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## FAITH AND FAITHFULNESS: VOCATION AS SELF, OTHERS, AND A THIRD THING

*Joel A. Nichols\**

### ABSTRACT

Many of us are prone to thinking in binaries—in “either/or” categories, or in black-and-white thinking. Lawyers seem to be especially skilled at this, as we are trained to identify two things and then try to navigate between them or name their similarities and differences. But staying within that framework can be unhelpful, and even stifling, at times.

This Essay explores the intersection of faith and the practice of law, especially the idea of vocation. It offers an approach to get out of the binary by suggesting that looking at a third thing is essential. For vocation, this includes (1) listening to one’s own call (*self*); (2) connecting relationally and serving others (*others*); and (3) acknowledging that God, the Holy One, is always and already present in every space that we walk into and every situation that we are in. By adding this “third thing” and living into it more fully, we can approach our vocation—our calling—with a strong sense of meaning that is simultaneously coupled with a heavy dose of humility.

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\* Interim Dean and Mengler Chair in Law, University of St. Thomas (MN). This essay was originally given as a lecture at the 2022 Religiously Affiliated Law Schools (RALS) Conference at Touro University Jacob D. Fuchsberg Law Center. I am especially grateful to my friends Sam Levine and Mark Osler for the invitation.

## I. INTRODUCTION: GETTING OUT OF THE BINARY

It is a common trap to look at things in a binary way, but that thinking can haunt us. Many of us, by nature, are prone to thinking in binaries—in “either/or” categories, or black-and-white thinking as it is sometimes called.<sup>1</sup> Lawyers seem to be especially skilled at this. We are trained to identify two things and then try to navigate between them or name their similarities and differences. Usually we do this by attempting to contend, persuasively, that a situation is either “A” or “B” – with two points as the only options. Sometimes, we will stealthily contend that the situation is in the middle somehow, but even this approach often proceeds from the assumption that there are two relevant categories between which we must navigate, or both of which we must distinguish. Yet another alternative approach is one that tries to harmonize the divergent points. While that may be successful at times, it runs the risk of first further engraining the binary and then working toward convergence or harmonization.

Another possible approach, I would suggest, is to identify instead what a “third thing” looks like. This may not be “in between” two different points on a line such that it is a middle ground of sorts. Instead, we might conceive of that third thing as being on a different plane entirely, and we could then think of the connection of those three points and make a circle. It may be even more helpful to think of the physical action of drawing a circle, for the movement itself from point A to B to C is a way of connecting things yet letting them be distinct at the same time.

I start with this concept of a binary, contrasted with a third thing, as an entry point to this brief conversation on faith and the practice of law. When we talk of faith and the practice of law, we often turn to questions of whether a person is fulfilling their vocation (or “calling,” which is the word at the root of “vocation”). This is an important question, but it runs the risk of turning inward too much. That is, some writing about vocation becomes nearly self-centered by its over-focus on what is best for “me” to do with “my life” to fulfill “my

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<sup>1</sup> See, e.g., Jeremy Shapiro, *Finding Goldilocks: A Solution for Black-and-White Thinking*, PSYCHOLOGY TODAY (May 1, 2020), <https://www.psychologytoday.com/us/blog/thinking-in-black-white-and-gray/202005/finding-goldilocks-solution-black-and-white-thinking> (sometimes called “splitting” or “dichotomous thinking”); Ilana Redstone, *Splitting: The Psychology Behind Binary Thinking And How It Limits A Diversity Of Opinions*, FORBES (Jan. 11, 2021), <https://www.forbes.com/sites/ilanaredstone/2021/01/11/splitting-the-psychology-behind-binary-thinking-and-how-it-limits-a-diversity-of-opinions/?sh=319a179e3e41>.

calling.”<sup>2</sup> In contrast, other writing speaks of looking outward and giving ourselves to others through serving them and meeting their needs. While surely I am oversimplifying it, I believe there’s some truth that we experience these messages as a binary choice. We are tempted to think that these are the only two choices, and that we must pick between them—or else toggle back and forth between them, or find a way to integrate one as flowing from the other. In this brief essay, I suggest that seeing fulfilling vocation in one of these ways as a binary choice is unhelpful.

How do we get out of a binary in the realm of vocation, or faith and the practice of law? I suggest here that a third thing is essential.<sup>3</sup> We can think of (1) listening to our own call (*self*) and (2) connecting relationally and serving others (*others*), but add in a third piece. Namely, (3) what does it add or change when we acknowledge that God, the Holy One, the Other, is always and already present (indeed, *fully* present) in every space that we walk into and every situation that we are in? And does the connection of those three pieces, and the movement among those points, provide more guidance and insight as we think about faith and the practice of law?

Below, I offer brief commentary on these three things before concluding with some personal reflections.

### A. Self

There is some excellent literature on vocation with far more depth and length than this Essay, some of it focused more clearly on the practice of law as a calling and some more generalized.<sup>4</sup> I raise below just enough to illustrate (though hopefully not caricature) the focus on self that is often present when considering the idea of vocation.

Parker Palmer has written extensively about vocation, and he focuses upon finding our calling from within. Palmer speaks of finding

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<sup>2</sup> In Christian circles, sometimes the language explicitly invokes faith and speaks of something like, “What God has called me to do?”

<sup>3</sup> For the Christian tradition, conceiving of things as a triad instead of a dyad aligns theologically with the core notion of the Trinity—God, Jesus, and Holy Spirit.

<sup>4</sup> See generally Jerome M. Organ, *From Those to Whom Much Has Been Given, Much is Expected: Vocation, Catholic Social Teaching, and the Culture of a Catholic Law School*, 1 VILL. J. CATH. SOC. THOUGHT 361 (2004). For more on law as calling, see, e.g., MICHAEL P. SCHUTT, *REDEEMING LAW: CHRISTIAN CALLING AND THE LEGAL PROFESSION* (2007); JOSEPH G. ALLEGRETTI, *THE LAWYER’S CALLING: CHRISTIAN FAITH AND LEGAL PRACTICE* (1996).

our calling “not from willfulness,” but from “listening.”<sup>5</sup> He illustrates this concept by giving the example of people who go on a retreat to listen to and learn from the retreat leader, diligently and intently taking notes on what that leader says. But Palmer observes how rare it is for us to take notes on ourselves, so to speak. He would commend that we pay careful attention to the questions that we raise for ourselves when we are participating in a conversation or when we are listening to that leader or to others in the group on the retreat. It’s those questions that are the beginning of the inward “listening” to which Palmer refers.<sup>6</sup> Palmer writes from Quaker tradition, but there are strong parallels in the Catholic Ignatian tradition concerning discernment, which seeks to listen within to find what brings deep joy and connection and a sense of purpose as key indicators of vocation.<sup>7</sup>

At St. Thomas Law, in our professional formation class for first year law students, we assign a famous essay by C.S. Lewis called “The Inner Ring” when we are talking about integrity.<sup>8</sup> Speaking to young Oxford students already poised for success, Lewis alludes to the temptation and allure of pursuing things for their own sake.<sup>9</sup> Lewis encourages his listeners to be grounded internally and not merely focus on the external.<sup>10</sup> He provocatively writes that it is possible to gain outward awards and accolades, but, nonetheless, at the end of the day you would be a “scoundrel.”<sup>11</sup> This dichotomy that Lewis raises is quite effective because he so well illustrates the possibility of living a divided, even flawed, life. What may happen, he’s alluding to, is that I could sound sincere and earnest, theological and thoughtful in speaking to you – but that might be a façade and inwardly I could be fractured. “Integrity” shares the etymological root as “integer,” which names a notion

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<sup>5</sup> PARKER J. PALMER, *LET YOUR LIFE SPEAK: LISTENING FOR THE VOICE OF VOCATION* 4 (1st ed. 2000).

<sup>6</sup> *Id.* at 5-6.

<sup>7</sup> See, e.g., JOSEPH A. TETLOW, *ALWAYS DISCERNING: AN IGNATIAN SPIRITUALITY FOR THE NEW MILLENNIUM* (Loyola Press 2016); KEVIN O’BRIEN, S.J., *THE IGNATIAN ADVENTURE: EXPERIENCE THE SPIRITUAL EXERCISES OF SAINT IGNATIUS IN DAILY LIFE* (Loyola Press 2011); JAMES MARTIN, S.J., *THE JESUIT GUIDE TO (ALMOST) EVERYTHING: A SPIRITUALITY FOR REAL LIFE* (HarperOne 2010).

<sup>8</sup> C.S. Lewis, *The Inner Ring*, Memorial Lecture at King’s Coll., Univ. of London (1944).

<sup>9</sup> *Id.* at 7.

<sup>10</sup> *Id.* at 6.

<sup>11</sup> *Id.* at 9. (“[Your pursuit of the inner ring] may end in a crash, a scandal, and penal servitude: it may end in millions, a peerage and giving the prizes at your old school. But you will be a scoundrel.”). Often when teaching, I will write an objective for the day on the board or a key takeaway for the day. On the day that I teach this article, my goal is easy: “How not to be a scoundrel.”

of wholeness. If one lacks wholeness and is fractured, one lacks integrity. As much as I find to learn from Lewis's essay and approach, I think that we miss a pitfall here: This approach itself can create a binary even as it looks for wholeness. By pointing to the internal versus the external, we focus again on only two things—and Lewis's approach encourages us to pick one of those two. A quite-paraphrased take-away might be something like, "to avoid being a scoundrel, find what is internally true and hold onto that even if prestige or power or other external things allure you." I want to make sure we broaden that.

One way to start this broadening is to look to a concept promoted by Frederick Buechner, where he asks us to think of vocation not just as having integrity (by matching inward with outward), but to look both to our inward call (the self) and how it aligns with the other.<sup>12</sup> In his book *Wishful Thinking*, Buechner writes: "[b]y and large, a good rule for finding out your vocation is this: [t]he kind of work God usually calls you to is the kind of work that A) you most need to do, and B) that the world most needs to have done. The place God calls you to that is the place where your deep gladness and the world's deep hunger meet."<sup>13</sup> That's a nice outward push to the other.<sup>14</sup> Buechner thus starts to provide one way to bridge the space between listening to self and connecting to others.

## B. Others

One of the admirable things about students entering law school is their desire to make a difference in the world and to help others. This is not uniform of course, and this may compete against the pull of prestige or power as students choose a school, strive to perform and excel in school, choose a job, and more. At St. Thomas Law (as at some other places, surely), we strive to be intentional about fostering the "other-centered" gravitation of our students.<sup>15</sup> Law indeed can be a force for good, and law students and lawyers can enact substantial change on behalf of individual clients and on the very structures of our

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<sup>12</sup> FREDERICK BUECHNER, *WISHFUL THINKING: A SEEKER'S ABC* 118-19 (Expanded ed., HarperOne 1993) (1973).

<sup>13</sup> *Id.* at 118-19.

<sup>14</sup> Palmer's writing also does not stay focused on "within" but turns outward: "Go far enough on the inner journey [all the great wisdom traditions] tell us . . . and you end up not lost in narcissism but returning to the world, bearing more gracefully the responsibilities that come with being human." PARKER J. PALMER, *LET YOUR LIFE SPEAK: LISTENING FOR THE VOICE OF VOCATION* 73 (1st ed. 2000).

<sup>15</sup> *About St. Thomas Law*, STTHOMAS, <https://law.stthomas.edu/about/index.html> (last visited Apr. 14, 2023).

democratic order. It's important that we foster and facilitate this impulse. Recently, the American Bar Association has made changes in accreditation standards such that it now expects every law school to provide training and support for a student's "professional formation."<sup>16</sup> I am a strong proponent of this move and the ways it validates not only what we've been doing at our school, but the best concepts of what it means to be an attorney, as one who works for and on behalf of others. Yet, even here there is a risk, for working toward and on behalf of others is admirable, but can become yet one more place on the binary. We probably all know people who have given all that they have and more, on behalf of others, only to "burn out" by overgiving. One could ask whether they were also listening to their inward vocational call – or at least toward the inner voice calling them to wholeness, including a deep sense of care for self.

Another way to conceive of this is to pay attention to how we connect with others relationally, and work toward their best interests. There is good stage development literature, for example, that describes an arc of maturity and growth as one along a path from self-centeredness toward one of other-centeredness.<sup>17</sup> In his recent book *The Second Mountain*, David Brooks lyrically and insightfully writes of this sort of movement.<sup>18</sup> Often in the second half of life, Brooks writes, we begin to be less satisfied and fulfilled with personal achievement and success.<sup>19</sup> Whereas the first half can be generative (and is appropriately focused on moving toward goals and achievements), in the second half we shift our focus toward a deeper view that focuses on commitment and other-centeredness.<sup>20</sup> As much as I like this description, I still worry that if we stop there, it merely creates or describes a binary for us.

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<sup>16</sup> *Revisions to the 2021-2022 ABA Standards and Rules of Procedure for Approval of Law Schools*, AM. BAR ASS'N, [https://www.americanbar.org/content/dam/aba/administrative/legal\\_education\\_and\\_admissions\\_to\\_the\\_bar/standards/2021-2022/21-22-standards-book-revisions-since-printed.pdf](https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards/2021-2022/21-22-standards-book-revisions-since-printed.pdf) (last visited Jan. 20, 2023).

<sup>17</sup> For example, my colleague Neil Hamilton has written at length about the significance of helping others. See, e.g., NEIL W. HAMILTON AND LOUIS D. BILIONIS, LAW STUDENT PROFESSIONAL DEVELOPMENT AND FORMATION: BRIDGING LAW SCHOOL, STUDENT, AND EMPLOYER GOALS 102-08 (Cambridge Univ. Press 2022); see generally JAMES HOLLIS, FINDING MEANING IN THE SECOND HALF OF LIFE: HOW TO FINALLY REALLY GROW UP (Gotham Books ed. 2006) (2005), for a discussion about social evolution through adulthood.

<sup>18</sup> DAVID BROOKS, THE SECOND MOUNTAIN: THE QUEST FOR A MORAL LIFE (Random House 2019).

<sup>19</sup> *Id.* at 28-29.

<sup>20</sup> *Id.* at xviii.

### C. The “Third Thing”

Is there a way to move beyond a binary of focus on self *or* a focus on others? Must we do one or the other, or just toggle between them, or so try to blend them that we lose the deep value brought by each description independently? I believe that we can think about faith and faithfulness *both* as listening to one’s calling (including keeping integrity) *and* as thinking about others in a non-self-centered way if we add a third layer. Perhaps, the thinnest way to name that third layer is “being truly agnostic about outcomes.” It is natural for us as humans—and, I suggest, maybe especially if we work in academia or law—to want to have things under our own control and to think that we know what is going to happen. We also like to think that we are important, and that when we show up, it is going to matter. While I think these desires can be admirable and often appropriate, I believe that letting go of those impulses is quite fundamental, even though it’s challenging. For if, as a person of faith, I really believe in the “already-ness” of God and that the divine is already and always present across time, then I must acknowledge that my control and my own sense of mattering are not as decisive as I might imagine. Less dramatically, I am invited to participate in that life of God in the relational space with others (even while being true to self) and yet, I do not and cannot walk into and control that space. That’s a paradox—but there is a risk that if I get caught up in results for my client or praise (or blame) for myself when I succeed (or fail) that I am improperly characterizing both my own calling *and* my relational connection to others. When I do that, I am acting as if outcomes depend on me rather than approaching my own important role with more humility.

Imagine another example. We might walk into a room for a presentation and be impressed by the audience and internally aspire to what they do, or to their success—and this might be true even if we were the one invited to speak!<sup>21</sup> It is rare to want to admit it publicly, but we all often have some level of imposter syndrome when we are around others we find impressive or knowledgeable.<sup>22</sup> One way that we sometimes cope with our nerves or feelings of inadequacy is to engage in positive self-talk along the lines of: “I can do this!” While I am a proponent of positive self-messaging and believe it’s essential to

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<sup>21</sup> As a reminder, I initially delivered this Essay as an invited speaker, and I admired many of those in the audience. The self-referential sense of the sentence above is intentional!

<sup>22</sup> Cf. David A. Grenardo, *The Phantom Menace to Professional Identity Formation and Law School Success: Imposter Syndrome*, 47 UNIV. DAYTON L. REV. 369 (2022).



name and move away from an unhealthy version of imposter syndrome, we should be clear-eyed about the risk in such self-talk as well. That is, saying “I can do this!” is effectively a volitional move, and possibly one that also disconnects me from others. When I say “I can do this!”, I risk metaphorically making myself bigger than I am, or filling more than my own space, we might say. Becoming bigger than we should be means we crowd out the “other,” whereas staying within our space would allow room for the other and room for true connection. I experienced this recently following a speaker I really respect.<sup>23</sup> Rather than follow that temptation to respond volitionally and rise to the moment by thinking better of ourselves, I believe there is a way to have appropriate self-confidence while also allowing space for that other speaker to be exactly who she was called to be. In a similar way, it is possible to allow space for each audience member to be who they were called to be, including trusting they can hear and discern from each speaker what resonates most with them. Such an acknowledgement does not have to be a diminishment of my own calling, and need not undercut that I have something to offer and to connect to the audience. It does provide an antidote to the urge to become “bigger” that I might feel—to match the other speakers or to impress the audience. And it also provides an antidote to the imposter syndrome, because it does not insist that I lack anything to offer to the audience, but instead validates, in an appropriate way, that I *do* have something. It allows me to move fully into the call that I have while connecting with others, and then swiftly to acknowledge my lack of control about how that will be received. This is what I mean when I say that the “third thing” is being agnostic about outcomes. When I am being intentional about *both* exercising my own vocation *and* also paying attention to others in a truly other-centered way, then the third thing is a release of control of the outcome. What needs to happen will happen.

That kind of approach can be explained differently, perhaps with more depth, if I use more explicit language of faith. Personally, I seek to acknowledge that there is a Holy One, an “other” (whom we call God in the Christian tradition), who is binding all things together. God is helping both to create and to recreate, and helping to move all things toward justice even while tempering them with mercy. When I can acknowledge that truth and live into it more fully, and acknowledge my own role in connection to it, it allows me to approach

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<sup>23</sup> If you have not read Jeanne Bishop’s work, you should. *See, e.g.,* JEANNE BISHOP, CHANGE OF HEART: JUSTICE, MERCY, AND MAKING PEACE WITH MY SISTER’S KILLER (2015). And if you were invited to follow her speaking at a conference, you also might feel that imposter syndrome that I did!

my own calling with the strong sense of meaning *and* to couple it with a heavy dose of humility. The reason: it is not all up to me. My volition and my part matters, but is not conclusive. The roles of others matter too. And so does the activity of God. These three things are also connected. They do not each stand independently, but rather each point connects to the other two. This avoids a binary – not just because there are three things but because there is movement from each of these things to the others.

## II. A FEW PERSONAL REFLECTIONS

I would like to look back at my own professional journey—as law student, judicial clerk, law firm associate, and then law professor—and praise myself for my discernment and sense of self, others, and seeking that “third thing” along my journey. But that praise would immediately run into two issues: (1) giving myself a “grade” on my vocational journey is a trap, which leads me directly into some negative tendencies overall; and (2) even if I did grade myself, the honest answer would be that I am not sure I did as well as I told myself at the time. This could be an acceptable response, however. I am a strong advocate that we each need to be sufficiently gentle and not judge our past selves too harshly for nearly anything, but especially not for times when we were giving an honest try at our best approach. When that gentleness is coupled with the passage of time (in my case, twenty years since practice now!), it is even easier since each of us will grow in our ability to discern and relate to others in different ways over our lifetimes. It is not a slight to my former self to think that I would operate a bit differently as a practicing attorney today than twenty years ago.

In my current law school role as a leader, teacher, and scholar, I have different opportunities and challenges. Focusing for a moment on the law school administration role, one of the hardest, yet also most deeply satisfying parts of my job is the opportunity to connect with people in vulnerable moments. This might be working with students who have inappropriately crossed academic or professional boundaries and are now facing consequences. It might be helping students through challenging personal situations—whether health-related challenges for themselves or for a family member, financial, or otherwise. Or I may become privy to a confidential, personal situation for one of my faculty or staff colleagues and then need to work through how that impacts their work, while also being sensitive to the very private, often confidential, nature of it. Sometimes, I have been asked to navigate a challenging classroom environment, whether caused by a student or by an

unhealthy statement or structure by a faculty member. One goal in those situations is to consider both the individual needs and also the structure of the environment and attempt to “shape the space” overall so that each student and person can flourish. In vocational terms, I get to ask whether I can play a role to create that space where each person can be who they are called to be.

Even in mentioning these examples, however, I fear that my role can be quickly over-inflated (whether by the reader or by me!). I offer these, then, as an avenue to name merely that the situations are happening and I am offered the opportunity to participate in them—to play my part and my role. That is a different approach than telling them as part of a story that has me at the center, as the hero. And, on my better days, participating in each of these situations can involve a full sense of self, of connecting to others, and an acknowledgment of the “third thing.”

In closing, I offer two brief reflections—recognizing that each merit more writing and explanation than time or space permits here. First, just above I have named several situations ripe for problem-solving and encouragement. Such situations arise not only in law schools but certainly also in practice and in other spaces where lawyers find themselves. When we engage in problem-solving, solution-creation, and encouragement, we do so fundamentally as an act of hope. We see possibilities beyond the present moment, and we offer constructive options outside the “bind” that the person in front of us is experiencing (and ideally we do this even while simultaneously exercising empathy for the reality of the hard situation). Offering hope in a time of trouble is, I believe, an exercise of faith.

Second, one of the deep joys of working with others is the ability to participate in the movement of life, the flux of life, with them. This is not always “good” but also not always “bad.” Rather, it feels up and down; it feels like movement. Each one of us experiences the full range of emotions in our life journey, and if we pay attention to ourselves and our own calling while also seeking to connect with others then we may receive the honor of accompanying others in the movement of life in their own space. In those times when we are able to share in those vulnerable spaces, we have the privilege of accompanying others as they are faithful on their own journeys at the same time that we are seeking to be faithful on ours. That is yet one more situation that calls for avoiding a binary—so that we can see the depth of the other on their journey, recognize and live out our call in our journey, and do so in humility because we know that God is present already in the space and any desired or needed outcome is not dependent on us.