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INTRODUCTION

THE "NEW LOOK" OF THE LAW

ROBERT E. DAHL*

It is highly doubtful that the vast majority of people living in the Renaissance were aware of its significance. Today a renaissance is occurring in the world of law of which many lawyers and most of the public are equally unaware.

The undercurrent of change reaches the surface in the increased interest of the public in the application of civil and criminal law to them personally. Fifty years ago the policeman was a symbol: the protector of the righteous. Today he represents the man who distributes the traffic tickets. What driver today hasn't felt that he was unreasonably ticketed, and if he appeared in traffic court, that his case was improperly or unfairly disposed of? The law is also represented by the civil summons, the garnishment action, the mechanics lien, and by the ubiquitous questions of the Internal Revenue Service.

As a result of this gradual awareness of the restrictive presence of the law, the public has become more concerned with its rights and privileges. It has been informed of its obligations and duties. This change is good. In a community of 200,000,000 souls, without concern for individual rights it is not difficult for these rights to become submerged to "the common good."

Evidence of increased interest in the law is demonstrated by the sections on law in the weekly news magazines, by the articles on law-related subjects in other popular publications, by the high ratings of TV dramas concerning the law and lawyers, and by the general discussion of Supreme Court decisions pertaining to individual rights. Whether the increased interest is the cause of the renaissance or the renaissance is the cause of the increased interest is debatable but hardly pertinent ultimately. The fact remains that the face which the law presents is a new face.

Many lawyers are no more aware of the present trends than the uninformed public. They vaguely recall the generalities of the Bill of Rights but are more concerned with the ramifications of a real estate or probate problem than with the constitutional guar-

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antees of the individual. In fact, many of them take the analogous position of the condemners of Galileo.

All lawyers are going to have to take a long hard look at the renewed face of the law and its shifting of emphasis from property rights to individual rights. Their duty to the public—one of the primary obligations which they assumed upon admission to the bar—requires that they remain abreast of the current. As guardians of the law they can do no less.