

PRACTICING DIALOGUES ABOUT DIFFERENCE: USING  
MULTIPLE PERSPECTIVES IN TEACHING THE FOURTEENTH  
AMENDMENT

RENÉE M. LANDERS\*

In writing for the Supreme Court in *Grutter v. Bollinger*, Justice Sandra Day O'Connor reiterated the overriding importance of preparing students for work and citizenship, and the relationship between education and good citizenship. She noted that universities, and in particular, law schools, represent the training ground for a large number of our Nation's leaders.<sup>2</sup> The *Grutter* Court recognized the importance of legal education and access to the legal profession in preparing talented and qualified individuals of every race and ethnicity for civic engagement and leadership. Effective participation by members of all racial and ethnic groups in the civic life of our Nation is essential if the dream of one Nation, indivisible, is to be realized.<sup>4</sup> Teaching the various doctrines for which the Fourteenth Amendment forms the basis in constitutional law, administrative law, and health law is an effective way to communicate the sense of purpose identified in *Grutter* to law students. Specifically, students studying the value in understanding how the law can promote or impede equality in the public sphere and the lawyer's role in that process. In addition to becoming more effective lawyers, this process can prepare law students to become more engaged and thoughtful citizens.

As the most recent summer waned and I was thinking about writing this reflection, I recalled sitting on a Cape Cod beach in about 1987 reading Margaret

---

\* Professor of Law and Faculty Director, Health and Biomedical Law Concentration. The author wishes to thank the editors of the Saint Louis University Law Journal for including this Essay in Teaching the Fourteenth Amendment

1. 539 U.S. 306, 331 (2003) (The Court has long recognized that education . . . is the very foundation of good citizenship. (quoting *Plyer v. Doe*, 457 U.S. 202, 221 (1982).))

2. *Id.* at 332.

3. *Id.*

4. *Id.*

Atwood's classic dystopian novel, *The Handmaid's Tale*<sup>5</sup> for the first time. I was new to teaching law and remarked to my husband that if I ever had the









While one unstated norm is to treat the perspective of the observer as  
objective, the other is to treat the perspective of the observed as  
subjective. This tension is central to the practice of law, where the  
lawyer must navigate between the objective facts of a case and the  
subjective perceptions of the parties and the court. The law is not  
merely a set of rules, but a process of negotiation and interpretation.  
The lawyer's role is to facilitate this process, ensuring that the  
law is applied fairly and justly. The law is a living, breathing  
entity that evolves over time and across cultures. The lawyer's  
responsibility is to understand and apply the law in a way that  
serves the interests of justice and the community.

SAINT L









