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LOVE, ANGER, AND LAWYERING

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I sit down, begin to focus on the sensations I am feeling in my body, and start the process of calming my mind. This process is a regular part of my daily life now. Yet each time I sit, I notice that while there is something broadly familiar, it does not really feel like the last time, nor the time before, nor the time before that. And, each time, my brain starts its well-trained move into analyzing and assessing, which creates a moment of humor for me as I ask it to move back into that place of “just noticing.” Damn lawyer brain—always desiring of collecting facts, assessing and critiquing the situation, creating the counter arguments and then the counter arguments to the counter arguments, and then doing that whole process all over again, and again, and again. Powerful lawyer brain, yet habituated and patterned and captured in a mode of thinking that prefers to restrain and cabin change and uncertainty. Powerful lawyer brain that at the very same time it wishes to reject the influences of emotions like love and anger, lets those emotions in through the back door. My lawyer brain. Most lawyers’ brains.

I have journeyed with my lawyer brain for over twenty-five years now. On that journey, sometimes I have tried to refuse the role of love and anger to lawyering, and believed that lawyering with emotion was “bad” lawyering. Other times, I have insisted that lawyering *has* to happen in love and in anger, and is only “true” in those emotions. Still other times I have tried just not to notice love and anger in lawyering. All of those postures felt right at the beginning and all of those postures proved painful as time passed.

Now, I readily appreciate that the experiences of love and anger always will be a part of lawyering. I also have learned how to cultivate equanimity about both of them. I have practiced techniques that show how my body and mind signal to me that love or anger are arising. I have used those techniques to then practice how to acknowledge emotions without being captured by them and without acting unthoughtfully because of them. I have found a comfortable posture in lawyering.

As I think about my journey from law school to now, I realize that it took me some time to find a way to lawyer that also made me feel like I was flourishing in my broader life. Early in my career, I was not always aware of when I was picking up habits of mind about lawyering. I took for granted that the lawyer brain I was developing was the best version of lawyer brain out there. In order to realize the flaws in my lawyer brain, I had to fail to flourish. Then, I had to learn that flourishing is not a static feature—just because you have achieved it in one setting or in one moment of time does not mean you will always achieve it. I learned that for me, part of how I flourish in my work is to know that I am part of a large, vibrant, dynamic,

pluralistic collective. Sharing my lawyering story is part of my effort to participate in that wonderful collective.

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I went to law school wanting to be a public interest lawyer. I did not know that term—“public interest lawyer”—until I got to law school, but I knew I wanted to work on behalf of people who had been underserved or underrepresented.<sup>1</sup> I left a Ph.D. program in developmental cognitive psychology to come to law school. I had found being a lab-based researcher intellectually stimulating, but ultimately too distant from making real change in real people’s lives. While I did not actually wear a white lab coat, I did sit behind two-way mirrors and watch people, and I did carry a clipboard to write down my observations. If I talked to people, it often was only to tell them that I had secretly videotaped them, or to ask them to sign a very long consent form.

I settled on going to law school because I hoped that being a lawyer would bring together my love for theory and analysis with my desire to make social change and to try and make sure my work actually helped people. I remember being optimistic that the law would let me bring my mind *and* my heart to my work. Importantly for later in this story, I thought at the time that the mind and the heart were separate actors within myself—you know, like the old adage “my mind says one thing, but my heart says another”—as if each were distinct and unconnected centers of decisionmaking within me.

In law school, I learned that a “good” lawyer is someone who can approach a problem with remove and dispassion and who solves the problem with a kind of steely analysis. People were just pieces of the problem to be solved or understood.<sup>2</sup> Real people lost their identities and became “plaintiff” or “defendant” or “the state.”<sup>3</sup> Once you took the people out of the

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<sup>1</sup> For those of you who have graduated more recently, you likely were introduced to this kind of work under the contemporary label, cause lawyering. See Austin Sarat & Stuart Scheingold, *Cause Lawyering and the Reproduction of Professional Authority: An Introduction*, in CAUSE LAWYERING: POLITICAL COMMITMENTS AND PROFESSIONAL RESPONSIBILITIES (Austin Sarat & Stuart Scheingold, eds.) (1998).

<sup>2</sup> I was fortunate to have one class in law school, civil procedure, in which my professor started the semester with the stories of the people involved in the U.S. Supreme Court case we were reading. That case was one of the seminal due process cases, *Goldberg v. Kelly*, 397 U.S. 254 (1970). Professor Judith Resnik introduced us to two of the plaintiffs, John Kelly and Ruby Sheafe, through affidavits filed with the original complaint. That one law school experience of finding people in the law remains a powerful memory for me.

<sup>3</sup> Law students, law teachers and lawyers now have substantially more opportunities to be reminded to keep real people in the story and in the analysis. We can look to the law and literature movement and to scholarship about narrative theory. See, e.g., Carrie Menkel-Meadow, *Forward Telling Stories in School: Using Case Studies and Stories to Teach Legal Ethics*, 69 *FORDHAM L. REV.* 787 (2000) (reviewing literature specifically about narrative theory and legal ethics). For the use of narratives in the

mix, what was left was a problem to be solved. Typically, that problem got solved either through technical craft (e.g., apply the right section of the statute to get the correct answer) or through applying very broad normative theories (e.g., retribution is more important than rehabilitation). The “good” lawyer brain resisted emotion—love, anger, vengeance, hurt, joy. They all were things that the missing people might experience, but none were relevant to solving the problem.

For the most part, I bought it. I learned to argue about justice and fairness and inequity not by looking at the lives of real people, but by abstracting up to 30,000 feet. I still aspired to be a public interest lawyer working on behalf of the underserved and the underrepresented. It’s just that the “underserved” and “underrepresented” became faceless and nameless, and I translated “their” problems into abstract concepts—rats and cockroaches in a home became breaches of the warranty of habitability. I did not let myself stop and experience the visceral and physical sensations that could have come if I imagined myself in my own apartment with a rat scurrying over my bed at night. Or, if I did, I quickly reminded myself that any judge hearing my arguments would “tsk, tsk” if I didn’t move swiftly into translating rats into the doctrine of landlord-tenant law.

At the time, I did not even realize that law school was training emotions out of what I thought it meant to be a good lawyer. I did not think about the consequences of having a regular and sustained practice focused only on crafting arguments and counter-arguments. You become what you practice, and I became extremely good at turning anything into a legal problem to which I could propose a legal solution.

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When I started practicing law after graduation, I was a litigator working on very large cases.<sup>4</sup> I didn’t need love, anger or any emotion for my work. I relied on adrenaline. The rush of a well-fought motions hearing could keep me going for days. Because the cases I worked on were large and complicated, there often were no clients at those court hearings—just me, the other lawyers and the black-robed judge. All of us believing in the roles we were playing—the lawyers as skilled analytical agents for clients and

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law more generally, see Symposium on Legal Storytelling, 87 MICH. L. REV. 2073 (1989). We also have many more opportunities in law school to take clinics, where clinical pedagogy has a core commitment to keeping the real people in the work. See, e.g., Anthony Alfieri, *Reconstructive Poverty Law Practice: Learning Lessons of Client Narrative*, 100 YALE L. J. 2107–47 (1991); Binny Miller, *Give Them Back Their Lives: Recognizing Client Narrative in Case Theory*, 93 MICH. L. REV. 485 (1994); Carolyn Grose, *A Persistent Critique: Constructing Client’s Stories*, 12 CLINICAL L. REV. 329 (2006).

<sup>4</sup> I worked at a very large law firm. About half of my caseload was work for fee-paying clients. The other half was for *pro bono* clients. The *pro bono* work focused on systemic reform litigation in areas like civil rights.

the judge as a neutral, unemotional decisionmaker.<sup>5</sup> If we acknowledged emotion at all, we couched it in terms of the adversary system's requirement that lawyers be ardent advocates *for their clients*. It wasn't our own emotions we were expressing, we were only expressing the strongly-held positions and beliefs of our clients.

Over time, the initial exhilaration that comes with doing something for the first time started to fade. Then, when adrenaline was not my first response, I realized all the emotions *I actually was feeling*. I began to pay attention to what had been there all along—that I liked some clients or cases more than others, that I experienced my *own* anger, not just anger on my client's behalf, that my own colleagues could frustrate me, and I couldn't explain it away by saying all of us were cranky at the “other side.” “Yikes,” I said to myself, “I must not be a very good lawyer if I'm letting all these emotions get to me.”

Then that old researcher-side of me chimed in and said, “Hey, wait a minute, maybe the problem actually is that you've been trying to push the emotions away from your work. Maybe the right way is to embrace them?” As I thought about how to change the way I lawyered, I worried that embracing emotions would make me act “irrationally.” Again, the researcher-side of me chimed in and suggested that I rethink my starting hypothesis. The problem with my prior approach of refusing to acknowledge my own emotions is that those emotions snuck in the back door. At least if I let them in the front door, I would be very aware that they were present. Then, I could make sure that I was in control of my emotions and not the other way around.

When I embraced that I felt emotions when I lawyered, I experienced a similar kind of exhilaration as when I had gone into court trying to be the cold, steely lawyer. When I was working hard on cases or for clients in whom I believed, the fact that I believed in them and liked them made a difference.<sup>6</sup> I felt more passionate about my work. I felt like I really *was*

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<sup>5</sup> For those of us who write and think about the formation of professional identities, we generally talk about this description as the “dominant view” of the adversary system. The literature about professional formation and the most appropriate role of the lawyer is deep and nuanced, although it, too, often leaves real people out of the discussion. Some examples of formation scholarship in which actual people and lawyers are present, include: Deborah J. Cantrell and Kenneth Sharpe, *Practicing Practical Wisdom*, \_\_\_ MERCER L. REV. \_\_\_ (forthcoming 2016); Timothy W. Floyd & John Gallagher, *Legal Ethics, Narrative, and Professional Identity: The Story of David Spaulding*, 59 MERCER L. REV. 941 (2008); David Luban and Michael Millemann, *Good Judgment: Ethics Teaching in Dark Times*, 9 GEO. J. LEGAL ETHICS 31 (1995).

<sup>6</sup> For those lawyers who identify themselves as cause lawyers, part of the point is to work only on issues or with clients in whom one believes. See generally S. SCHEINGOLD & A. SARAT, SOMETHING TO BELIEVE IN: POLITICS, PROFESSIONALISM, AND CAUSE LAWYERING (2004). But, lawyers who work in private firms also experience the same phenomenon of working harder and feeling like one is making

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making a difference. Being a lawyer felt easier and felt more important. I loved that I loved my client. I also noticed that my sense of injustice was heightened. I was angry that the other side had treated my client unfairly. I often could not resist the thought that the other side was made up of bad people. I felt like those bad people were taking advantage of the legal system to avoid doing right by my client. For the clients whom I believed in, love and anger made me feel like my work had even more meaning.

When I was working on cases that I did not believe in, or for clients I did not like, I still worked hard, but I grumbled. I didn't feel passionate, and I didn't feel like I was making a difference. At those times, I felt like I was just being a lawyer, instead of feeling like I was being a champion of justice. I kept myself going because I believed that everyone should have access to the law and the legal system. I always convinced myself that even though I did not like the client, the client's case had enough merit that I could feel like the client was not trying to game the system. Interestingly, while I did not experience much in terms of love for my client or love for justice, I still felt anger. I got angry when I felt that the client was pushing for too much. I got irritated when others in the case felt like the case was more than routine. In other words, if others thought that someone in the case or something about the case related to justice, and I did not see that, I got cranky. "Didn't they know there were bigger issues out there to work on?" I said to myself.

So where did this full embrace of emotions leave me—in exactly the same place as I had been when I had eschewed emotions—feeling buffeted about in ways that left me drained and uninspired and worried about how I would sustain myself over time in my career. I looked around at my lawyer colleagues, and I saw everyone making a choice between the two options I already had explored—close off emotions and disdain those who did not and label them bad lawyers, or completely and fully embrace emotions and call those who did not uncommitted to the work.

I did not feel comfortable disclosing my own consternation that neither option made me feel like I was flourishing as a lawyer. I *knew* I was committed to the work of social change so I did not want to risk being labelled otherwise. By that time, I also *knew* I was a good lawyer, and I was unwilling to accept being labelled otherwise. No one that I engaged with professionally felt safe for me to talk to, and that left me feeling even worse.<sup>7</sup>

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more a difference when the lawyer believes in the client—even if one's belief in the client is created by cognitive dissonance. DUFFY GRAHAM, *THE CONSCIOUSNESS OF THE LITIGATOR* (2005).

<sup>7</sup> I teach legal ethics. Every time I teach the class, there is a poignant moment where students discover that almost all of them have been afraid to talk about the ways in which they have not felt they have

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At the time, I lived near a meditation center. I walked by it regularly and often glanced at the signs announcing open meditation times. One day at the office, I got an announcement in the mail saying a local group of lawyers was offering an introductory session at the meditation center. I was intrigued, and I signed up. The session lasted most of a day, and each of the meditation practices was led by a different lawyer. We had breaks to talk to each other, and time to meet individually with one of the lawyer meditation instructors. Mostly that day I thought, “Geez, I’m really bad at this. I can’t quiet my mind at all and I’m struggling to sit still.” But, it felt relieving to be able to talk to other lawyers and to hear that my struggles were commonplace. I also heard the lawyers experienced in meditation talk about how their practice helped them learn to find some equipoise between lawyering in an unconnected and unemotional way and lawyering by leading with emotion.

It profoundly resonated for me to hear lawyers talk about how their meditation practice had cultivated a capacity to actively acknowledge any emotion that they experienced while lawyering without that emotion automatically triggering a response. To have a glimpse into how to be a lawyer who deeply engages with emotion while at the same time learning how to disrupt the usual, almost instinctual responses triggered by some emotions inspired me. I felt hopeful that I had found the middle way between the two extremes I had experienced in my career at that point. I also started to see that the challenge about emotions and lawyering was not that I would act *irrationally* because of emotions. The challenge was that I would act *habitually*. I realized that I had perceived of emotions as the triggers to unthoughtful choices, when, instead, they were the “check engine” light warning me that my brain was primed to make a whole host of cognitive processing errors.

In many ways, you might think I could end my story at this point—the quintessential epiphany moment. I “found” meditation, it changed the way I lawyered, and I lived happily ever after. Then you would have to decide whether my story resonated enough for you that you, too, might want to try meditation. But, one of the lessons I have learned is that often it is useful to

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been flourishing—as a law student or in their summer work or in an externship. The moment that the first student speaks about her or his challenges always opens up a rush of relieved expressions of “me, too.” I hope that by engaging in that class with the question of what it means to flourish as a lawyer, students will be better able than was I to engage with that challenge when they are practicing lawyers.

resist the simple, storybook ending, to acknowledge the fear or worries I might have about the messier way forward, and to go ahead and explore the uncertainty instead of trying to manage it. A messy path can be a really good path.

At the beginning of my meditation practice, I found it exceedingly challenging to keep up any regular schedule, whether I was trying to do seated meditation or walking meditation or any of the range of other contemplative techniques I tried. It was hard for me to cultivate patience. I became a successful trial attorney because I pushed myself, primarily by having a constant chatter going on with myself in my head—“Next time, don’t forget to lay foundation more clearly for that kind of document.” Or, “Next time, stand up and object faster.” Or, “Next time, . . . .” The voice in my head always had the “next time” ready to go. While my analytical brain knew that one of the main reasons for the contemplative practices was to interrupt that constant voice in my head, my actual mental practice of lawyering was the exact opposite. I had trained and trained and trained my brain to keep up the chatter, and those practices had produced good results.

That training meant it took a lot of practice for me to learn new habits. I first had to figure out a basic definition for myself of “mindfulness”—the sort of catch-all word that I heard people using to describe the mind and body state that I was supposed to be trying to achieve. The adept lawyer in me moved into research mode—what could I use as my hornbook for mindfulness? Was there a mindfulness equivalent of Prosser on Torts?<sup>8</sup> I discovered that there was not one hornbook. There were thousands of them. So, I read a lot of different books, some secular, some Buddhist, some psychological.<sup>9</sup> From my readings, and from my burgeoning meditation practice, I settled on a working definition of mindfulness as being aware of, and at any moment attuned to, the thoughts arising in my mind and the physical sensations in other parts of my body while at the same time resisting the desire and urge to stay focused on a particular thought or sensation so that it became the only thing I was thinking about.<sup>10</sup>

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<sup>8</sup> See PAGE KEETON AND WILLIAM PROSSER, PROSSER AND KEETON ON THE LAW OF TORTS (1984).

<sup>9</sup> There is an enormous accessible literature about mindfulness. I strongly encourage you to read widely and to be exposed to the incredible breadth of perspectives on what mindfulness is and how one might go about practicing it. Some suggested starting points include: THICH NHAT HANH, THE MIRACLE OF MINDFULNESS (1999); JON KABAT-ZINN, COMING TO OUR SENSES: HEALING OURSELVES AND THE WORLD THROUGH MINDFULNESS (2006); JOSEPH GOLDSTEIN, MINDFULNESS: A PRACTICAL GUIDE TO AWAKENING (2006).

<sup>10</sup> My definition of mindfulness has evolved over time. I hope you will work out your own starting definition based on your own experiences and your own research. I hope as well that your definition will evolve over time as your practices change and develop.

It took me some time and some real, actual experiences trying to reach a state of mindfulness to understand that the practice of mindfulness was challenging not because it was technically difficult or technically complicated. The technique actually was quite easy and straightforward.<sup>11</sup> It was arduous because my old, habituated mental practices were so longstanding and so ingrained. Thus, creating new habits of thinking took much longer to fortify in my brain. I learned that the *practice* of mindfulness was as important as the end goal of being mindful.

I kept with a variety of mindfulness practices and I saw how those practices started to help me engage with lawyering differently. Through practice, I learned how I could build in the briefest moment of noticing what was going on in my head or body as a way of interrupting habituated actions. For example, I learned to notice the quick intake of my breath in a conversation that signaled that I was experiencing anger, which, more likely than not, would lead me to interrupt in an aggressive way whomever I was speaking with. I learned to notice that the blush of affinity that I might feel would lead me to become more polite and accepting of whatever was said by the person with whom I was speaking.

The simple practice of paying attention to small sensations in my body helped me to uncover how my brain translated that sensation into a whole cascading series of cognitive choices. I uncovered how the physical sensation that signaled anger could lead my brain to make a quick, possibly inaccurate assessment that a person was “untrustworthy,” thereby leading me to discount or dismiss an otherwise relevant statement. I saw how a sensation of affinity or love could lead my brain to the potentially inaccurate assumption that if I liked a person, they must like me back, therefore they must want to tell the truth. As a result of that quick cognitive move, I might give too much weight to another’s opinion. As my mindfulness practices helped me build new neural pathways in my brain, I uncovered and observed the effects of many such habituated patterns.<sup>12</sup>

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<sup>11</sup> One Buddhist master has described the technique of mindfulness as “a simple practice . . . Vipassana [another way of saying ‘mindfulness’] is seeing your life unfold from moment to moment without biases. What comes up, comes up. It is simple. . . . [But], [i]t requires a long discipline and sometimes a painful process of practice. . . . Patience is the key. Patience.” VENERABLE HENEPOLA GUNARATANA, *MINDFULNESS IN PLAIN ENGLISH* 30–31 (1992).

<sup>12</sup> There is a growing body of research that chronicles how mindfulness practices prove and improve neuroplasticity. See Kieran Fox, *Functional Neuroanatomy of Meditation: A Review and Meta-Analysis of 78 Functional Neuroimaging Investigations*, 65 *NEUROSCIENCE & BEHAVIORAL REVIEWS* 208 (2016); Kieran Fox, *Is Meditation Associated with Altered Brain Structure?: A Systematic Review and Meta-Analysis of Morphometric Neuroimaging in Meditation*, 43 *NEUROSCIENCE & BEHAVIORAL REVIEWS* 48 (2014).

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As I learned and practiced “noticing” without reacting, I also learned another critical practice—non-judgment. When I noticed something arising—like love or anger—I practiced not only not reacting immediately, but also not immediately labelling the experience as good or bad. That momentary interruption of judging also interrupted habituated patterns. It did so in a way that allowed me to discern more carefully what the particulars were of that specific moment. Seeing the particulars meant that when I did move to assess whether my response was the right one or an unhelpful one, I was doing so out of reflection and not habit. I saw, for example, that sometimes my experience of affinity-leading-to-acceptance was a good choice, and sometimes it was not. My practice of mindfulness helped me slow down whatever judging or assessing I needed to do to make sure that I did it better. I came to say a phrase to myself a lot—“non-judgment is the only way to good judgment.”

Over time, I built up my mindfulness stamina. As I practiced mindfulness techniques, I developed my muscles for it—literally. I could sit still longer. I could reduce the chatter in my head more and faster. I found myself using breathing techniques more smoothly and without needing a lot of internal prompting to get started. I saw my improvements, and I understood that all of them came about from practice and not from any innate capacity. I let go of the adage that had motivated me before as a lawyer, that “practice makes perfect,” and I embraced a new motto—“practice makes practice.”<sup>13</sup>

My mindfulness practices were a part of my lawyering practice, and they made a difference. I felt like I finally had found the sweet spot in lawyering. I had techniques that allowed me to fully embrace and explore everything going on in a case or project or with a client. Then, I had techniques that helped me not get captured and controlled. It was not that I toggled between being deeply attached to a case or client and then being deeply detached. In the language of mindfulness, I knew how to deeply engage with “non-attachment.” Love, anger, joy, distrust—I welcomed all of those emotions because I knew that when I or others experienced any emotion, I had practiced the capacity to embrace that the emotions were arising without being worried that some habituated response would get triggered in me. Or, if a response did get triggered in me, I knew that I still could interrupt it and try again. I did not have to be perfect, but I did have to be willing to back up and start again.

As my mindfulness practices became more and more embedded in all aspects of my life, I realized that I no longer knew how to practice law with-

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<sup>13</sup> I do not recall when or where I first heard a meditation instructor say “practice makes practice.” But, it is a phrase that you will hear quite often if you take up mindfulness practices.

out them. The places and times that I lawyered were all part of my attempt to more globally practice a mindful and intentional life. I realized that the practices I used to thoughtfully navigate emotions in lawyering also helped me to more thoughtfully navigate many other moments of lawyering. When I turned to writing a document and it was of a kind that I knew well, my mindfulness practices helped me to resist becoming complacent and unthoughtfully cutting and pasting from past documents. I understood better that the *practice* of law meant that this kind of document that I had drafted fifty times before still required me to try and look at it with new and fresh eyes. I needed to be able to accurately discern what about this time was the same and what was different from all of those prior times.

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Around this time, I made a career move that brought me to the current iteration of my curiosity and inquiry about love, anger, and lawyering. I left the fulltime practice of law to become a law professor. Among the many reasons that I made the move was my desire to be able to think and write more about how the role our society and our legal system have assigned to lawyers often discourages lawyers from practicing in mindful ways. I wanted to work from my own lived experiences of love, anger, and lawyering to reflect on how we might approach lawyering in ways that encourage a more reflective, intentional, and ultimately, a wiser practice of law.

My memory of being a law student had faded enough that I had forgotten that the legal academy can embrace and justify the idealized notion of lawyers as dispassionate, coldly, analytical actors even more than the practicing bar can. I was disoriented by my return to a law school environment—disoriented enough that I lost my true north those first years. I struggled to keep my meditation practice going, and I listened to the advice that the only legal scholarship that counted was dispassionate and coldly analytical. I tried to bend my interests towards the more typical scholarship and I suffered.<sup>14</sup> I forgot to call on the wide range of mindfulness practices that I knew could help me find reflective space and find equanimity.

My route back to practice came at a coffee shop during a conversation with a professor from another law school who was a guest lecturer in a class.<sup>15</sup> We learned that we each had backgrounds as social justice lawyers, and we learned that we each had commitments to social justice work that

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<sup>14</sup> I admire, and have been inspired by, other scholars who have written about similar experiences of disorientation and how they have made choices to recommit to exploring their own “deepest relationship with truth.” See Shari Motro, *Scholarship Against Desire*, 27 *YALE J. L. & HUMAN.* 115, 121 (2015).

<sup>15</sup> Thank you, Russell Pearce, Edward & Marilyn Bellet, Chair in Legal Ethics, Morality, and Religion, Fordham University School of Law.

came from our faith traditions (mine being Buddhism, and his being Judaism). That conversation gently startled me back into my mindfulness practices. More importantly, that conversation forcefully made me reconsider why I had eliminated my practices from my own scholarly thinking and writing.

As I recommitted to daily mindfulness practices, I felt like I brought almost brand new eyes to my research. If mindfulness truly was a constitutive part of me, then it had to be a constitutive part of my writing. I also realized that I wanted mindfulness to inform more than my processes of reflective thinking and reflective writing. I also wanted to explicitly speak about, and use in my scholarship, the normative values infused in mindfulness. And so I returned to love and anger.

As I have used my scholarship to explore love and lawyering, I have insisted on using the word “love” for the very reason that it makes scholars and lawyers uncomfortable.<sup>16</sup> Often the word “love” triggers images about romantic, intimate love.<sup>17</sup> We have to work harder to think about love as a state of being in which one meets another with open curiosity and an intent to truly listen—to hear the other without immediately thinking about how to respond or how to counter. We also have to work harder to think about love as having hard edges. Love is that picture of people cuddling. It is hard to see that love also is the community standing together in protest. It mattered to me to build out a more capacious sense of love in lawyering because I truly believe that lawyering motivated by that capacious sense of love is lawyering that can bring about profound social change.<sup>18</sup>

As I wrote about love and presented my scholarship, my mindfulness practices helped me maintain equanimity as some colleagues reacted squeamishly to my work. While no one ever said it so bluntly, I could hear their thoughts, “This isn’t legal scholarship. Maybe this work would fly in sociology or psychology. But our job with legal scholarship is to meet the world and its issues with rationality.” Ouch—that hurt, and mindfulness did not prevent my feeling self doubt and questioning whether I was a suffi-

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<sup>16</sup> See Deborah J. Cantrell, *What’s Love Got to Do With It?: Contemporary Lessons on Lawyerly Advocacy From the Preacher Martin Luther King, Jr.*, 22 ST. THOMAS L. REV. 296 (2010).

<sup>17</sup> I also admire the extraordinary work of legal scholars who have reclaimed space to speak about intimate love in those settings where it has been rejected, like in domestic violence. See Tamara L. Kuennen, *Love Matters*, 56 ARIZ. L. REV. 977 (2014); Tamara L. Kuennen, “*Stuck*” on Love, 91 DENV. UNIV. L. REV. 171 (2013).

<sup>18</sup> There are other terrific scholars who write with a similar perspective. See, e.g., Angela Harris, Margaretta Lin & Jeff Selbin, *From “The Art of War” to “Being Peace”*: *Mindfulness and Community Lawyering in a Neoliberal Age*, 95 CALIF. L. REV. 2073 (2007); Angela P. Harris, *Toward Lawyering as Peacemaking: A Seminar on Mindfulness, Morality, and Professional Identity*, 61 J. LEGAL EDUC. 647 (2012); ROBERT K. VISCHER, *MARTIN LUTHER KING, JR. AND THE MORALITY OF LEGAL PRACTICE: LESSONS IN LOVE AND JUSTICE* (2014).

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ciently serious scholar. Mindfulness helped me avoid getting buffeted by a bruised ego.

It also was the key practice that helped me create reflective space to hear the skepticism and meet it with the same openness and curiosity that I was writing about. What could I learn from the skepticism? How did it help me more clearly craft and describe my own point of view? I did not always succeed. I did get frustrated. I did resent that typical scholarship showed up much more often than not in law reviews.

All of those experiences pushed me in my mindfulness practices. I had many times meditating where it was anything but calm and quiet. If you had put a microphone in my brain, you would have thought you were in a room full of people yelling at each other. Yet even in the cacophony, my practice helped me create some space between all the arising thoughts and emotions, and action. In that space, I had to practice the kind of firm, committed love that I was writing about. I had to turn towards and engage my detractors and skeptics. I had to believe that what I was saying was right, but also acknowledge that every believed truth is partial. Therefore, I also likely could not be totally right. For me, there is no stopping point to this part of my practice. There is not some moment at which I get it right and I am done. Instead, this is another one of those “practice makes practice” moments.

As I wrote about love, I realized that I had to write about anger as well. In life, those two often travel together, in part because if we are experiencing one, we think we are not experiencing the other. But, in that regard, anger is a trickster. As I described earlier, in much of the practice of law aimed at social change, we feel anger because we deeply believe in—we “love”—the client or the cause we are working for. Therefore, anger and love go together. And, we often think that anger is righteous.

Anger is righteous because for almost every injustice, someone can create a path forward to rectify the injustice. For example, we can envision a world where white police do not shoot unarmed citizens of color. We can envision a world where the goal of food production is to feed the hungry not to maximize profits. We can envision a world where the efforts of labor are fairly compensated. We get angry because it often is very straightforward to think of solutions to injustice, but it is so terribly challenging to effectuate the solutions.

To express our anger is to show to others that we have a deep commitment to our particular vision of the good.<sup>19</sup> Whether as lawyers or as people living in this world, we regularly encounter wonderful people making change who start their stories like this—“When x happened to me, I got so angry that I knew I had to change x.” Anger is a really, really good motivator. As motivating as anger is, my mindfulness practices show me that anger also is really, really good at restricting our perspectives and causing us to risk missing other useful ways forward. That also is why I call anger the trickster—it makes us work hard, and then creates the risk that our hard work will not be effective.

My own commitment to social justice has made it critical for me to inquire in my scholarship about the role of anger in social change.<sup>20</sup> I turned to anger after writing about love. Since folks had been squeamish about love, I figured anger would prompt similar responses. I did not expect that talking about anger could make people so angry. As I wrote about anger, I thought I had been careful to distinguish between the fact of experiencing anger and the choice to act in anger. I had hoped I had been clear that the emotion of anger is neither a good thing nor a bad thing—it just is. Thus, the *experience* of anger is neither a good thing nor a bad thing—it just is. It is only one of the myriad experiences any of us can have during the course of the day. But, the choice *to act* out of anger can be a good choice or a bad choice. To strike someone out of anger usually is a bad choice. To stand firm at a picket line when you have been called horrible names and are angry and offended usually is a good choice.

Despite my own belief that I had made every effort to be careful and respectful writing about anger, I made people angry. In turn, I had to acknowledge my own anger and feelings that I had been misunderstood and that my views were being misrepresented. I had to insist to myself that I turn to my mindfulness practices to try and find some equanimity. When I had created some literal breathing room, I also saw some humor in the experience. For my writing, I relied on my own, hard-learned experience of separating the experience of anger from actions out of anger. Then my writing triggered some of the actions out of anger that I warned about, which in turn triggered my own anger and pushed me back towards the very cycle I thought I had learned how to avoid. What more proof could I need that practice only makes practice, it does not make perfect.

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<sup>19</sup> I think cause lawyers are particularly at risk for being captured by righteous anger. See Deborah J. Cantrell, *Lawyers, Loyalty and Social Change*, 89 DENV. UNIV. L. REV 941 (2012).

<sup>20</sup> See Deborah J. Cantrell, *Re-Problematizing Anger in Domestic Violence Advocacy*, 21 AM. U. J. GENDER SOC. POL’Y & L. 837 (2013); Deborah J. Cantrell, *With Lovingkindness and Compassion: One Buddhist Woman’s Response to Feminist Domestic Violence Advocacy*, in FEMINISM, LAW, AND RELIGION 219 (2013).

I continue my work on love, anger and lawyering for many reasons. For one, it matters to me that lawyers work to make social change in ways that are as constructive as possible. If we lawyers have to unravel something in order to make good change happen, I want us to unravel leading with love and not anger. I think it is harder to rebuild on scorched earth. For another, it matters to me to continue to openly use mindfulness in my work.

