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Dominique Simon

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FINDING PEACE IN LAW SCHOOL

*By: Dominique Simon**

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*J.D. University of Richmond School of Law; L.L.M., Queen Mary University of London; B.A., University of Richmond.

PART I

When I think back to my first years in law school, I often can't help but think of all the other times I joined a new organization. Sometimes those beginnings were relaxed, and sometimes they were contentious. I've been coddled, helped, and welcomed into new groups. I've been yelled at, screamed at, shouted at by coaches, by teachers, by drill sergeants, by supervisors. Maybe they were all trying to break something inside of me, perhaps my willpower, my drive to succeed, my spirit even, all to see if I had what it takes on the basketball court, in the classroom, in the battalion, or in the office. They tried to make me stronger through adversity, perhaps.

In law school something else happened. The professors tried to break me in a different way. To me the cold calling, with the questions about the cases and the court's reasoning was aimed at a different purpose. Professors might tell you they were making sure I had what it takes to be a lawyer, just like all the other times those in authority sought to test me. But inside, I felt as if they were trying to break my core, my values, my convictions, and my sense of right and wrong. My law professors tried to get me to understand the law and justice through their eyes, and consequentially through the eyes of the amorphous court. It was not sufficient for me to absorb the professors' beliefs, legal analysis, and thought processes by paying attention in class. Instead, I was used as a mechanic uses a tool; by calling on me again and again in class to regurgitate these views and opinions, I was molded and crafted by public humiliation and social pressure to provide the expected answer, even if it was contrary to my personal opinion. For me, this form of education pushed at the very core of my being; somehow, my professors managed to confuse and twist everything I had once known to be true, and they did so in such a way that their views made perfect, logical sense. They taught me how to think like a lawyer, and they taught me how to stop feeling like a human being. Competition was valued for the sake of competition. The bottom line was given more weight than the moral implications of a decision. The interests of society and the interests of business were more important than the interests of the individual. And if I couldn't make those utilitarian arguments, then I didn't belong in the legal profession.

But I did belong. At least, that's what I told myself while I was learning to think, talk, and argue like a lawyer. The more I learned, however, the angrier I became with the entire justice system. Why was it so unfair? Why was it so difficult to understand and navigate? Who designed it this way, and who kept it so convoluted? Before law school, I believed that justice was blind, that an impartial legal system could create fairness. Within the

first month this illusion came crashing down as I realized just how unfair our justice system truly is. As I muddled through my classes, I was struck again and again, subject after subject, day after day with the unshaking affirmations that the justice system was rife with inequality, riddled with loopholes, and subservient only to those in power. My intuitive sense of justice was challenged everyday by legal tests which seemed arbitrary and nonsensical, and by the task of balancing the interests of fictitious entities labeled nations, corporations, and governments against those of actual flesh and blood people.

For most of the first half of law school I ignored the voice inside of my heart in favor of the outside voices championing the importance of classroom success no matter the cost. I told myself that I had to learn how to be a lawyer, all while my being continuously resonated a quiet but protesting “no.” I don’t know how other students handled this; for me, this type of instruction was one of the most difficult experiences I have ever faced. Over time, my internal conflict between learning how to be a lawyer and the “no” in my heart was exacerbated by self-medication, by long nights, and by the constant stress my over-active mind cycled through. I realized that law school would turn my intellectual mind into overdrive, but I had no idea what it would do to my core. Worries, the usual one or two gentle warnings and reminders in my head began to take new form. Soon, worrying and complaining was all I did. My jokes, my conversations, my thoughts were all negative inflections that reinforced my bleak worldview. Coping mechanisms turned into addictions. My body was unhealthy. My mind was out of control. It became clear that something was very wrong.

PART II

Suddenly, during second year something gave. To this day I don’t know exactly what triggered the change inside of me. Perhaps I simply reached my boiling point. Or perhaps something larger was at work. Whatever it was woke me up to the true nature of myself. I can best characterize my experience as a spiritual awakening, and simply say that I woke up to the beauty of the world and the beauty inside of me. For the first time in as long as I could remember I cried because I was happy; I cried because the world was beautiful. For days, I wandered wherever I could, to places new and old not with worries in my mind but with love and gratitude. I could not understand how I was living my life before or how I had reached that point. The past and the future no longer plagued my mind like shadows, ready to dance in the darkness if I gave my mind a moment’s pause to stop and become hypnotized by false notions once again. I rediscovered what it was like to

exist without judgment of my worth, without worry of deadlines or debt. I rediscovered what it meant to be alive.

After my radical shift in perception I took a different approach to law school and to my life. I began by cleaning. I dropped the bad habits I had developed to cope with law school stress. I stopped spending time with company that made me feel worse when I was around them. I scrutinized my thought process and began to purge the worries from my mind, a life-long process that I work on every day. I also spent the second half of law school reading as much spiritual literature as I could get my hands on, and began to meditate and apply spiritual teachings to my everyday life.

For a time I wondered if my new interest was at complete odds with my legal education. During my last semester, however, I enrolled in a mindfulness class in law school, which sought to introduce students to mindfulness meditation and explore similar concepts and their adaption to the legal community. The class opened my eyes to the developing mindfulness movement in the legal profession, and it assured me that what was going on inside of me had a connection to my legal education. Our class was introduced to numerous scholars who have studied and commented upon the psychological effects of law school education. For example, Professor Elizabeth Mertz observed that basic law school training changes student values, “unmoors the ‘self’, marginalizes fairness, justice, morality, emotional life, and caring for others, and exclusively emphasizes competitive processes to the extent that they become the only goal.”¹ Professor Patricia Williams notes that law school exams can require students to “suppress any sense of social conscience...” and “to devalue their own and others’ humanity for the sake of a grade.”² These observations were my experiences, and reading them became part of my healing process. It was very beneficial for me to engage with scholarship by many other scholars and professors who have all recognized the troubling problems with legal education that I myself experienced.

The mindfulness class facilitated my healing process and bridged the gap between my present feelings and past experiences. For example, author and teacher Sharon Salzberg writes about one of her students, A. Gupta, who harbored feelings of jaded anger toward the problem of mass incarceration. “Beneath that anger,” he states, “what I longed for was a beautiful vision for justice, for peace, for equality, and for fraternity between all beings.”³

¹ Lawrence S. Krieger, *What Makes Lawyers Happy? Transcending the Anecdotes with Data from 6200 Lawyers*, 83 GEO. WASH. L. REV 554, 568 (2015).

² PATRICIA J. WILLIAMS, *THE ALCHEMY OF RACE AND RIGHTS* 87 (1991).

³ SHARON SALZBERG, *REAL HAPPINESS AT WORK* 81 (2013).

When I first read about him, Gupta spoke to the heart of my own anger's source. I was angry at the injustice that pervades our lifetime, and I was angry because things didn't have to be this way. I was angry at my professors for asking me to read racist court opinions, now overruled but nevertheless stinging reminders of how the law was used to rationalize hatred and division. I was angry at myself for learning the tools of this trade and one day becoming something I never wanted to be. For a time, this anger consumed and crippled me. I let the anger taint my law school experience, so that soon I could only see the failings of the legal system and consequentially taking its successes for granted. But after I began to let go of that anger I began to understand it more clearly. With the help of teachers like Salzberg, I began to realize that my anger was just compassion in seed form, and that I could express that compassion by taking positive action to change the injustice I saw and experienced in the world. I realized that I was angry for a reason, and that I could use that transformed anger and my education to help create something better.

For me, spirituality created a bastion of lasting inner peace amidst ever-changing external conditions. It also attracted people and circumstances to me that helped me to heal and move forward. Former Judge Dr. David Hall believes that spirituality provides "a reservoir from where we can replenish and restore ourselves and our work."⁴ This reservoir has the capability to both engage with external conditions and neutralize any unwanted currents that may flow into one's core. Law students, lawyers, and judges alike are no strangers to burnout, fatigue, stress, depression, addiction, and other problems. Spirituality serves as both treatment and prevention to these difficulties by changing and strengthening the root cause of what can cultivate these ailments: our perception. Just as our perception as physical bodies with a finite life and death experience encourages us to live our lives within a physical and materialistic framework, so too does our perception as spiritual beings have the potential to transform our entire outlook and quality of life, an outlook that encourages us to look beyond the physical to everything that we are. Practically, spirituality can provide centering and peace, particularly during difficult times, so that we are no longer slaves to our environment, to circumstances, and to our minds. At the same time, when faced with difficult decisions spirituality provides guidance beyond the rules of professional conduct or the legal code. To me, spirituality is the guiding force within all of us, the voice in our hearts offering respite during

⁴ Dr. David Hall, President, Univ. of the Virgin Islands, Luncheon Speech at the Federal District Judges Conference: The Spiritual Revitalization of the Legal Profession, at 3 (Jan. 19, 2010).

difficult times, rejoicing during the beautiful moments, and ultimately telling us what is right and what is wrong.

PART III

What does it mean to be spiritual and what is the relationship between spirituality and mindfulness? Spirituality is recognizing that we are more than our physical bodies and living one's life according to this realization. From this mindset flow fundamental principles, such as the importance of living in the present moment instead of constantly using the mind to analyze the past or predict the future. Mindfulness is a meditation method that cultivates spirituality and develops the fundamental principles of a spiritual mindset.

As a technique, meditation generally teaches the meditator to quiet the mind, direct concentration, listen inwardly, and realize the spiritual nature of our being. By quieting the mind, meditators can relax the ego and the incessant thoughts clamoring in our minds like monkeys all vying for attention.⁵ At the same time, quieting the mind can change our brainwaves to a more relaxed, receptive, and peaceful state.⁶ Meditators learn to direct their concentration purposefully: to the breath, to the heartbeat, to a mantra repeated internally or externally, etc. This process of concentration can induce altered states of consciousness and also allows the meditator to focus their attention inwards. Inward attention is significant because it gives us control over our biology and teaches us to be more responsive to our intuition. Our intuition can literally be feelings originating from the gut and heart, as those organs have neuronal-like brain cells⁷ and the capacity to receive sensory information.⁸ Regularly bringing the attention inward can strengthen one's ability to perceive the information gathered by the entire body. Meditation is a means by which we can exert greater conscious control over our biological processes and responses and develop our emotional intelligence.

Our minds are simply parts of our body, as are our stomachs, our hearts, and our lungs. Just as we can strengthen our hearts through cardiovascular

⁵ BJ Gallagher, *Buddha: How to Tame Your Monkey Mind*, HUFFINGTON POST, Nov. 3, 2011, http://www.huffingtonpost.com/bj-gallagher/buddha-how-to-tame-your-m_b_945793.html.

⁶ The Norwegian University of Science and Technology (NTNU), *Brain waves and meditation*, Mar. 31, 2010, www.sciencedaily.com/releases/2010/03/100319210631.htm.

⁷ Adam Hadhazy, *Think Twice: How the Gut's 'Second Brain' Influences Mood and Well-Being*, SCIENTIFIC AMERICAN, Feb. 12, 2010, <http://www.scientificamerican.com/article/gut-second-brain>.

⁸ Anil K. Rajvanshi, *The Three Minds of the Body*, NARI (May 2011), <http://www.nariphaltan.org/gut.pdf>.

exercise, or increase our lung capacity by effort and repetition, so too can we physically change the structure of our minds to increase well-being. Not only does meditation bring a sense of mental peace, but it also changes the structure of the brain in many ways. For example, meditation increases the amount and density of grey matter found in the hippocampus and other structures in the brain associated with self-awareness and compassion, leading to better memory and cognitive function, as well as a decrease in stress levels and the likelihood of depression.⁹ Meditation also decreases the activation of our amygdala, the flight or fight center in our brain, which allows us to remain calm during stressful situations.¹⁰ Our mind is a tool we use to interact with and understand the world, a tool that may be improved. But that tool is not all that defines us; we are a composition of our entire body and our soul. Training and sensitizing our minds to a state of quiet, expanding our energy awareness, and developing our concentration can bring us closer to our emotions and our spiritual existence, and develop the gifts and benefits of that spiritual perception.

I encourage readers to experiment with meditation in whatever way feels comfortable for you. Professor Rhonda V. Magee offers this simple mindfulness meditation:

To begin, find a comfortable place to sit quietly, and assume a sitting posture that is relaxed yet upright and alert. Focus your attention on the breath as a primary object of attention, feeling the breathing in and breathing out, the rise and fall of the abdomen, the touch of air at the nostrils. Whenever some other phenomenon arises in the field of awareness, note it, and then gently bring the mind back to the breathing. If any reactions occur, such as enjoying what arose in your mind, or feeling irritated by it, simply note the enjoyment or irritation with kindness, and again return to the experience of breathing.

Techniques such as these should be practiced regularly, ideally twice a day for a set period of time. The effects are cumulative; sometimes they are felt subtly, and sometimes they emerge as a flood of experience and expansion of perception. One can expect an expanded awareness of oneself and the world by meditating just five to ten minutes twice a day.

Meditation techniques may also practically benefit law students. For example, law school became very different for me after I began meditating and cultivating my awareness. Cold calling no longer bothered me because my mind was no longer worrying about my performance. Likewise, I was

⁹ Sue McGreevey, *Eight Weeks to a Better Brain*, HARV. GAZETTE, Jan. 21, 2011, <http://news.harvard.edu/gazette/story/2011/01/eight-weeks-to-a-better-brain/>.

¹⁰ Sue McGreevey, *Meditation's Positive Residual Effects*, HARV. GAZETTE, Nov. 13, 2012, <http://news.harvard.edu/gazette/story/2012/11/meditations-positive-residual-effects/>.

¹¹ Rhonda V. Magee, *Educating Lawyers to Meditate?*, 79 UMKC L. REV. 1 (2011).

no longer angry at an unfair justice system because I was constantly working to detach myself from that anger and to transform it into positive action. For example, instead of being angry at the state of the justice system, I would use the energy instead to try to help change it. Change is of course difficult to achieve, but it arguably brings about better results than cultivating anger.

The quality of my legal education also changed when I began to cultivate my presence, the state of being present in the here and now. When I worried about the future or the past, I was not present. When I planned my response to a question in my head, I was not present. When I passed judgment on my classmates based on their responses in class, I was not present. After I began meditating, however, a stronger sense of presence developed and I could see my thoughts, worries, and judgments floating in my mind like rain clouds. If I paid enough attention to them they would surely unleash a downpour in my mind and fill me with misery. But if I let them pass without becoming immersed in them they would pass, and I could go on about my day. The challenge in the practice is to refrain from pushing the thoughts away and from identifying with them. This helped me to be more grounded and efficient with things that mattered, and to let go of things that did not. Outer experiences also became like passing clouds; exams, deadlines, or interviews would come and go, but I could remain peaceful inside as long as I didn't identify with whatever was happening outside of me.

Spirituality has the potential to transform lives, as it did mine, and even transform societies; this transformative power can be accessed through meditation. Great agents of social change, such as Mahatmas Gandhi, Mother Teresa, and Martin Luther King, Jr. drew heavily on their spiritual reservoirs to transform societies. These monumental figures all emphasized that each person must individually develop their own spirituality in order for all of us to benefit from peace and justice. I know that developing my own inner spirituality has helped me immensely. In my experience, spirituality offered a lasting remedy for my turbulent conflict. Soon after my spiritual experiences I began to meditate regularly; today my practice and my connection to my own spirituality is the most important part of my day, and the benefits to me have been unimaginable. My experiences also expanded my understanding of the legal practice, encouraging me to seek more opportunities to connect spirituality within the legal profession. This new perspective opened me up to an abundance of opportunities to connect with like-minded individuals, such as a Mindfulness and the Legal Profession class in my law school, the mindfulness movement gaining traction in the legal profession, or the alternate dispute resolution models such as restorative justice or collaborative law, which use meditative techniques and prac-

tices to work toward justice outside of the adversarial model. All of these opportunities existed well before my time, but I did not have the perspective to see them.

Meditation and religious practice, whatever the method, ultimately champion a message of peace, compassion, and love for oneself and everything else. Practice of these methods, actual, every day, conscious practice, as one would train in the gym or study for school can produce profound changes in health, well-being, mental acuity, and perception.¹² In our roles as legal professionals, spirituality has the power to sustain our being and turn the ideal of justice into reality. Meditation offers internal peace to the legal professional even in the midst of external chaos. Dr. Hall reminds us that as lawyers:

We are the bearers of a light that can lead individuals out of darkness and loneliness, lead nations out of the caves of injustice and oppression, and into the sunlight of justice and peace. We do this not just with our finely tuned intellectual skills; we do it with what we draw from our spiritual wells. We do it with our compassion and tears, with our hearts and wrinkled hands; with our unconditional love for those who have been rejected and despised. We must bring more of who we are to the practice of this sacred craft, if we want to reclaim its sacred nature. Our emotional and spiritual intelligence must rest right next to our mental intelligence.¹³

Spirituality offers us the tools to develop our holistic intelligence, to better serve ourselves and our society within our capacity as legal professionals, and to enjoy and better understand our lives.

¹² Susan Kuchinskas, *Meditation Heals Body and Mind*, WEBMD, <http://www.webmd.com/mental-health/features/meditation-heals-body-and-mind>.

¹³ Hall, *supra* note 4, at 3.

