnibus Crime Control Act of 1968 did authorize wiretaps under stringent limitations for ordinary criminal acts. But the statute said nothing about the President's power, whatever it might have been, to order warrantless wiretaps in a national security case. The statute simply preserved the President's power, whatever it was, without having defined it.

The ABA subsequently took the position that the President ought to have the authority to make warrantless wiretapes against acts of foreign governments, but not any comparable authority to wiretap in the interest of *domestic* national security concerns. Powell was vehemently displeased by that recommendation and went public in terms that were less qualified than his usual manner of speaking. Let me quote to you his views in 1971: "There may have been a time when a valid distinction existed between external and internal threats, but such a distinction is now largely meaningless. The radical Left, strongly led and with a growing base of support, is plotting revolution. Its leaders visit and collaborate with foreign Communist enemies. Freedom can be lost as irrevocably from revolution as from foreign attack."

How ironic that, less than one year later, Lewis Powell—then Justice Powell—found himself in a conference room in the Supreme Court, in the chambers allocated to the Chief Justice, voting on whether it was constitutional permissible, as the federal government claimed, for the President to order warrantless wiretaps in domestic security cases. The case, many of you will remember, has the odd name of *United States v. United States District Court*. It involved the prosecution of a would-be Timothy McVeigh, a member of the radical White Panther Party who was foiled by the efforts of law enforcement. He had been intercepted on a wiretap, which had been authorized but had not been approved by a judge; and he claimed successfully,

as it turned out, that the evidence had to be suppressed.

Now in 1971, Lewis Powell had barely been able to admit that warrantless wiretaps had the potential for abuse. One year later, Lewis Powell the Justice, found that danger concrete and vivid: "History abundantly documents the tendency of government, however, benevolent and benign its motives, to view with suspicion those who most fervently dispute its policies. Therefore, Fourth Amendment protections become the more necessary with the targets of official surveillance may be those suspected of unorthodoxy in their political beliefs. The price of lawful dissent must not be a dread of subjection to an unchecked surveillance power."

Sounds more like Bill Douglas than Lewis Powell. What accounts for the about-face, for the real reversal in his view, within six months? Part of the answer is that he had educated himself about the value of the law department, he had performed the duty which we expect all judged to perform of learning the law, studying the precedents, and reading the opinions of the judges who had come before; and he had been persuaded by their arguments to a degree which we perhaps had not anticipated.

Much more important was the change of his role. In 1971, he had been a private citizen. As such he felt free to express himself and to indulge his distaste for the kinds of radical Leftists who were the objects of domestic security wiretapping. In 1972, Powell spoke as an Associate Justice of the Supreme Court of the United States under a sworn duty to protect the Constitution of the United States and under a sworn duty to protect equally the rights of all citizens, including those he did not admire. I think that's about a vivid example of the "rule of law" as one can imagine. It is an example of the great power of the ideal of the rule of law that, whatever the rule is, it has to apply equally, uniformly, without deviation or special treatment, to all elements of a great and diverse society.

That's my illustration of Powell and the rule of law. It seems to be a good illustration of the great and enduring value of that idea. Let me say in closing that I saw Justice Powell three weeks ago. He is now into his 90th year. His world is smaller now. He would have loved to be here. He would be enormously pleased and flattered by the judgment you have made in dedicating these proceedings to him. I hope you won't think it presumptuous of me, but on his behalf, I thank you all.

John C. Jeffries is the Emerson Spies Professor of Law and Academic Associate Dean at the University of Virginia School of Law. ABA

Jerome Shestack . . .

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the development of legal services for the poor. That resolution assured the successful launch of the federal legal services program to the poor. And Justice Powell's example, prestige, and persuasion remained behind the program thereafter helping inspire us through dark days and in dangerous shoals.

It is no small matter, this pursuit of access to equal justice; it is, to be sure, the deep essence of a rule of law. Let us not forget that Lewis Powell, long before he ascended to the Court, pursued equal justice with passionate intensity and left the law itself a better instrument of human justice than he found it.

Jerome Shestack was President of the American Bar Association 1997-1998. ABA

Elizabeth Rindskopf . . .

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My recollections of the Justice are more personal. They relate to the nature of this remarkable man himself and to a time in late 1987 when I first met him as his guide for a tour of the National Security Agency at the invitation of its then Director, General William E. Odom. As a young officer in World War II Justice Powell had been selected to handle the "Ultra Product"—the highly sensitive information derived from coded German cables. General Odom, a historian himself, sensed correctly that the Justice would enjoy an opportunity to learn how the science of code making and signals intelligence had evolved in the intervening half century.

From the beginning, Justice Powell's enthusiasm for the visit was obvious. Even more memorable for me, however, was his reaction to all of those he met. To me he commented, "you have the job (General Counsel) that I have always wanted." To the lawyers from the office selected to meet him his focus again was on those he was meeting. Avoiding the opportunity to make his own formal remarks and declining the offered seat, instead, he went around the small conference room where 12 lucky members of the office had been assembled (selected by lot) and greeted each person individually and per-

sonally, seeking information on each lawyer's background, interests, and assignments. Disarming and self-effacing, he seemed to me to be one of those rare individuals who exist within an electrical field—one sensed immediately that here was a great man. Years later I was reminded of these reactions at one of the Standing Committee breakfasts. As each guest stood for introductions, Justice Powell said with elegant simplicity only: "Lewis Powell—retired".

A great man, my mother enjoyed saying, could always be identified by the way he treated others who "didn't matter." For Justice Powell, of course, the point was that everyone mattered. Our Committee is fortunate indeed to have had this remarkable man as its initial inspiration. Let us hope that his leadership, focused on building consensus and cloaked in so unassuming and wise a manner, will continue to guide us as we confront the national security challenges of a new century.

Elizabeth Rindskopf is Chair of the Standing Committee and former General Counsel, CIA. ABA

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He brought the same intelligence, grace and eloquence into these debates as he exhibited in the other aspects of his life. He often took an unpopular position—but far more often than not, he was proved right. For instance, Justice Powell issued his Blue-Ribbon Report on national security at a time when the public, and particularly the political community, was not very receptive to the conclusion of his report. Yet, the Report findings helped to change the course of debate, which gave the nation a more rational defense policy than before.

Justice Powell's integrity and reasonableness commanded the attention of opinion leaders and policy makers all over the world. His arguments for strengthening national security were so eloquently wrought that American men and women who shared Justice Powell's love of country, but who were reluctant to confront the dangers that beset us, usually came to agree with him.

We need more leaders today like Lewis Powell.

Mr. McMichael is Secretary of the Sarah Scaife Foundation in Pittsburgh. ABA