

# Re-imagining the legal profession

Young lawyers explore and experience how **justice is love in action**

BY ANNE-CLAIRE MOTTE

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**L**AW STUDENTS ARE OFTEN A bundle of contradictions. Many start law school with the hope of building a meaningful career that serves the cause of justice; but as they weave their way through a complex array of courses and practice areas, and as many face the reality of how to get out from under the heavy load of student debt, their high ideals often slip away.

Law schools often claim that their curricula and programs will help mold students into lawyers who work for justice, but in reality the emphasis on technical proficiency often overshadows those deeper, harder-to-grasp ideals. As a result, some perceive law school as the process of losing one's soul and becoming increasingly distant from the actual needs and problems of ordinary citizens.

Happily, this is not the end of the story, for there are many initiatives that are trying to re-imagine and renew the legal profession. Among them, the Focolare's international Communion & Law project gathers lawyers, judges, students and scholars to explore how relationships of fraternity can be built among the various actors in legal systems, and how this in turn might contribute to a culture in which the value of justice could permeate all legal structures and relationships. Following a successful 2005 conference, which brought together more than 700 legal professionals, the students and young lawyers launched their own international event, "Law in Search of Justice," held in February near Rome.

More than 280 young lawyers and students arrived from 26 different countries and five continents, representing the most varied legal systems and cultures. Some had already been living the Focolare spirituality for some time. For others it was a chance discovery.

"I have been feeling extremely isolated in my profession, and I do not have the sense that justice can be reached in my daily work," shared Maria Valeria, a criminal defense attorney in Rome, "so when I saw the poster for this event in the court corridor building, I came looking for a response to these concerns."

The approach might have struck some as unusual, for it included an invitation not only to exchange ideas, but to actually live the ideals proposed, in the course of the relationships that we were building right there at the conference. From lending laptops to leaping language barriers, sharing meals, or passionate discussions about the differences in our legal and educational systems, all of these efforts bonded an extraordinarily diverse group into a true network of communion, open to deeper conversations.

Workshops designed by the participants themselves on topics such as immigration, organized crime, ethics and appreciation for clients helped facilitate the discovery of law as responsive to human values and social concerns.

Sociologist Vera Araújo observed, "Law is not cold; it carries values. It is not only technical; it is also human." Many were touched by such a capacious vision of legal practice that embraces a wide range of human emotions and experiences, and helps lawyers to discover their own role in creating relationships that foster more responsive legal systems.

The conversation was also enriched by the presence of professors and experienced lawyers who reflected on their own search for justice in their careers. Their example helped all of the participants share the difficult struggles for justice in various parts of the world: in Africa and South America, efforts to build a more just society despite corruption and social inequality; in Italy, efforts to counteract organized crime and create alternative structures; in Europe, initiatives to respond to the tensions arising from immigration; and in the Middle East, work for justice as the necessary foundation for peace. In these moments, often distant doubts, sufferings and aspirations became a shared reality.

One of the highlights was a conversation with the Focolare's newly elected president, Maria Voce, who had worked as a lawyer before dedicating herself full time to the Focolare. With great warmth and simplicity she shared her initial fears of not being able to meet her clients' expectations, and her own questions about how to handle conflict.

"I realized that I only had to do one thing," she said, "to listen with love, give advice out of love, be a lawyer out of love." This approach often led to a peaceful resolution "in my office with a cup of coffee and a sign of reconciliation between the parties."

The last evening included a tribute to some of history's heroes in the search for justice: Gandhi, Martin Luther King and several judges who battled the mafia. Chiara Lubich was continually remembered for her vision for a legal profession in which "fraternity can make a difference."

"This transformation will be possible if we are guided by the Gospel," she encouraged participants in her 2005 message, "if we build relationships of brotherhood between lawyers and judges, between convicts and victims, between the incarcerated and prison guards and so on."

How did the gathering speak to those who were initially skeptical? Marco, an Italian law student mused, "It's worth a try."

"You gave me back the spark of hope that had been extinguished during the tough years of law school," said another student. "I am ready to work toward this new vision of justice, together with all of you, without compromise."

*Anne-Claire Motte works at the Fordham Law School Institute on Religion, Law & Lawyer's Work.*

## What makes a good lawyer?

**M**Y OCCUPATION as a third-year law student in New York City preparing to enter practice with a large firm has not managed to cloud my lifelong interest in theology. Although mention of my previous theology studies frequently generates vaguely reverential yet puzzled comments about my career path, I have long been convinced that it would be not only possible but tremendously fruitful to integrate my dual interests of theology and law.

For me, the Law in Search of Justice conference further strengthened this conviction. But even more, it reminded me that unity is of God and must be the way and the goal of a follower of Christ.

The preparation for our team's workshop brought me to reflect on the various roles that lawyers play. I realized that what distinguishes a good lawyer from a mediocre or bad one is that the good lawyer possesses the noble intention and professional skill to work out solutions to disputes, which serves to unite persons rather than divide. Whether in the course of trial work or of negotiating a transaction, lawyers can choose either to build up constructive relationships, or to cause further rupture for his or her personal financial gain, fame, or even the thrill of the game or the glory of conquest. The lawyer can use the position of advocate to reconcile enemies or to incite vengeance, to build peace or to alienate family members, to pursue healing or to pursue headlines and a spot on the nightly news.

In considering the lawyer's power to build and power to destroy, it occurred to me that the vocation of a Christian lawyer is to live unity as a way and a goal in the same way as any Christian, although with the possibility for an extraordinarily broad impact on individuals and society through the creation of laws and the operation of justice.

During this conference, I began to realize that what we described as "love of neighbor in the practice of law" need not be merely a quixotic fancy but can be lived out in the small daily gestures to build unity among adversaries in a litigation, parties in a negotiation, family members sharing an inheritance, legislators drafting just laws, laborers organizing in a work place, victims struggling to forgive their offenders and even the folks we encounter jostling for space during the morning commute.

*Monica Brown graduated from Fordham Law School last month.*

## The quality of justice

**A**S A LAWYER, LAW PROFESSOR AND BUDDHIST practitioner, I think daily about how I integrate my profession's call to have a special responsibility for the quality of justice ...

As lawyers we may forget the myriad opportunities to practice justice in the mundane — the moment of counsel with a client or the moment of conversation with opposing council ...

The Buddhist phrase "thousands of candles can be lit by one candle" reminds me that the smallest acts of justice ripple outward and expand.

*Deborah J. Cantrell, associate professor and director of clinical programs, University of Colorado Law School in Boulder*

## Lawyering and love of neighbor

I WAS PRESENT at the 2005 congress and am an ongoing participant in this project, which grew out of our desire to pay more attention to the relational aspects of the law and legal practice. I was happy to come back with four other Americans for the 2009 congress. Although there were many linguistic, legal and cultural differences among us, these were overwhelmed by the power of our shared desire to achieve something more than technical proficiency in our professional lives.

Our U.S. delegation offered a workshop on “Love of Neighbor as a Lawyerly Practice,” which presented a teaching and learning method, typical of American clinical legal education. We presented the story of neighboring merchants who have a dispute over the use of some common land. The participants enacted the negotiation between the lawyers for the two merchants, testing and analyzing different approaches.

Exploring legal solutions in context from the perspective of a particular actor made for a very rich and lively discussion. As lawyers, we had to get the law right, but we also felt and saw the need to grapple with the complexities of the people in their relationships and particular situations. While the law must point us to justice, the simulation method confronted us with the lawyer’s problem of achieving justice for specific people and solving particular problems. We felt the potential for a more fully engaged professional life, in which we combine rigorous legal analysis with careful attention to each person.

At the conclusion of the workshop, we agreed that applying the principle of love of neighbor in our work as lawyers could help us to find better solutions to our clients’ problems. I was struck by the spirit of quiet courage among us that helped us to see how we could walk new ground, even without a clear understanding of how to approach each detail. It was enough to share a strong sense that we are headed in the right direction.

*Ian Weinstein, professor and director of clinical education, Fordham Law School.*

## What justice fully entails

IN MARCH 2008 I PARTICIPATED in a seminar of U.S. lawyers and law professors held in the Focolare city of Loppiano, near Florence, Italy. There I beheld a community built entirely on the principle of love, and I learned for the first time what justice fully means and entails.

From my legal studies, I had understood that justice was primarily procedural — for example, simply affording a person the right to be heard before canceling his unemployment benefits. I also appreciated the more “substantive” definitions of justice, but these affirmations often seemed to create a certain tension between the freedom of the individual and the involvement of the larger community.

In Loppiano, I encountered for the first time both a conception and practice of justice that resolves this tension. For example, the Economy of Communion industrial park: I was amazed to hear that the articles of incorporation of a company there provided for 30% of its profits being invested toward creating work for others in the community and around the world.

Loppiano helped me to see how justice, in the fullest sense, includes the positive work of the larger community to foster each person’s growth by walking together and sharing the other’s burdens. As Pope Benedict wrote in *Deus Caritas Est*, “Justice is love in action.”

*Gregory Louis graduated from Fordham Law School last month.*