

It is October. Two Mondays ago, precisely at ten o'clock in the morning, the Marshal of the Court struck the gavel and announced, "Ladies and gentlemen, the Honorable, the Chief Justice and the Associate Justices of the Supreme Court of the United States." Just a moment before the gavel, there had been a faint sound of an electric buzzer—very faint, but any staff who had worked there for any length of time heard it and immediately rose from their seats. As I sit here writing, it still gives me chills. They rose, and as the Justices, in groups of three, began to file out from behind the red velvet curtains, the Marshal finished his speech, "The Court is now sitting. God save the United States and this Honorable Court."

This time I was not there to hear the Marshal's speech or to feel what those words did to the people in the room. A mere month after a passenger jet slammed into the Pentagon four miles away, perhaps the reference to God had a different feel to it. I don't know.

I am not a believer. But that oversimplifies the truth: it would be more accurate to say I am uneasy. Every time I sat in that black leather chair in the Marshal's aisle and craned to see around the Italian marble columns, I felt out of place among some of the symbols and traditions of the Court—or rather I felt that perhaps *they* were out of place. Once, during one of my tour lectures, two Islamic men began arguing about the frieze of Mohammed who is depicted with a face instead of a faceless presence. On one level, I was disgusted at the display that seemed to me both trivial and disrespectful. (I think I would have been just as irritated had it been two Christians disputing Moses' presence in that line of law-givers that rings the room.) On another level, though, I am uneasy. (Maybe when I am Chief Justice we'll have curtains over the friezes during public lectures. That wouldn't really solve the problem, would it.)

Here is my dilemma: I want a purely secular law, but I also want a law that is pure, a law with undergirding moral authority.

When I was seven, I stood with my classmates in a coal-mining city in south central Ukraine and faced a portrait of Lenin on the front wall. In his simple, black frame, Lenin faced left, staring off intently at something that I mistook for a vision. I was as good a citizen as any, as committed to the Union as a child could be. Every day I wore a brown, long-sleeve dress, a black apron, high socks, and an

overwhelmingly white bow in my hair. The dress made calisthenics difficult, especially because my class had one strange boy who amused himself by crawling underneath the desks during morning exercises. “Igor, stand up!” our teacher would demand. “If you like girls’ underwear that much, I will call your mother and ask her to take you shopping for some.” We would then sit two at a desk, hands folded, raising our arms to a ninety-degree angle to ask a question or make a comment. Later in the day there would be a bomb drill complete with gas masks, or perhaps we would have an extended run or a stationary march. What seemed ceremonial to me in second grade seems foreign and troubling to me now. Next to the image of the girl in the brown dress, I see the red bandage my grandfather wore on his right arm as he trundled off to civilian militia meetings. I can almost condemn those quaint ceremonies of patriotism and belief. Almost.

I am only half kidding about becoming a Justice. Perhaps it is poor form to confess ambition, but I openly admit that I have designs on the bench. I have been wrestling with issues of authority and moral judgment all my life; I expect that battle will eventually take me to the bench.

I have stood in Arlington on a clear February day and looked at the graves that stretch in perfect lines forever. I have heard a bugle sound and watched five grade-school children, surrounded by the cemetery guard, carry a wreath to the Tomb of the Unknown. I saw the tear that slid very quietly down the cheek of the girl in blue, and I had a sharp flashback to a somber girl in brown laying a wreath on the Tomb of the Unknown in Donetsk.

I understand something about the heartswell that has engulfed the nation since September eleventh, about the wreaths and candles that have appeared all around the world, about the President’s call for national prayer. I know what de Tocqueville said about America’s goodness and greatness, and I can see that tempering the fierce individualism of the adolescent nation is a certain calming faith. I am puzzled by what I see: a legal system struggling to save its citizens from their own baser selves, including their religious biases, and yet recognizing its own dependence on the beliefs and faith of those citizens. I am confused when this country that champions both its religious diversity and its citizens’ rights to free exercise of religion—two factors that I would expect to foster divisiveness and contention—is brought

together in solidarity by these symbols and religious references. Even more strange, I can feel that solidarity working inside me.

I have stood in Red Square on a windy day and watched armed guards march in perfect lock-step by Lenin's casket. In an old shoebox, I keep a photo taken of my aunt and me in Red Square on the afternoon my mother took me to America. For me, the symbols of patriotism and belief reach deeper than I can make sense of.

Every day that I worked at the Court, I passed the statue of John Marshall in the Lower Great Hall and was enraged by the memory of the renegade way he formed the new, strong judicial branch. I despise *Marbury*. Yet given Marshall's circumstances, I hope I would have done the same thing. Do I contradict myself? Then I am American at least in that! "Very well then," said Whitman, the Great American Poet, "I contradict myself! I am large, I contain multitudes."