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MINDFULNESS, SELF-CARE AND THE LAW

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*This commencement address is dedicated to the UR Law School community – faculty, staff, students, recent graduates, and alumni. May you always approach your daily work with a spirit of co-powerment and humility, always putting the relationship before the task with loving speech and active listening.*

Brothers and Sisters,

I am extremely grateful and honored to stand before you today as your commencement speaker. Before I begin, I want all the graduates to close your eyes and take in a deep breath and exhale slowly. Take another deep breath and focus on this present moment, the here and now, on your families and friends sharing this moment with you and now focus on each other -- the interconnectedness between you and your classmates. When you think about it, there really is no such thing as a future. A future is not a verb – you can't "future" someone; it is not a person; and what would it be if it were a noun? There is only the present moment. Your reflection of the past three years is within an appreciation of this present moment. So please live in this present moment, and let it go by very slowly so you can enjoy it to the fullest. You have earned it. Just be still and live in the moment.

I want to thank Dean Perdue and the faculty of the law school for this invitation to speak today. I also want to thank Ann Hodges, my great professor, friend and mentor over the years. Our relationship has made a difference in my life and my work. This past week was one of deep reflection for me in preparation for this moment. At this time back in 1991, I was sitting where you are seated right now. Just to give you a sense of how long ago that was, I was part of the last generation of graduating law students where everything was done manually – research, writing and typing everything up using my electric typewriter. Westlaw and Lexis came into the picture the following year, and laptops a few year after that. Yes, some things are always changing, they are fluid. But what I share with each of you today is a continuation of my experience of the past 20 or so years that is still a relevant connection with your today as you graduate from law school and into the legal profession.

I want to connect with you in a special way that is what I refer to as the interconnectedness of our hearts and our minds. Thich Nhat Hanh, the famous Vietnamese Zen Buddhist leader, and one of my spiritual teachers, refers to this interconnectedness as "interbeing." For the next few minutes, I

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want to inter-be with each of you. This is what I want to do with the very short time that we have together. This commencement address is my connection with you and a gateway to our journeys connecting.

So many things are going through you right now – excitement, joy, emotional high – that you may find it hard to remember what I have to say today. This is why I am taking a detour from the typical commencement speech. Here is what I will do. In the brief moment that we have together today, I want to lay out a framework that has become an evolution of my life since graduating from law school. They are 1) Being a legal activist; 2) Heart to heart connection; 3) Self-care and legal activism.

The first one is the concept of legal activism. Being a legal activist does not mean activism in the political sense. Judge Learned Hand once said, “Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it.” Your client has a sense of justice in their hearts. Being a legal activist is to connect directly with that sense of justice. You bring the law to life for them and create a sense of hope and a sense of empowerment. Each one of you is a legal activist no matter what area of the law you will find yourself in your journey. Mohandas Gandhi, one of the great leaders of the 20<sup>th</sup> Century, and a lawyer himself, once said, “My message is my life.” The way to carry out your work as a legal activist will be your life message. Always be mindful of that in your daily work as a lawyer.

The second concept is the heart to heart connection. Interconnectedness between all of us is an important and indispensable part of a legal activist life. During the process of legal activism, we become interwoven with the lives of those around us. In reaching such a potential of human relationship, we will stir the Goodness inside each of us to become the focal point from which we are connected. St. Francis of Assisi, my other spiritual teacher, saw love as the driving force that enables us to connect with our Goodness and share it with others. This is true solidarity in action within legal activism – sharing our Goodness with each other. It is sharing our struggles, burdens, joy and victories with one another. What keeps our Goodness lively and connected with one another is the spiritual force of love for each other, much in the same way of the unconditional love that Francis had for all of creation.

Thich Nhat Hanh in the Fourth Mindfulness Training, Loving Speech and Deep Listening, shares the following:

Aware of the suffering caused by unmindful speech and the inability to listen to others, I am committed to cultivating loving speech and compassionate listen-

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ing in order to relieve suffering and to promote reconciliation and peace in myself and among other people, ethnic and religious groups, and nations. Knowing that words can create happiness or suffering, I am committed to speaking truthfully using words that inspire confidence, joy and hope. When anger is manifesting in me, I am determined not to speak. I will practice mindful breathing and walking in order to recognize and to look deeply into its roots, especially in my wrong perceptions and lack of understanding of the suffering in myself and in the other person. I will speak and listen in a way that can help me and the other person to release the suffering and see the way out of difficult situations. I am determined not to spread news that I do not know to be certain and not to utter words that can cause division or discord. I will make daily efforts, in my speaking and listening, to nourish my capacity for understanding, love, joy, and inclusiveness, and gradually transform anger, violence, and fear that lie deep in my consciousness.

We must learn to engage in active listening with our heart, which will then enable us to speak through compassion or loving speech, and not anger, frustration or fear. Really listening, and hearing without judgment, is a gift that we can give to each other to enhance all of our lives. When we are really heard, and the other understands our meaning and emotions, we feel valued and respected - a condition necessary for true love and true happiness. There is a no more precious gift, to give or receive, than to listen to the words of another. This process of active listening and loving speech will enable us as legal activists to be mindful of and respect the dignity within each one of us.

As St. Francis did with his group of followers, we as legal activists should create our own sense of community that becomes our spiritual incubator that helps us to grow and frees us up to serve. For Francis, the way to live a fulfilling life is to spend it in the service of others, and not trying to hide somewhere where we feel safe and protected. Thomas of Celano, the first biographer of Francis wrote about how Francis was ready to spend himself to be compassionate towards others. For Francis, we have the freedom to choose healing and love as a way of life. For Francis, spiritual growth leads directly to service. It is incomplete if it focuses only on what it does for you alone. Spirituality that does not reach out beyond oneself is like a body without hands. Love that is not communicated through demonstrable acts is love unexpressed.

Thich Nhat Hanh said it best with the following quote: "If while we practice, we are not aware that the world is suffering, that children are dying of hunger, that social injustice is going on a bit everywhere, we are not practicing mindfulness. We are just trying to escape."

To better understand what I mean by "heart to heart" communication, let me share with you a little about the world in which I work every day. There

are close to 11 million persons in this country that the government has declared them as “illegal.” My work on a national level is to change the federal laws to win a humane process for them to obtain legal status and a path to citizenship. On local and statewide levels, my work is to address their unlawful living and working conditions through policy and legal advocacy campaigns. Throughout my daily work, my spirituality enables me to connect with the millions of hard working immigrants in Los Angeles who labor in the underground economy that provides for our comfort and prosperity. These immigrants are the hardest working, and least protected, members of our society. From the garment industry to the car wash industry, from looking for work in street corners as day laborers to working in private homes as a domestic worker, immigrant workers endure much hard work and sacrifice daily, but they fail to earn enough to raise themselves out of poverty. Many suffer daily exploitation at the hands of their employers – unpaid wages, discrimination, long working hours without overtime, and sexual harassment – with little or no resource that they can use to protect themselves. Those who do stand up and exercise their rights under the law become victims of retaliation, termination and blacklisting.

Undocumented immigrants live in the shadows of every region of the country, traveling hundreds if not thousands of miles, crossing state lines and international borders, enduring dislocation and uncertainty. Despite their important contributions to our lives, undocumented immigrants remain hidden from our view, their struggles unrecognized. As consumers, we have a direct bond with these immigrants. Virtually every vegetable or piece of fruit that we purchase was hand harvested by a farm worker; every piece of clothes that we wear was stitched by a garment worker; our homes and our children were cared for by a domestic worker; the landscapes and gardens that beautify our homes relied on the tired, but gifted, hands of a gardener; and the roofing and other repairs to our homes relied on the back of a day laborer. Through my daily spiritual practice, I am able to connect with this hidden world of laborers, a weave of interconnected lives.

There can be a feeling of emptiness that creeps in when the work of legal activism becomes a routine of daily activities and tasks. A framework of spirituality and mindfulness enables one to reflect and focus on the interconnectedness that we have with our inner selves and with others around us. Much of our daily work as legal activists is about the fragility of life, and not knowing what’s going on or what will happen next -- but in the end relying on our inner strength to believe that Life is inherent in everyone we help. This helps us to realize that it is the relationships within our daily work that should become the central focus. There is really no meaning in a

task or activity unless there is a deep inter-connection within ourselves and with one another in our legal activist work.

Always remember that the people that you meet along the way in your journey are dealing with their own hopes and fears. Everyone you meet loves something, has lost something, or fears something. Your client will be a mother, father, or other family member. He or she will live in a community with its own hopes and fears. Among my best friends in the legal arena are prosecutors who see the defendants that they are prosecuting as human beings who have fallen victim to a set of factors that caused them to be in the situation where they find themselves today. Remember that the legal profession by its nature is based on adversarial relationships. But that does not mean that in the process of being the best possible legal advocate for your client that you forgo compassion and humility. Gandhi once said that “your nonviolence must shine through your speech, your action, your general behavior.” He then goes on to say that “nonviolence is not like a garment to be put on and off at will. Its seat is in the heart and it must be an inseparable part of our being.”

Thich Nhat Hanh reminds us that “in each of us, there is nonviolence, and there is also violence. With mindfulness, we can begin to transform the violence, the war in ourselves, into love, understand, and compassion.” This for me is true legal activism in action.

The final framework that I present for you as you move forward is the concept of self-care and legal activism. This is the one closest to my heart as someone who has suffered the mental and physical setbacks of burnout over the years. Your life journey up to now and what comes next is the culmination of so many relationships with families, friends, mentors and others – each one having a unique place in your heart. Thich Nhat Hanh teaches us that “[u]ntil we are able to love and take care of ourselves, we cannot be of much help to others.”

St. Francis found a balance between solitude and service, between separation from the world and an intense dedication to living in it for the sake of others. Francis balanced intense contemplation with loving service to the world. Francis understood that the dichotomy between solitude and service is a false one, because everyone needs both. If we don’t spend time alone to reflect and meditate, we can become spiritually weak, and our work in the world carries little of lasting value. On the other hand, if we spend all our time in reflection and meditation, we may become spiritually isolated and self-contained. Francis was considered by many as a deeply loving mystic. He presented us with a picture of the life-giving balance between prayer or meditation and service.

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What does this mean for you as a legal activist? As legal activists, it is incumbent upon us to find a unique balance between self-care and service. We must find this balance for ourselves, our families, our friends, and our community. Our spaces for self-care and self-retreat become a critical part of our work as legal activists. As legal activists, we must find our own unique balance between self-care and service. We need to disconnect and enter into our own periods of self-reflection and renewal in order to have lasting meaningful impact as legal activists. It is the life-giving balance between retreat and reflection (meditation or prayer), and service. We have special gifts as legal activists that we must share with others. Going into our personal spaces for reflection and meditation keeps us mindful of our special gifts and how we must share them.

St. Francis was very hard on his body. He punished himself and denied his health as an expression and commitment of his spirituality and his faith. It was not until later near the end of his life when he was dying from diseases, many of which were caused by his neglect of his health and body, he apologized to his body. Before he died, he preached to his followers never to abuse their bodies in the same way. As legal activists, we are constantly facing the dilemma of extending ourselves emotionally, physically and spiritually because of the great demands placed upon us by communities in need of justice. We are also consumed by the “self martyr” syndrome where the measurement of our commitment to our work is determined by how much we sacrifice of our bodies, health and our relationships with loved ones. What Francis taught us when he was living out his last days was that we must not sacrifice ourselves to the level of jeopardizing our healthy bodies, healthy lives, and healthy balance. Francis died at age 45, but his body was broken and in significant ill-health when he was ten years younger. Our ability to do our work as legal activists is reliant on our physical capacity and our health. There should be no disconnection here. If we are unhealthy, we are limited to what we are able to do as legal activists. Healthy body, mind and spirit should equate healthy legal activism.

Finally, upon receiving your degree today, I want to welcome you into a new community – the community of UR Law School Alumnae. As a community member of this group, it will be our responsibility to be there for each other and for those who will join after us. Whenever I receive an email, a phone call, a FB post or a tweet from a UR Law School alumnus, I always drop whatever I am doing and connect with that person. I challenge you to do the same as you move forward with your journey.

As I end this special moment together, I leave you with an excerpt from a teaching from the great Jewish thinker, Rabbi Tarfon. I always share it with my UCLA students during my last day of class with them:

You are not obligated to complete the work,  
but neither are you free to abandon it.  
Do not be daunted  
by the enormity of the world's grief.  
Do justly, now.  
Love mercy, now.  
Walk humbly, now.