Integrating Spiritual Perspectives With the Law School Experience: An Essay and Invitation

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Integrating Spiritual Perspectives with the Law School Experience:
An Essay and an Invitation

LUCIA ANN SILECCHIA*

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dedicated to my family.
I. INTRODUCTION

In their law school years, the attorneys of tomorrow are taught a great deal in a short period of time—the intricacies of complex doctrinal concepts, the broad range of skills needed to serve diverse clients, the economic realities of modern practice, and the growing impact of technology on professional life, to name but a few. Future lawyers are trained to argue, to negotiate, to analyze, to research, to write, to ponder, and to compete in the many fora in which they will choose to fight for their clients, their ideas, or, even themselves.

Yet, in spite of all this, recent years have been replete with widespread and often virulent criticism of the ways in which attorneys practice.\(^1\)

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Perhaps such criticism is merely one facet of our all-too-often pessimistic or cynical modern times. Perhaps, instead, it is a reflection of the sad phenomenon that plagues many professions—the unavoidable problem that arises when one person’s negative experience with one member of the profession translates into general and deep suspicion of the profession at large. Perhaps, as well, such criticism is inspired by the unfortunate and highly publicized incidents of the misadventures of high-profile attorneys or by a negative reaction to the amount of power...
and influence that attorneys have or are perceived to have in modern society. To complicate matters, at the same time that the legal profession has suffered attack from observers and commentators, it has also been plagued by widespread reports of dissatisfaction within the ranks of lawyers themselves. Reports of burn-out, disillusionment, and stress abound in modern literature as the legal profession faces a period of rapid change and sobering self-reflection on the ways in which it should operate as an honorable and noble profession.

In a seemingly unrelated development, there is a steadily growing interest in the spirituality of modern professional life. As those in other

lost its way... [M]ore careful observers will doubtless ask pointed questions about the less sensational, but often more sordid and possibly more significant little stories about lawyers—often partners in the largest and most respected firms in the country—who have been caught stealing from their clients or partners.

Sullivan, supra note 1, at 1240-41.

5. John C. Buchanan states:

Few people, lawyers or laymen, can deny that the legal profession is now largely viewed negatively. Some may blithely dismiss this negativity as the price lawyers pay for their role in society—a role which often requires them to take on grossly unattractive causes. Duty has always demanded and always will demand that lawyers risk being misunderstood.


6. See infra notes 61-67 and accompanying text. The connection between the public criticism and the private dissatisfaction felt by professionals generally is explored by Hamilton, who states that “[t]he public cynicism and distrust give rise to the paradox that: ‘While professionals exercise great power and enjoy the vast material privileges of a ruling class, they are beleaguered rulers. They do not perceive of themselves as power wielders. They feel marginal, insufficiently appreciated, suspect, and harassed.’” Hamilton, supra note 2, at 48 (quoting William F. May, The Beleaguered Rulers: The Public Obligations of the Professional, 2 KENNEDY INST. ETHICS J., Mar. 1992, at 25, 26); see Robert J. Araujo, The Lawyer’s Duty to Promote the Common Good: The Virtuous Law Student and Teacher, 40 So. Tex. L. Rev. 83, 84 (1999) (“[O]ther lawyers, judges, and teachers of the law have presented their alarm about the negative direction which some members of the legal profession appear to be taking themselves as well as many of their colleagues.”).

7. Much has been written accusing lawyers of ignoring the distinction between a profession and a business. See Aspen, supra note 1, at 516-17 (“Many lawyers believe it is now as much a business as a calling or a profession.”); Luban & Milman, supra note 1, at 32 (describing “widespread perception [of]... a more diffuse erosion of values—from ‘professionalism’ to ‘commercialism’”). Eleanor W. Myers states:

The academic and the popular presses proclaim a crisis in the legal profession, the demise of professionalism, and the loss of professional values. Many claim that lawyers, clients, and market conditions have transformed the practice of law from an honorable calling to an ordinary business. It has, they say, become increasingly commercial and specialized... .


8. See infra notes 11-20 and accompanying text.
fields have also grappled with both outward critique and inward self-reflection, the past several years have seen a renewed interest in the spiritual aspects of worldly occupations. As time goes on and interest in spirituality and professional life increases, the legal profession—and, therefore, law schools—may inevitably join other professions in considering the place of spirituality within their institutional life. Law schools will surely face the challenge of assisting students in facing this often unexpected and, perhaps, even unwelcome part of their preparation to pursue the vocation to practice law.

This Essay will reflect on the ways in which the traditional life of law schools may be colored by a new emphasis on spirituality. This Essay will not delve into an extensive theological thesis about the definition of spirituality or the practical and philosophical nuances of the spiritual life. Rather, the pages that follow are an invitation to begin a discussion of spirituality within the life of American law schools. This Essay begins with a discussion of spirituality in professional life generally. It will become apparent very quickly that there are difficulties in defining what spirituality is and in understanding its most appropriate role in professional life; yet, it should also be readily apparent that the desire for renewed spirituality is rapidly gaining attention across a wide and diverse range of professional fields. It is against this backdrop that the Essay will then move to a more particularized discussion of spirituality in the context of law practice and legal education. Specifically, it will draw attention to some of the complexities of the legal profession that may make it particularly difficult to incorporate spiritual perspectives in this arena. Law schools—like the legal profession generally—face particular problems when they attempt to integrate spirituality in law school life. At first, the blend of law study and spiritual pursuits may appear to be an incompatible one; the Essay will explore some of the reasons for this perceived or real incompatibility. It will then offer some

9. This concept of law as a vocation or "calling" is discussed extensively in JOSEPH G. ALLEGRETTI, THE LAWYER'S CALLING: CHRISTIAN FAITH AND LEGAL PRACTICE 24-36 (1996).

10. As this Essay went to press, an excellent article was published exploring the place of spirituality in the law school clinic. See Calvin G.C. Pang, Eyeing the Circle: Finding a Place for Spirituality in a Law School Clinic, 35 WILLAMETTE L. REV. 241 (1999). Although Professor Pang's piece focuses on the issue of spirituality's role in the clinical setting, in the process of addressing that issue he provides keen insights on more general and broader issues of spirituality and legal education. This Essay highly recommends Professor Pang's piece to all who are interested in the spirituality of legal education.
concrete suggestions—with no simple formula!—for integrating spiritual perspectives in law school. It ends with an invitation to pursue the spiritual life of law school, and welcome the benefits it brings.

II. SPIRITUALITY IN PROFESSIONAL LIFE

Naturally, before “the spiritual” can be addressed in the law school context, it is fair to ask more generally what the role of spirituality in the work world should be, and whether the marriage of secular work and spiritual pursuits can ever be happy or enduring. After all, if such a blend is unwise or unworkable, law schools should focus their attention on dissuading it rather than fostering or accommodating it.

The notion of integrating spiritual and professional lives is not new, nor radical, nor confined solely to the legal profession. Recent years have seen an “upsurge of things spiritual in this country,”12 and a renewed emphasis on “spirituality” or “the spirit” in many areas of professional life.13 Indeed, conferences, courses of study, and professional associations have sprung up in recent years to address and explore the intricate relationship between spirituality and professional life.14 In particular, doctors,15 nurses,16 mental health professionals,17


12. Barbara Bradley, Religious Faith Enhances Health, Research Says, COM. APPEAL, Oct. 18, 1998, at F4; see Pang, supra note 10, at 244 (“The time is right for the question to be considered. Spirituality has enjoyed a resurgence in American society and has begun to emerge within the legal profession and in legal academic circles.”) (footnotes omitted).

13. See ALLEGRETTI, supra note 9, at 128 (“Law is not alone in needing to reconnect with its spiritual roots. In a way, this is the great problem facing all work in our time: How can we find the link between our work and our spiritual life?”); Mary Ann Dantuono, A Citizen Lawyer’s Moral, Religious, and Professional Responsibility for the Administration of Justice for the Poor, 66 FORDHAM L. REV. 1383, 1384 (1998) (“Religion is working its way into other areas, such as professional sports, to reinvigorate virtue in their constituencies and professionals.”); see also Parker J. Palmer, Evoking the Spirit in Public Education, EDUC. LEADERSHIP, Dec. 1998-Jan. 1999, at 6, 8 (“Spiritual questions, rightly understood, are embedded in every discipline, from health to history, physics to psychology, entomology to English.”); David W. Chen, Fitting the Lord into Work’s Tight Schedules, N.Y. TIMES, Nov. 29, 1997, at A1 (describing increased awareness of spirituality’s importance in professional life).

14. See, e.g., Samten Williams, A Case for Civility: Lawyers Practice Using New Age Philosophies, BOSTON HERALD, Nov. 3, 1997, at 39 (describing creation of the International Alliance of Holistic Lawyers in 1990 and the Alliance’s annual conferences); see also infra note 44 (noting law school symposia dedicated to this
15. See, e.g., Kathleen M. Boozang, *Western Medicine Opens the Door to Alternative Medicine*, 24 AM. J.L. & MED. 185, 199 (1998) (describing medicine’s “renewed focus on spiritualism and healing”); David B. Larson & Susan S. Larson, *Medicine Faces Up to Power of Religious Faith in Health, Recovery*, INSIGHT MAG., May 18, 1998, at 30 (“Medical education and care is poised on the brink of a paradigm shift in which spiritual activities no longer are ignored as health factors.”); Neil Nathan, *The Spiritual Dimension in Family Practice*, 28 AM. FAM. PHYSICIAN 113, 113 (1983) (“Spirituality has always been recognized as a major component of health.”); Pang, *supra* note 10, at 250-52 (describing recent attention to spirituality in the medical profession); Geraldine Collier, *U. Mass. Med. Students Explore the Spiritual Aspects of Healing*, TELEGRAM & GAZETTE (Worcester), Jan. 29, 1999, at B4 (“As health care moves from a disease-centered approach to a patient-centered approach, doctors must learn what is important to their patients and, for many, that is their religious or spiritual beliefs ....”); id. (noting that the number of medical schools offering courses in spirituality has risen from 3 of 126 in 1994 to 52 of 126 in 1999); Lois M. Collins, *Medicine and Religion*, DESERET NEWS (Salt Lake City), May 2, 1998, at E1 (describing changing attitude toward spirituality in the medical field); Sharon Emery, *Doctors Look to the Spiritual*, OMAHA WORLD-HERALD, July 6, 1998, at 29 (quoting Dr. Seid Cosovic of Wayne State Medical School commenting that spirituality “is a very, very essential component of medicine”); Janet Firshein, *Spirituality in Medicine Gains Support in the USA*, LANCET, May 3, 1997 (“Experts describe it as ‘the forgotten [sic] factor’ in medicine. But US medical educators are hoping to change that by integrating spirituality into student’s curriculums.”); *Georgetown Med Students Being Taught to Address Patients’ Spiritual Needs*, U.S. NEWSWIRE, Oct. 17, 1998 (“More than 40 of the nation’s 126 accredited medical schools—one-third—currently offer courses on incorporating spirituality into clinical care.”); *Harvard University to Receive Award for Spirituality and Health Course*, U.S. NEWSWIRE, Oct. 22, 1998 (describing awards to seven medical schools and one osteopathy school “to implement a course that explores the connection between spirituality, religion and health in patient care”); William R. Mattox, Jr., *The Body & Soul Link*, CINCINNATI ENQUIRER, Sept. 23, 1998, at A14 (quoting observation of Professor Dale Matthews that “doctors who want to be healers of whole persons have an obligation to address the spiritual lives of their patients”); Raymond McCafferty, *Faith in Medicine*, COLO. SPRINGS GAZETTE TEL., Sept. 12, 1998, at Life 1 (“Not only are physicians praying with patients, but researchers studying how prayer affects healing have also found—somewhat amazingly—that in most cases it helps people get better. These developments are part of ... a spiritual awakening in the nation’s medical profession.”); id. (reporting comment by Dr. Larry Dossey that “[p]eople are hungry for a respiritualization of health care”); *Morehouse Med Students Being Taught to Address Patients’ Spiritual Needs*, U.S NEWSWIRE, Oct. 20, 1998 (describing the “growing trend among many of the nation’s premier medical colleges ... of addressing the role spirituality and religion play in the health of patients”); *National Institute for Healthcare Research President Applauds Medical Community for Addressing Patients’ Spiritual Needs*, U.S. NEWSWIRE, Nov. 11, 1998 (reporting observation of Dr. David B. Larson that “treating the whole person, including our patients’ spiritual and religious beliefs, can be a vital link to enhancing health care outcomes”); Bryant Stamford, *Don’t Expect Medicine to Do Everything*, COURIER-J. (Louisville), Apr. 12, 1998, at H2 (describing “mental and spiritual aspects of health and healing”).

16. See *BARBARA STEVENS BARNUM, SPIRITUALITY IN NURSING: FROM TRADITIONAL TO NEW AGE* (1996) (describing various spiritual traditions in nursing
social workers, educators, and other traditional service professionals have been the focus of much attention as practitioners in those fields, as well as their critics, tout the benefit of what is often billed as a “discovery.” The discovery is that both professionals and those they serve derive substantial benefits when spirituality shapes service and practice. Although it often seems natural to separate work and spirituality, the integration of the two acknowledges “a way of life in which the sacred and the secular are somehow united” and seeks to find ways to create and foster that unity. Recent attention to this complex unity suggests that spirituality is likely to become a more important, visible, and even accepted aspect of professional life than it has been in the past.

Predictably, mere mention of the word spirituality can arouse mixed and uncertain feelings in many, not just in those inclined to be skeptical about the intangible. Part of this difficulty stems from disagreement among professionals).

17. See NIH Presents Spirituality and Medicine Awards for Psychiatric Residency Training, U.S. NEWSWIRE, Apr. 14, 1998 ("Because spirituality has been found to be in the lives of their patients ... psychiatry is realizing that without adequate training on how to handle spiritual issues, clinicians may be unprepared ... ").


20. However, such a development is not limited solely to the healing arts. See, e.g., Jean Yaeger, Course Takes Spirituality into Police Work, ASSOCIATED PRESS POL. SERV., Jan. 31, 1999 (discussing course on “bringing spirituality into the crime-fighting arena”).

21. See Joseph G. Allegretti, Neither Curse Nor Idol: Towards a Spirituality of Work for Lawyers, 27 TEX. TECH L. REV. 963, 964-65 (1996) [hereinafter Allegretti, Neither Curse Nor Idol] ("Too often spirituality in the West has been seen as something that you can do only if you escape from your ordinary life.... We need to open ourselves to other images that link our work to our spiritual life.").

22. WILLIAM L. DROEL, THE SPIRITUALITY OF WORK: LAWYERS 12 (1989); see Cromartie, supra note 2, at 1068 (asserting that there are attorneys for whom “the practice of law is not a time away from their spiritual life, but is the very place where they enshrine which God has called them and continues to call them to be”). In the Catholic tradition with which this Essay’s author is most familiar, the spiritual and sacred nature of work is a long standing tradition. See generally POPE JOHN PAUL II, LABOREM EXERCENS ("ON HUMAN WORK") (Sept. 14, 1981), reprinted in CATHOLIC SOCIAL THOUGHT: THE DOCUMENTARY HERITAGE (David J. O’Brien & Thomas A. Shannon eds., 1998). However, for a different perspective on religion’s ambivalent attitude to work through the ages, see generally Allegretti, Neither Curse Nor Idol, supra note 21, at 964-70.

23. See Douglas A. Allen, A Spiritual Look at Choosing a Legal Career, 27 TEX. TECH L. REV. 977, 977 (1996) ("Many questions confront those who undertake the challenge of reflecting seriously on their own spirituality. This reflection is difficult enough. It is further complicated when coupled with the boundless doubts associated
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over the ways in which spirituality should and could be defined. Many different views on this topic are possible, and it is likely that no single definition will suit the needs of all or be consistent with the ways in which spirituality is understood either among diverse faith traditions or in the secular world. Defining spirituality is a task far better suited to philosophers and theologians than lawyers; thus this Essay will not offer a definitive answer to that deeply complex question. Nevertheless, a basic vocabulary for discussing spirituality is needed, and this may be the first challenge to those who would tackle spiritual matters in law practice, law schools, or elsewhere. Arriving at a helpful vocabulary to describe the life of the spirit raises many questions, including:

- What is spirituality as popularly understood and as defined in traditional thought?
- How, if at all, is spirituality different from religion, and what are the distinctions between these two interrelated but distinct concepts?
- How, if at all, is spirituality different from related but more tangible and familiar notions of ethics, service, or compassion—issues generally discussed in professional settings with much more freedom and unreserved approval than spirituality itself?

with choosing a profession and uniting that choice with the spiritual being that exists in all of us.”).

24. For discussion of this definitional difficulty in a different professional context, see Nathan, supra note 15, at 113 (“Spirituality has always been recognized as a major component of health. The word "spiritual," however, means so many things to physicians and patients that discussion of the subject can be difficult.”).

25. William Kralovec discusses the varied views of the goals of spirituality, and the differences in the way different religious traditions view spirituality:

For the monotheist, self-transcendence involves placing one's life unreservedly in the hands of the Living God. For the Buddhist, self-transcendence involves the realization that the “self” as ordinarily conceived and experienced is simply not real. For the Hindu, self-transcendence consists of the realization that the self is, at the deepest level, identical with the Divine. And although there are significant differences between these traditions . . . each insists that our culturally conditioned orientation toward self-gratification must give way to a life of service and sacrifice. And all make the claim that only through such self-denial can we enjoy genuine and enduring happiness.

What are the basic contours of different spiritual traditions and do these differences have an impact on the ways in which spirituality can best be integrated with professional life? Many commentators have offered their views on spirituality, and have attempted to answer the questions above and many others. It is important to begin with an understanding of two things that spirituality is not. First, spirituality is not synonymous with religion or theology, although those concepts are clearly interconnected. Religion, as commonly defined, entails a belief system with doctrines, explanations of the divine, and an established set of practices followed by its adherents to assist them in drawing closer to the divine. For many

26. Related, of course, is the question of how these real differences may give rise to differences in vocabulary that may make it even more complex to discuss spirituality in a meaningful way.

27. Indeed, arriving at a sound definition of “spirituality” requires the expertise of theologians and philosophers. Therefore, the working definition established here is intended to be just that—a definition with which we can work in having a fruitful discussion of the spiritual life of lawyers.

28. See Emery, supra note 15, at 29 (“Spirituality is not synonymous with religion.”). This point is also made in Pang, supra note 10, at 245 (“[R]eligion is not spirituality.”). However, Professor Pang adopts what appears to be a negative view of religion relative to spirituality. “[R]eligion is a man-made instrument that is often organized and institutionalized for the ostensible purpose of nurturing the spiritual lives of its believers. . . . In fact, religion can be dispiriting, and history is replete with stories of great evil done in the name of religion.” Id. This Essay’s view of religion is a far more positive and enthusiastic one.

29. See Spiritual Issues Need Addressing, Doctors Told, GRAND RAPIDS PRESS, Oct. 5, 1998 at B3 (reporting observation of Dr. James Waun that “[s]pirituality includes our supreme values... love, meaning, beauty, hope and truth.... It is like an... umbrella that integrates the physical and psychological aspects of our being”). For further discussion of the complex relationship between religion and spirituality, see Larry Catá Backer, Religion as Object and the Grammar of Law, 81 MARQ L. REV. 229, 239-42 (1998).

30. See BLACK'S LAW DICTIONARY 1292 (6th ed. 1990) (defining “religion” as “[m]an’s relation to Divinity, to reverence, worship, obedience, and submission to mandates and precepts of supernatural or superior beings. In its broadest sense it includes all forms of belief in the existence of superior beings exercising power over human beings by volition”); MERRIAM-WEBSTER TENTH NEW COLLEGIATE DICTIONARY 995 (1993) (defining “religion” as “the service and worship of God or the supernatural” and as “a personal set or institutionalized system of religions attitudes, beliefs, and practices”); RANDOM HOUSE UNABRIDGED DICTIONARY 1628 (2d ed. 1993) (defining “religion” as “a set of beliefs concerning the cause, nature, and purpose of the universe, esp[ecially] when considered as the creation of a superhuman agency or agencies, usually involving devotional and ritual observances, and often containing a moral code governing the conduct of human affairs” and as “a specific fundamental set of beliefs and practices generally agreed upon by a number of persons or sects”); see also Joan Montgomery Halford, Longing for the Sacred in Schools: A Conversation with Nel Noddings, EDUC. LEADERSHIP, Dec. 1998-Jan. 1999, at 28, 29 (“Spirituality is an attitude or a way of life that recognizes something we might call spirit. Religion is a specific way of exercising that spirituality and usually requires an institutional affiliation.”) (reporting explanation of author/educator Nel Noddings).
people, their religion by definition informs and profoundly shapes their spirituality, but the terms are not synonymous. This is an important distinction to begin with because there may be, and often are, varied spiritual traditions within a single religion; conversely, there may be some striking similarities—as well as, of course, differences—in the spiritual traditions of vastly different religions.

In addition, spirituality is not synonymous with professional ethics. The two concepts are interconnected, but very different. Rules of professional ethics for any profession entail a search for an acceptable set of rules upon which members of that profession agree. Because ethical standards may derive their origins from a deeply rooted moral perspective, they are often discussed in the same breath as spirituality. However, ethical rules do not necessarily seek to motivate adherents to a higher standard than that mandated by the rules. Indeed, almost by definition, such codes of conduct cannot do so because one of their great

31. See Pang, supra note 10, at 255 ("Spirituality is often the heart of a particular religious tradition, or spiritual ideas may need a religious institution to give them form and traction. This relationship explains the intertwining and occasional interchanging of the terms.") (footnotes omitted).

32. For example, Droel discusses the presence of various types of spirituality within the Roman Catholic tradition and cites Franciscan, Benedictine, and Ignatian spirituality as examples of distinct spiritual paths within one religion. See DROEL, supra note 22, at 12.

33. See Dan Edwards, Reflections on Three Stories: "Practicing" Law and Christianity at the Same Time, 27 TEX. TECH L. REV. 1105, 1115 (1996) ("I am not comparing the spirituality of Christianity to that of Islam, Judaism, or Buddhism. Other religions would also influence legal practice, probably in ways different from, and somewhat the same as, the ways in which Christianity influences lawyering."); see also J. Philip Wogaman, Keynote Address, 26 FORDHAM URB. L.J. 827, 832 (1999) ("The great religions of humankind, each in their own way, understand a spiritual reality upon which the community depends for its ultimate meaning."); id. at 833 ("I am impressed by a singular fact: very often, some of the members of one tradition have a greater affinity with some of the members of other traditions than they do with some of their own.").

34. Samuel Levine states:

As a result of the inadequacy of the rules, lawyers searching for ethical guidance have looked to other sources of values. Religious values, in particular, have gained increasing prominence in the arena of legal ethics, as they present a comprehensive system of ethics for lawyers seeking to integrate their personal and professional lives.

Samuel J. Levine, Introductory Note: Symposium on Lawyering and Personal Values—Responding to the Problems of Ethical Schizophrenia, 38 CATH. L. 145, 147-48 (1998) [hereinafter Levine, Introductory Note]; see Schlitz, supra note 1, at 715 ("The irrelevance of the rules simply reflects the fact that rules do not define ethical behavior. Complying with the rules of professional conduct no more makes an attorney ethical than complying with the criminal law makes a person moral. . . . Behaving ethically requires something more than compliance with rules . . .").
virtues is their uniform application. For instance, the following has been observed, quite correctly:

Since rules must be limited to what can be more-or-less succinctly stated, they tend to be minimalistic. They understate the significance of the call to a moral life. Rules do not teach us how to become the kind of person we ought to be, nor do rules bestow on us the honesty and insight needed in order to determine what ought to be done.\(^35\)

In the legal context in particular, the practice of ethics as popularly construed is rule-based and often legalistic,\(^36\) prescribing a minimum rather than a maximum.\(^37\) Ethical codes are, in many cases, entirely self-

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35. Perkins, supra note 1, at 188.
36. For instance, Allegretti states:
Reading or teaching the Model Rules [of Professional Responsibility], it is easy to embrace the illusion that rules constitute the whole of the moral life, with the result that legality and morality are conflated, and anything legal is assumed to be moral. When this happens, legal ethics is approached not as a subspecies of moral philosophy or professional ethics, but as a course in substantive law.
Joseph Allegretti, Lawyers, Clients, and Covenant: A Religious Perspective on Legal Practice and Ethics, 66 FORDHAM L. REV. 1101, 1106 (1996) [hereinafter Allegretti, Lawyers] (footnote omitted); see Theresa Glennon, Lawyers and Caring: Building an Ethic of Care into Professional Responsibility, 43 HASTINGS L.J. 1175, 1176 (1992) ("[A] legalist approach to questions of responsibility remains pervasive in law school classrooms today. This constrained view of professional responsibility excludes deeper questions of lawyers' moral conduct . . . .") (footnote omitted). Glendon also states:
[Formal codes of ethics never aimed at capturing the entire ensemble of understandings that lawyers observe in their dealing with one another, with clients, and with the courts. The codes mainly set forth a small body of fairly obvious duties . . . . Where ethical problems of great complexity are concerned, formal canons offer little guidance. They are often least helpful where most needed.
GLENDON, supra note 1, at 78-79 (footnote omitted).
37. See, e.g., Daniel S. Kleinberger, Wanted: An Ethos of Personal Responsibility—Why Codes of Ethics and Schools of Law Don't Make for Ethical Lawyers, 21 CONN. L. REV. 365, 365-82 (1989) (articulating limitations on formal structures in teaching legal ethics); Luban & Millemann, supra note 1, at 38 (describing dissatisfaction of "a sizable minority" of law students "that thinks that focusing on formal ethical codes trivializes what should be a discussion of morality"); id. at 41 ("Over the course of the twentieth century, the codes have become increasingly legalistic and less ethical. . . . It has been the conscious design of code-drafters."); Perkins, supra note 1, at 208 ("Vigorous enforcement of court-adopted rules of legal ethics will not suffice to overcome the moral malaise of our profession. Only a relative handful of lawyers violate clear enforceable rules."); Gerald J. Postema, Moral Responsibility in Professional Ethics, 55 N.Y.U. L. REV. 63, 63 (1980) (arguing that the scope of "professional responsibility" should be construed more broadly to encompass notions of "morality" as well); Rhode, Ethical Perspectives, supra note 1, at 646 ("[T]he bar's insistence on minimal, enforceable standards may have missed the mark. . . . To the limited extent that codified precepts can affect behavior, an exclusively minimalist approach could prove misguided. The consequence may be socialization to the lowest common denominator. . . .")}; Thomas L. Shaffer, Erastian and Sectarian Arguments in Religiously Affiliated American Law Schools, 45 STAN. L. REV. 1859, 1859 (1993) [hereinafter Shaffer, Arguments] (describing the "dominant American attitude" as one
regulated by the professions they govern rather than by some larger, external force. More importantly, professional ethics often focuses on outward conduct rather than internal motive or disposition. "[W]hile codes can establish legal minimums, they cannot speak to the heart of the individual lawyer. They cannot empower a lawyer to be caring or courageous." Indeed, motive can appear to be quite insignificant in judging ethics under a strict rule-based system that evaluates whether one complied with a rule rather than why. In contrast, spirituality concerns itself primarily with matters interior, with important, but secondary emphasis on external manifestations. This distinction is important because discussions of spirituality are often incorrectly entwined with discussions of professional ethics and obligations.

If spirituality is not synonymous with either religion or professional ethics, how might it be most helpfully defined? Spirituality may be described in many varied ways. Viewed broadly, it entails a way of defining and pursuing truth beyond oneself that is more important than the individual, giving the individual's actions meaning and purpose in a larger context. Spirituality recognizes that there is far more to reality holding "that public moral issues, including issues of jurisprudence and professional ethics, are secular issues, to be talked about in secular language, pursuant to secular principles, and in a secular style"). This issue is addressed quite extensively by Allegretti, who explains:

Codes provide a measure of (more or less) objective guidance to lawyers, and therefore provide a means of holding lawyers accountable to courts and clients. They establish the ethical bottom-line below which a lawyer cannot fall without risking professional sanction.

Too much reliance on codes, however, can degenerate into a least-common-denominator mentality where legality is confused with morality.

ALLEGRETTI, supra note 9, at 110.


39. ALLEGRETTI, supra note 9, at 110.

40. See BLACK'S LAW DICTIONARY 1400 (6th ed. 1990) (defining "spiritual" as "[r]elating to religious or ecclesiastical persons or affairs, as distinguished from 'secular' or lay, worldly, or business matters"); MERRIAM-WEBSTER'S TENTH NEW COLLEGIATE DICTIONARY 1134 (1993) (defining "spiritual" as "of or relating to sacred matters" and "of or relating to supernatural beings or phenomena"); RANDOM HOUSE UNABRIDGED DICTIONARY 1840 (2d ed. 1993) (defining "spiritual" as "of or pertaining to the spirit or soul, as distinguished from the physical nature," "of or pertaining to the spirit as the seat of the moral or religious nature," and "of or pertaining to sacred things or matters;
than merely that which can be seen, heard, touched, and tasted. One of
the most hotly-contested debates in the current literature on spirituality
concerns the profound question of whether spirituality can meaningfully
be defined without reference to the divine. Opinion on this matter is
sharply divided and is likely to remain so, given the centrality of this
question. As a personal matter, it seems impossible to contemplate the
notion of spirituality in a secular way that is not dependant on the search
to know and become more familiar with God. This Essay’s definition
would be similar to that of Professor Joseph Allegretti, who noted that
“spirituality can be characterized broadly as a person’s orientation
toward the divine.” As spirituality in professional life becomes more
widely discussed its definition will, hopefully, become clearer and more
sophisticated.

What is clear, however, is that spirituality has two distinct aspects to it
that coexist regardless of the specific definition selected. On one hand,
spirituality is inwardly-oriented, calling those with spiritual leanings to

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41. For discussion of this issue, see Charles Haynes, who states:

[In the minds of many people, phrases that refer to spiritual development have
to do with the life of the soul and a deepening awareness of the transcendent.
And to the extent that spirituality involves some sense of the divine in human
beings or in the cosmos, it is fundamentally religious.

One attempt to avoid conflict... is to define spiritual in terms that
purport to be nonreligious. This approach reflects a move... away from
organized religion and toward a more generalized spirituality...

But this more universal definition of spirituality doesn’t solve our
problem—it merely compounds it. Separating spiritual life from particular
religious traditions may make it nonsectarian, but not necessarily nonreligious.


42. See, e.g., Palmer, supra note 13, at 6 (“We need to shake off the narrow notion
that ‘spiritual’ questions... must include the word God.”); Pang, supra note 10, at 255-
56 (acknowledging spirituality that involves reference to a deity as well as that which
does not). But see Haynes, supra note 41, at 25 (“For most religious people, spirituality
is inseparable from a particular revelation and practice.”); id. at 26 (“[N]o matter how
thorough the attempt to separate the spiritual from the religious, many religious people
will still find the terms inseparable...”).

43. Allegretti, Neither Curse Nor Idol, supra note 21, at 964 n.1 (emphasis
omitted).
quiet contemplation and serious assessment of the role they are to play in the larger scheme of life. Yet, ironically, because spirituality should be self-reflective but not self-centered, it often has the outward expressions of compassion, service, and willingness to sacrifice that are clearly oriented toward the needs of others. This duality is essential to understanding the appeal that spirituality has for those interested in its role in professional life. As spirituality gains attention in professional life, attention must be paid to both its inward aspects and outward manifestations.

III. SPIRITUALITY IN THE PRACTICE OF LAW

The recognition of the importance of professional spirituality in general is also motivating a renewed, specific emphasis on the integration of spirituality into the many aspects of law practice. In

44. Many excellent works have been written in recent years that explore the spiritual dimensions of law practice with depth and thoughtful breadth. For perceptive insights on the spirituality of law and lawyering, see generally ALLEGRETTI, supra note 9; MILNER S. BALL, THE WORD AND THE LAW (1993); HAROLD J. BERMAN, FAITH AND ORDER: THE RECONCILIATION OF LAW AND RELIGION (1993); DENNIS M. CAMPBELL, DOCTORS, LAWYERS, MINISTERS: CHRISTIAN ETHICS IN PROFESSIONAL PRACTICE (1982); JAMES A. PIKE, BEYOND THE LAW: THE RELIGIOUS AND ETHICAL MEANING OF THE LAWYER'S VOCATION (1963); THOMAS L. SHAFFER, ON BEING A CHRISTIAN AND A LAWYER: LAW FOR THE INNOCENT (1981); THE GOOD LAWYER: LAWYERS' ROLES AND LAWYERS' ETHICS (David Luban ed., 1983). As is obvious from the titles of these pieces, many of them focus their attention explicitly on religion rather than on spirituality per se. However, the interconnection of these two concepts ensures that these pieces offer valuable insights for discussion of spirituality as well as religion. In addition, several law review symposium issues have been devoted to this topic. See, e.g., Symposium, 27 TEX. TECH L. REV. 911 (1996); Symposium, Rediscovering the Role of Religion in the Lives of Lawyers and Those They Represent, 26 FORDHAM URB. L.J. 821 (1999); Symposium, The Relevance of Religion to a Lawyer's Work: An Interfaith Conference, 66 FORDHAM L. REV. 1075 (1998).

45. This requires seeing “the spiritual” in all aspects of practice, including the mundane.

A spirituality of work suggests to the lawyer that God is present in the world and in the practice of law. Thus, it encourages us to look for God and respond to God amid our daily chores and in all the legal institutions and systems: in the office, in the courtroom, the library, and the jail. It will regard work, by itself, as capable of contributing to the spiritual life.

DROEL, supra note 22, at 13.

For too long lawyers have divorced their religious and personal values from their working life. Lawyers may spend twelve or more hours a day at work or involved with work . . . yet all the while they persist in the illusion that what happens during that time is somehow irrelevant to their spiritual life. That is a recipe for spiritual and moral suicide.
many ways, the notion of integrating spirituality with the legal profession can, at first blush, appear jarring at best, and illogical at worst. Unlike many traditional "service" or "healing" professions, law practice has a competitive, adversarial reputation—deserved or undeserved—which can seem inconsistent with spirituality as popularly perceived. The concept of integrating the two gives rise to many questions. Not the least among these questions are important inquiries such as:

46. See Allegretti, supra note 9, at 1 (“The idea of a lawyer dealing with religious and spiritual matters—here was the lawyer joke to top them all!”); id. (describing “the vast gulf that separates the practice of law from the spiritual life”); Dan Crawford, Spirituality Program Points Lawyers at Different Canon, BUS. FIRST (Columbus), Dec. 6, 1996 (“Joseph Allegretti still remembers the reaction he got from a friend when he told him he was writing a book on religion’s role in the practice of law. He said, ‘What are you going to write on the rest of the page?’”); Amelia J. Uelmen, Can a Religious Person Be a Big Firm Litigator, 26 FORDHAM URB. L.J. 1069, 1069 (1999) (“In certain mid-town Manhattan elevators, just coupling the words ‘religion’ and ‘lawyering’ is enough to stop conversations, turn heads and draw out comments of disbelief and intense curiosity.”); Ralph C. Losey, Visualizing a New Kind of Lawyer (visited Jan. 31, 2000) <http://lddi.digital.net/~wisdom/losey/newlaw.html> (“Spiritual Lawyer is an oxy-moron for many . . .”).

47. See Kralovec, supra note 25, at 592 (“[T]aking spirituality seriously would require some fundamental changes.”); Russell G. Pearce, The Religious Lawyering Movement: An Emerging Force in Legal Ethics and Professionalism, 66 FORDHAM L. REV. 1075, 1081 (1998) (“As the crisis of professionalism continues, individual lawyers find themselves unable to discover a satisfactory way to reconcile their personal and professional aspirations with what they perceive as the harsh realities of the legal marketplace.”) (footnote omitted).

48. This dichotomy has been expressed previously by other authors. See, e.g., Rob Atkinson, Beyond the New Role Morality for Lawyers, 51 MD. L. REV. 853, 854 (1992) (“Conscientious lawyers and teachers of lawyers continue to face an ancient and fundamental question: Can a good person be a good lawyer?”). But see Cooper, supra note 1, at 306 (“Law, along with medicine and theology, should be considered and practiced as a healing profession.”); John D. Feerich, Welcome and Introductory Remarks, 26 FORDHAM URB. L.J. 821, 822 (1999) (“Law and religion have always been partners in creating and preserving a just and principled society, and it also provides an opportunity for spiritual renewal and the preservation of those important moral values . . .”); C.M.A. McCauliff & Paula A. Franzese, Mother Teresa’s Legacy to Lawyers, 28 SETON HALL L. REV. 765, 765 (1998) (calling law and medicine “common callings in the spirit of public service and healing”); Panel Discussion: Models of Successful “Religion and Lawyering” Programs, 26 FORDHAM URB. L.J. 917, 944 n.54 (1999) [hereinafter Panel Discussion] (advocating “the meaning that comes from understanding law as a healing agent and from regarding work in law as a spiritual and ethical calling”).

49. The difficulty of this integration has been observed before. See Allegretti, Neither Curse Nor Idol, supra note 21, at 967 (“We would like to integrate our work with the rest of our life and with our spiritual journey, but the images we carry with us cannot tell us how to bridge the gap . . . We must break down the artificial barriers that compartmentalize our life . . .”).
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- Is spirituality a private or public matter, or both? If not purely private, what element of spirituality properly belongs in the public realm of a lawyer's work? If purely private, why should there be concern about integrating it with law practice at all?
- Are there elements of spirituality that appear inconsistent with the common perception of law practice as an adversarial endeavor? If so, how can potential conflicts be reconciled without undermining professional competency?

50. See Azizah Y. al-Hibri, Faith and the Attorney-Client Relationship: A Muslim Perspective, 66 FORDHAM L. REV. 1131, 1132 (1998) ("[S]ome people of faith opted for an easy way out, namely, to retreat to the privacy of their homes and cabin their spirituality to these confines."); Hamilton, supra note 2, at 55 (noting observation of conference participants that recent years have seen "the marginalization of religion and spirituality as private matters, not to be honored in the public square"); Shaffer, Arguments, supra note 37, at 1859 (describing "the dominant American attitude toward religion" as holding "that religion is a private affair and that public moral issues ... are secular issues, to be talked about in secular language, pursuant to secular principles, and in a secular style"). Although, as noted above, religion and spirituality are distinct concepts, the observations made about the perceived private nature of religion may apply with equal force to generally accepted views on the privacy of spirituality.

51. Myers criticizes law professors who induce our students to shed a non-legal identity, one that encompasses emotional and moral thinking, and to assume an objective mechanical stance. Adding to that disassociation, some of us assume that our students' personal morality will often conflict with their responsibilities as lawyers. Consequently, we suggest to them that to be effective they will be required to abandon or compromise their ordinary morality.

Myers, supra note 7, at 855 (footnote omitted). Ralph Losey also writes:

So for me the Law, and the craft of the lawyer, goes easily with a spiritual quest. But I know this is quite a stretch for many. How can the law and lawyers have anything to do with spirituality and human potential? ... It goes against the grain of a host of popular stereotypes. All too often people equate lawyers with greed, materialism, insensitivity, unscrupulous actions and devious thinking.

Losey, supra note 46; see BENJAMIN SELLS, THE SOUL OF THE LAW 17 (1994) (providing a fuller discussion). But see ALLEGRETITTI, supra note 9, at 96-109 (describing in detail "an ethic of care" for lawyers that runs counter to the profession's traditionally adversarial image).

52. For an argument that this fear may be more theory than reality, see Kralovec, supra note 25, at 592:

The American experience began as an attempt to secure religious freedom, and that religious orientation remains enshrined in our fundamental legal documents. Moreover, for most of our history, the common-law tradition has acknowledged its spiritual foundation. There is, therefore, no inherent conflict between our legal institutions and a social commitment to authentic spiritual life. Perhaps what is needed is a change of heart rather than a change in institutional structure.

Id. (footnote omitted); see DROEL, supra note 22, at 14 (arguing that this perceived
• How well suited is the modern legal workplace to accommodating the spiritual life of employees and/or clients? 
• How, if at all, does spirituality differ from or conflict with the rule-based “ethics” that govern professional conduct, and how important are these differences or conflicts? 
• Given the general silence toward spirituality in the modern legal workplace, how might the spirituality of lawyers be discussed

Conflict is not real in that “[p]rofessional competence, the key ingredient to the successful practice of law, is not divorced in any way from the spirituality of work”).

A similar theme is echoed in Allen, supra note 23, at 978, in which the author described his career path and asserted that “[a]ny career that could not be reconciled with my own spirituality would be meaningless and empty in the long run. Moreover, I believed that any endeavor undertaken in life would amount to nothing, unless it had a spiritual component or a spiritual motivation.” Id. The fact that the author chose to pursue law study is evidence that he did, in fact, find law practice and his spirituality to be compatible. Likewise, James Nelson asserts that there is little conflict between spirituality and law practice:

Since human beings are essentially spiritual in nature, the meaning of life must have something to do with acquisition of those indestructible qualities of spirit; of love, kindness, generosity, justice, and the like. The chief goal of human life is, I believe, to foster and unfold the potential of each individual to develop and reflect spiritual virtues and powers for the progress of society and for the strengthening of the tools which are the stuff of immortality. Human happiness and prosperity, two things which the law and its courts are supposed to champion and protect, are really the products of spiritual and moral development. . . . As I see the purpose of human life, it is to develop moral and spiritual strengths and to use these to build a better civilization. The development of the full potential of every individual and the realization of material prosperity for the planet are firmly interconnected and are dependent upon spiritual attainment.


54. For a general discussion of the complex morality of the codes of professional ethics, see generally Atkinson, supra note 48; Rhode, Ethical Perspectives, supra note 1. This issue is also discussed more fully supra notes 34-38 and accompanying text.

55. See Allegretti, supra note 9, at 3 (“Most discussions of the current state of the profession . . . take for granted the separation of law from the religious and spiritual side of life.”); Fort, supra note 53, at 128 (quoting corporate theorist Tom Peters admitting, “[w]hen talk turns to the spiritual side of leadership, I mostly want to run”}) (quoting Tom Peters, Business Leaders Should Be Spirited, Not Spiritual, Chi. Trib. Apr. 5, 1993, at 8); Thomas L. Shaffer, Christian Theories of Professional Responsibility, 48 So. Cal. L. Rev. 721, 722 (1975) [hereinafter Shaffer, Christian Theories] (discussing “our diffidence in talking about religious commitment and fearing that “[t]oo many candles are under too many bushels”)). But see Bruce A. Green, The Role of Personal Values in Professional Decisionmaking, 11 Geo. J. Legal Ethics 19, 19 (1997) (claiming “[w]ritings on legal practice encourage lawyers to make professional decisions based on their moral values and religious beliefs”) (footnotes omitted).
and fostered?\textsuperscript{56}

- How can and should lawyers respond when their sense of spirituality conflicts with the mission, environment, substance, or philosophy of their place of employment,\textsuperscript{57} or with the wishes or desires of their clients or colleagues?\textsuperscript{58}
- In what way might spiritual perspectives lead a lawyer to a deeper sense of the "big picture" issues involved in the quest for justice, and what challenges might this raise?\textsuperscript{59}

These are difficult questions, and the challenge of resolving them reflects both the complexity of integrating spirituality into a profession that prides itself on its logical rationality,\textsuperscript{60} and the depth of questions,

\textsuperscript{56} For suggestions on ways to assist lawyers in their spiritual growth, see generally Droel, supra note 22, at 46-49 (suggesting that lawyers might be assisted in spiritual growth via retreats geared especially to them, publications that address spirituality and spiritual issues, support groups that foster conversation of spiritual matters, and parish or diocesan-level programs). Additionally, see CUA Professor Sees Place for Spirituality in Legal Field (visited Oct. 11, 1999) [http://www.acad.cua.edu/ pcal/ news/98spiritualitylaw.htm], which enumerated ways in which to "incorporate spirituality into the legal profession," including: "Allow[ing] time each day for thought and reflection," which must be a priority or, due to the fast-paced nature of the profession, it "won’t happen"; "[f]ind[ing] people with whom to discuss spiritual issues"; and "[l]earn[ing] the spiritual traditions within your own faith, focusing on developing spiritual practices that are suited to you and keeping with your religious beliefs." \textit{Id.}

However, it has been suggested that assisting lawyers in doing this is a difficult task and that "religious institutions may not be prepared to aid lawyers in developing a religious approach to their work." Pearce, supra note 1, at 1081. This difficulty may underscore the importance of providing law students with as much support as possible as they prepare to tackle this challenge in their professional lives.

\textsuperscript{57} For a general discussion of the difficulties inherent in reconciling private religious beliefs with various public settings, see Howard Lesnick, \textit{The Religious Lawyer in a Pluralist Society}, 66 FORDHAM L. REV. 1469 (1998).

\textsuperscript{58} See al-Hibri, supra note 50, at 1139. He states:

[N]ot all clients care about a spiritual approach or share the spiritual beliefs of their lawyer. For such reasons, it is imperative that the lawyer disclose to the client from the outset her approach to the practice of law, and identify her religious beliefs fully to the extent they are relevant to the case.

\textit{Id.}

\textsuperscript{59} See Allegretti, \textit{Neither Curse Nor Idol}, supra note 21, at 970 ("Any spirituality worth its name is interested not only in the solitary quest for meaning but also in the creation of a more just and more compassionate world.").

\textsuperscript{60} See Graham B. Strong, \textit{The Lawyer's Left Hand: Nonanalytical Thought in the Practice of Law}, 69 U. COLO. L. REV. 759, 759-60 (1998) ("Christopher Columbus Langdell championed the notion that the law is a pure and exact science, consisting of principles which are discoverable through analysis of the embedded logic of reported cases. This view of the law suggests a parallel view of the lawyer as a cool practitioner of legal science . . . .") (footnote omitted).
doubts, and concerns that law students and new lawyers may have as they grapple with spiritual questions for the very first time. Nevertheless, attention to the life of the spirit can bring two major benefits to the life of law practice. Not surprisingly, given the two faces of spirituality, one of these benefits is closely connected to the internal self-reflective scope of spirituality, while the other is connected to the outward manifestation of the spiritual life in outreach to others.

First, attention to spirituality has the potential to increase the level of satisfaction that lawyers perceive in their role if they view their professional calling in a spiritual sense. Satisfaction with law practice is reportedly low among today's practitioners. News reports and the popular press chronicle an emptiness felt by many legal practitioners who are finding that their careers give them less personal satisfaction.

61. See Greg K. McCann et al., The Sound of No Students Clapping: What Zen Can Offer Legal Education, 29 U.S.F. L. Rev. 313, 314 n.6 (1995) (summarizing findings in BENJAMIN SELLS, THE SOUL OF THE LAW 17 (1994)). McCann indicates: Report after report tell us that lawyers experience psychological unrest at much higher levels than non-lawyers. For example, a survey of 105 occupations showed lawyers first on a list of those experiencing depression. Another study reports that one-third of all attorneys suffer from either depression, alcohol, or drug abuse. Additionally, many lawyers report strong feelings of isolation and social alienation and [60%] of lawyers say they would not recommend the law as a career to their own children. Finally, the most common psychological complaints by lawyers are feelings of inadequacy and inferiority in relationships.

Id.; see ALLEGRETII, supra note 9, at 64 ("An estimated 40,000 lawyers drop out of practice each year."); Harry T. Edwards, A New Vision for the Legal Profession, 72 N.Y.U. L. Rev. 567, 570-71 (1997) ("Modern law firm practice has disenchanted many young lawyers. They see it as nothing more than a big money enterprise—resulting in insane hours, tedious work, and sometimes questionable ethical decisions."); Graham, supra note 1, at 6 ("Clients are dissatisfied with their attorneys, attorneys are critical of their own colleagues, and the public is scornful of the entire legal process.") (footnotes omitted); Carl Horn, Restoring the Foundations: 12 Steps Toward Personal Fulfillment in the Practice of Law, S.C. Lawyer, Sept.-Oct. 1998, at 33, 33 ("Lawyers themselves are... increasingly unhappy. According to survey after survey, finding personal fulfillment in the practice is ever more elusive."); Levine, Introductory Note, supra note 34, at 146 ("[L]awyers feel dissatisfied with the roles they are expected to play and the conduct demanded of them. In particular, many lawyers see a widening gap between their personal values and those employed in legal practice."); Luban & Millemann, supra note 1, at 33 ("[T]heir purpose should be seen in a broader context and not solely in terms of job dissatisfaction."); Sullivan, supra note 1, at 1286 ("[T]he collective morale of the profession is now very low; the extent to which lawyers are dissatisfied with the current state of the profession, and the quality of their own lives within it, is both great and deep."); Marilyn Tucker, Will Women Lawyers Ever Be Happy?, 24 LAW PRAC. MGMT., Jan.-Feb. 1998, at 45, 45 (describing particular dissatisfaction of and pressures on female attorneys); David Margolick, More Lawyers Are Less Happy at Their Work, a Survey Finds, N.Y. Times, Aug. 17, 1990, at B5 (reporting survey results chronicling attorney dissatisfaction and offering explanations for such dissatisfaction).
and fulfillment than they had initially expected. Naturally, there may be many complex causes for this and a brief, casual foray into spirituality is not a panacea for the ills that plague the legal profession—

62. A poll conducted in California found that seven out of ten attorneys would change careers if they had the opportunity. A Rand corporation study found that half of all lawyers would choose not to become a lawyer if they had to do it all over again. A study by Johns Hopkins University researchers found that lawyers are more likely to be depressed than members of 103 other occupations. In North Carolina, 11[%] of lawyers polled admitted considering suicide at least once a month. Derrick A. Bell et al., *Is the Legal Profession on a Trash Heap?*, BUS. & SOC'Y REV., June 22, 1995, at 14; see Allegriti, supra note 9, at 3 ("Many lawyers are disillusioned with their work, unhappy with their lifestyle, and doubtful about the wisdom of their career choice. A sense of meaning, of service, of pride at a job well done—all these are getting harder and harder to nurture and maintain."); Droel, supra note 22, at 36 ("The time pressures involved in the practice of law have a direct bearing not only on family life, but on an attorney's spirituality."); Allegriti, *Neither Curse Nor Idol*, supra note 21, at 964 ("I know I'm not alone in sometimes treating my work as a curse. We fall into this trap anytime we approach work as nothing more than a grim necessity, without any inherent meaning, utterly estranged from our spiritual life."); Jon Jefferson, *But What Role for the Soul?*, A.B.A. J., Dec. 1991, at 60, 60 ("Lawyers have the highest depression rates of any group in the workplace, according to a study published last year by Johns Hopkins University—10[%], says researcher William Eaton, more than twice the rate in the general population."); Gregory A. Kalscheur, *Law School as a Culture of Conversation: Re-Imagining Legal Education as a Process of Conversion to the Demands of Authentic Conversation*, 28 LOY. U. CHI. L.J. 333, 341 (1996) ("[Yale Law School Dean] Anthony Kronman points to a 'spiritual crisis' rooted in a growing doubt on the part of lawyers that, in spite of increasing material well-being, the practice of law can play a significant role in their fulfillment as human beings."); Richard P. Kessler Jr., *Out of Loss, a Lesson for Living*, A.B.A. J., Jan. 1998, at 96, 96 ("Time for family, community and spiritual matters has been subordinated to the time required by the firm, if not eliminated altogether."); Samuel J. Levine, *The Broad Life of the Jewish Lawyer: Integrating Spirituality, Scholarship and Profession*, 27 Tex. Tech L. Rev. 1199, 1203 (1996) (hereinafter Levine, *Broad Life*) (recounting author's fear that "[t]he time and effort necessary to properly fulfill [his] tasks as a lawyer would leave little time or energy for spirituality"); Pang, supra note 10, at 248 ("[T]he profession, at its core, faces a spiritual crisis. . . ."); Merrilyn Astin Tarlton & Simon Chester, *It's Broken but We Can Fix It: Developing a Plan to Move the Profession Beyond the Breaking Point*, 22 LAW PRAC. MGMT., Mar. 1996, at 24, 24 ("A significant number of lawyers feel they have reached their personal breaking point. This crisis, compounded of professional dissatisfaction and personal unhappiness, occurs at a time when the profession has never been held in lower esteem."); Mary Jordan, *More Attorneys Making a Motion for the Pursuit of Happiness*, WASH. POST, Sept. 4, 1993, at A3 ("For many attorneys, practicing law in the 1990s means more competition and hours, and less money and satisfaction."); see also Uelmen, supra note 46, at 1070. Uelmen states:

As for the day-to-day work at large firms, many have concluded that it is very difficult, if not impossible, to find spiritual meaning. If you really want to be a person who fully integrates personal or religious values into your work, the suggestion is, more often than not, get out.

Id. (footnote omitted).
or any other. Yet, perhaps a link to spirituality may be the start of a new way of looking at those ills and contemplating a cure on both a small and large scale as "individual lawyers and the profession as a

63. Indeed, the difficulties of life in law practice has generated much recent literature attempting to find a "cure." See generally AMIRAM ELWORK, STRESS MANAGEMENT FOR LAWYERS: HOW TO INCREASE PERSONAL & PROFESSIONAL SATISFACTION IN THE LAW (2d ed. 1997); LIVING WITH LAW: STRATEGIES TO AVOID BURNOUT AND CREATE BALANCE (Julie M. Tamminen ed., 1997).

64. See, e.g., DROEL, supra note 22, at 16 ("This spirituality of work will also make some sense out of the frustrations and hardships of the practice of law—problems common to all work."); Charles R. Ajalat, Practice, Church, Life, and Society, 27 Tex. Tech L. Rev. 933, 934 (1996) ("[W]hen I have prepared spiritually for the day, ... I can undergo the same pressures at work and yet feel very much at peace ... "); Jill Schaeffer Chanan, Just Say "Om": Harried Lawyers Still Their Minds with Yoga and Meditation, A.B.A.J., Jan. 1998, at 78, 78 (describing increased attention to spiritual and meditative practices by lawyers); Daniel O. Conkle, Professing Professionals: Christian Pilots on the River of Law, 38 Cath. Law. 151, 181 (1998) (claiming that for lawyers who are "likely to tap the spiritual essence of their faith .... [e]ven in the face of professional disappointments and failures, something greater—something transcendent—provides a continuing sense of personal peace and consolation"); Fort, supra note 53, at 129 (reporting comment of Richard John Neuhaus that "[i]t is spiritually eviscerating that what millions of men and women do [50] or [70] hours of most of every week is bracketed off from their understanding of their faith"); Emily Fowler Hartigan, Practicing and Professing Spirit in Law, 27 Tex. Tech L. Rev. 1165, 1165 (1996) ("There was for me an aspect of sheer survival as a sane human being, in my deepening pursuit of my spiritual life even as my litigation experience grew."); Steven Keeva, Defeating Dissatisfaction: Stressed-Out Lawyers Taught to Balance Work with Pleasure at Self-Help Workshops, A.B.A.J., Sept. 1992, at 38, 38 ("The satisfied lawyer ... balances life's three 'spheres': the professional, the personal—which includes physical, emotional and spiritual health—and the social/familial."); Nathan, supra note 15, at 113 ("[U]nresolved spiritual issues are major sources of stress for some people.") (alteration in original); Sheila Nielsen, Symptoms and Remedies for Crippling Attorney Malaise, Ill. Legal Times, Jan. 1997, at 6, 6 ("Many of [the lawyers I work with] feel a lack of connectedness with others, a dullness and a loss of spiritual meaning in their lives .... They are looking for a greater depth and richness to life, and ... they want and need their work to be as fulfilling as possible."); Pang, supra note 10, at 250 ("[W]e deprive ourselves of an essential component of our beings by ignoring our spiritual dimension; and teaching and practicing law as a human enterprise loses something important when we shun the spiritual."); Merrilyn Astin Tarlton, Twelve Ways Lawyers Can Lose Stress and Find Their Humanity, Law Prac. Mgmt., Mar. 1997, at 20, 20 ("Burned out lawyers are no help to anyone. Make sure your life includes the appropriate ... equation of self-care, family, work, community and spiritual time."); Williams, supra note 14, at 39 (discussing the work of and spiritual philosophies behind the International Alliance of Holistic Lawyers).

65. For an optimistic view, see ALLEGRETTI, supra note 9, at 35 ("Once they acknowledge the connection between their work and their spiritual life, they can embrace the meaning that was there all the time waiting to be discovered."); DROEL, supra note 22, at vi ("What we need is not a new legal system nor more nor fewer lawyers. Rather, we need better lawyers—lawyers who have discovered and practice a 'spirituality of work.'"); Levine, Broad Life, supra note 62, at 1199 (describing ability of the spiritual or religious perspective to "provide an opportunity to enrich apparently mundane activities, imbuing them with spirituality").

66. See DROEL, supra note 22, at 38 (suggesting that "reform of institutions is a key ingredient to a spirituality of work").
whole begin to break down the walls that have separated work from faith, and approach the practice of law as an integral part of the spiritual journey."

Such introspection and focus on the way in which mundane tasks can be meaningful may counter the fear that attorneys may have if they believe that their professional lives lack the deeper purpose that they seek in other areas of their life. Given the amount of time attorneys spend pursuing their careers, the ability to view practice as a spiritual undertaking with meaning beyond the narrow scope of the task at hand may well lead to a more rewarding view of professional life. As has been aptly observed, at its best “[v]ocation is life-giving; it reinvigorates us and helps us to link our work with those deepest spiritual values that give meaning to our lives.”

Second, and more outward-looking, renewed interest in spirituality can work a remarkable change in the way in which clients are served. Such an interest can awaken in lawyers an appreciation of the many opportunities they have “to serve clients and others as a companion, helper, and healer“ rather than as the much-maligned “hired gun” or the disgruntled, distracted professional that the public so often perceives.

67. ALLEGRETTI, supra note 9, at 4. For further discussion of the integration of the spiritual and the secular, see generally Dantuono, supra note 13, at 1384 (describing “need for an integrated being” and the ways in which “religious traditions call us to a way of being—living and professing the same values and behaviors at home as well as in the workplace”); Timothy W. Floyd, The Practice of Law as a Vocation or Calling, 66 FORDHAM L. REV. 1405, 1409 (1998) (“God cannot be compartmentalized into the religious sphere of our lives while being irrelevant in our work lives.”); Levine, Broad Life, supra note 62, at 1204 (discussing possibility of living a life “in which religious values are central not only to the overtly spiritual activities in life, but also to the more mundane activities that are part of a secular career”); Nancy Miller-Herron, On Maintaining Spiritual Sanity in a Secular Vocation, 27 TEX. TECH L. REV. 1221, 1222 (1996) (describing “deep longing for vocation, a life woven together, one in which we are the same person, no matter what setting we happen to be in at the time”); K.L. Seshagiri Rao, Practitioners of Hindu Law: Ancient and Modern, 66 FORDHAM L. REV. 1185, 1185 (1998) (“A fundamental feature of the Hindu tradition is that there is no dividing line between the sacred and the secular. No contradiction is perceived between temporal ends and the eternal goal. There is no area of life, accordingly, which is alien to spiritual influence.”).

68. See Cooper, supra note 1, at 306 (“We need to heal as a profession . . . .”); Horn, supra note 61, at 35 (“Lawyers, like everyone else, need . . . spiritual comfort.”).

69. ALLEGRETTI, supra note 9, at 35; see Allegretti, Neither Curse Nor Idol, supra note 21, at 964 (describing “successful” lawyers that lament that their work “does not provide sustenance for their souls, bread for the spiritual journey”).

70. ALLEGRETTI, supra note 9, at 35; see McCauliff & Franzese, supra note 48, at 766 (“We must not overlook our principal roles as healers and helpers . . . .”).

71. This public dissatisfaction is discussed more fully supra notes 1-3. See

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As has been aptly observed:

What would such a spirituality mean for lawyers? I believe that we lawyers have many opportunities to minister to others in the ordinary course of our work....

... As a covenant partner, the lawyer is granted a host of opportunities to serve her clients. A client tells a story of a marriage or a business partnership gone bad. A client talks of an accident or an injury that she suffered or caused another to suffer. A client and a lawyer discuss a painful business decision that could put dozens of people out of work.

... [P]eople in need come to lawyers, and lawyers are called... to minister as best we can to those people.72

The common wisdom, sadly, is that “[m]uch of the public views lawyers as self-interested profiteers thriving on the problems and even the tragedies of others.” 73 In contrast, a spiritual lawyer should be more likely to view his or her role vis-à-vis clients74 in the light of service, dignity, and compassion—as well as professional excellence75—with a view toward offering the maximum degree of care possible rather than the minimum acceptable.76 As has been observed, “a spirituality of work

Buchanan, supra note 5, at 571 (noting public criticism of “the lack of caring and compassion on the part of lawyers”).

72. Allegretti, Neither Curse Nor Idol, supra note 21, at 969.

73. Horn, supra note 61 at 33; see Sullivan, supra note 1, at 1286 (“[C]lients often do not perceive themselves to be well-served by the current system, and the public’s degree of dissatisfaction with the profession is intense.”).

74. This paradigm contemplates the scenario in which the “client” happens to be an individual rather than an artificial business entity. To an extent, a change in the nature of the client can change the analysis, but the core principles remain the same.

75. See DROEL, supra note 22, at 25, which states:

The spirituality of work thus requires that lawyer to do the best job possible through [his or her] competencies... : thorough research and mastery of the law, thorough investigation of the facts, careful and persuasive writing, meticulous preparation for court appearances, etc. ... His or her competency is the basic element of the lawyer’s spirituality of work.

Id.

76. See Allegretti, Lawyers, supra note 36, at 1107 (“[Ethical codes] announce the agreed-upon minimums below which a lawyer cannot fall without incurring sanction, and thereby provide a basis for moral and legal accountability.”); id. (“[W]hile rules can establish legal minimums, they ignore many of the interesting and important issues in legal practice.”); Neal J. Fink, Simple Ways to Improve Attorney-Client Relationships, TRUSTS & ESTATES, Mar. 1995, at 60, 60 (“[C]lients define ethics more broadly than lawyers. ... The polls say lawyers are not caring and compassionate and that they are indifferent or even arrogant.”) (emphasis omitted); Glennon, supra note 36, at 1178 (“Civic responsibility is not antithetical to individual fulfillment. Rather, the human spirit finds fulfillment by assuming this responsibility to others.”) (footnote omitted); Leslie Griffin, The Relevance of Religion to a Lawyer’s Work: Legal Ethics, 66 FORDHAM L. REV. 1253, 1265 (1998) (“An ethics that is only public reason—in this case, codes and rules and Bar norms—is too thin; lawyers would be moral only because they feared disciplinary proceedings. Avoidance of punishment is a minimal moral goal; a profession should strive for more.”); Crawford, supra note 46 (“[A]dding a religious or spiritual aspect to lawyering is badly needed, many observers say, as the traditional ethics code... is not sufficient.”). See generally Thomas L. Shaffer, On Religious Legal
encompasses the lawyer's response to the task at hand—when that lawyer responds professionally, with wholeness, compassion, dedication, knowledge, excellence and a passion for justice. Indeed, "[f]or such lawyers, rules and codes are a thin gruel that cannot furnish them with the sustenance they need"—a sustenance that they may find by striving to serve their clients' needs in accord with a higher principle than minimum professionalism would require. This is not to suggest that a well-intentioned and compassionate attorney cannot serve clients well without pursuing a spiritual life. However, the outward-looking face of spirituality leads quite well and very naturally to a professional commitment to "the other" that supersedes the temptation toward self-centeredness.

Relatedly, attention to the spiritual life may also lead a lawyer to understand that there may be circumstances in which a client's problems have a spiritual component that should be addressed if the client is to be served in a full, complete, and effective way. Very often, what appears

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*Ethics,* 35 CATH. LAW. 393 (1994) (discussing the connections between religion and the codes of professional ethics).

77. DROEL, supra note 22, at 14.
79. For example, while the profession is often criticized for its selfishness, a wide range of opportunities exist for pro bono service by lawyers. Cynics may say that the motives for such service may be mixed, and include motives such as pride, concern with public image, or a reluctant sense of duty. In spite of such cynical views, the fact that so many attorneys still seek the opportunity for such service suggests that there is already a quest for the meaning that comes from service to others.

80. See Floyd, supra note 67, at 1411 ("Many authors credited their faith for engendering certain qualities—such as honesty, compassion, courage, humility—that made them better lawyers."); Green, supra note 55, at 42 ("[A]s Teresa Collete has described, a lawyer believing that you should 'love your neighbors as yourself' may be influenced to relate to her clients in a particular way . . . with expressions of concern for the clients' emotional as well as legal needs."); Randy Lee, *The Immutability of Faith and the Necessity of Action,* 66 FORDHAM L. REV. 1455, 1463 (1998) (describing the effect of many religions as calling lawyers "to provide hope, to seek justice and perfection in their work, and to recognize the uniqueness and respond to the intrinsic worth of each client").

81. See Walter H. Beckham III, *Beyond the Bottom Line: To Regain the Public's Trust, Lawyers Need to Work for the Common Good,* A.B.A. J., Sept. 1996, at 112, 112 ("We also must remember that client care is an integral part of our job, and that part of that care is in learning to become better listeners . . . . We must listen to clients and understand that a problem often has an economic, psychological or spiritual component."); James R. Elkins, *Thinking Like a Lawyer: Second Thoughts,* 47 MERCER L. REV. 511, 522 (1996) ("Legal discourse becomes a route to injustice when we allow its functional operation to crowd out the political, social, philosophical, and spiritual perspectives that legal education teaches us to push to the margins of legal discourse."); Sadig Reza, *Religion and the Public Defender,* 26 FORDHAM URB. L.J. 1051, 1067
to be merely a legal problem is much more. The “legal problem” may often be a byproduct or symptom of a client’s difficulty rather than the heart of the problem itself. A quest toward more holistic lawyering is better accomplished by lawyers who are attuned to the spiritual needs of their clients by grappling first with their own.

IV. SPIRITUALITY OF LAW SCHOOL

If spirituality can be a powerful force for positive change among lawyers and those that they serve, then it would seem logical to begin within the law schools to assist students in integrating spiritual perspectives with their blossoming legal careers. In law schools, much is done—and rightly so—to train would-be lawyers to be knowledgeable, competent, and ethical. Yet, there is more to sound practice than this trio of virtues. A fourth intangible element is none other than the spirit that should animate the work that lawyers do.

Spiritual perspective? Spiritual perspective and law school? Students arrive at law school expecting to learn the skills and knowledge they need to prepare for professional life. What may come as a surprise to many, however, is the emptiness that may accompany mere acquisition of skills and knowledge if that acquisition is not accompanied by some reflection on the deeper ramifications of a life in the law. With regard to education, generally, it has been observed:

I have seen the price we pay for a system of education so fearful of things spiritual that it fails to address the real issues of our lives—dispensing facts at

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(1999) ("[S]piritual and other counseling can be made available to clients as a supplement to their legal representation."); Williams, supra note 14, at 39 ("Traditionally, lawyers have been trained to focus on the legal problem and not the whole person . . ."); id. ("Lawyers have worked with their brains, not their hearts. . . . The law profession has not felt like it had permission to examine how a conflict fits into the broader perspective of a client’s life. This focus was left to social workers.") (quoting Cheryl Conner, Director, Clinical Internship Program, Suffolk University Law School).

82. See Williams, supra note 14, at 39 ("Holistic lawyering . . . is a way of life. One feels a sense of spiritual calling to one’s work. It is part of who we are, the ability to be with a client, hear their story and retell their story.") (quoting David Hall, Dean, Northeastern School of Law).

83. The necessity, or wisdom, of integrating “spirituality” into professional training—along with the difficulty inherent in doing so, is often discussed in the medical school context. See supra note 15.

84. For a different expression of the importance of a spiritual component in legal education, see Soia Mentschikoff & Irwin P. Stotzky, Law—The Last of the Universal Disciplines, 54 U. Cin. L. Rev. 695, 701 (1986) ("The best practical training a law school can give to any lawyer is the study of law as a liberal art. In this vision of legal education, there are three necessary components to a first rate education—the technical, the intellectual, and the spiritual.").
Much the same can be said about legal education.

The law school years may provide a first opportunity for many students to reflect on the spiritual perspective of law practice and the potential spiritual dimensions of spending a lifetime as a lawyer. For those who come to law school after having explored spirituality in other aspects of their lives, law school may represent the very first time that they have had to integrate those spiritual perspectives with their new professional lives. For those who had not previously considered themselves overly concerned with the spiritual, the rigors of the law school experience and the important choices to be made upon entering the profession may lead them to begin thinking about their professional lives through a new spiritual lens. Indeed, the very act of acquiring legal expertise and seeing "how [these] skills might be something the world needs and wants has a spiritual dimension." What a fruitful opportunity exists!

Yet in spite of the fact that the law school years might be particularly ripe for discussion of things spiritual, commentators speak often of the "spiritual poverty of the legal academy." This appears to be the law school counterpart to the oft-lamented "spiritual crisis" of the legal profession. It has been noted that recently, "noticeable levels of

85. Palmer, supra note 13, at 6.
86. For a discussion of the formative importance of the law school years, see Schlitz, supra note 1, at 777-78.
87. As discussed supra notes 50-59 and accompanying text, there are aspects of life in the legal profession that may make such an integration particularly challenging, as compared to other professions.
88. See Shaffer, Christian Theories, supra note 55, at 730-31 ("Students ... [in the first semester] tend to react with surprise, and not necessarily pleasant surprise, to the image of themselves as lawyers. They discover ambivalence in their feelings about lawyers, and, sometimes, a bit of fear in the idea that they soon will be lawyers.").
89. Pang, supra note 10, at 304.
90. Kralovec, supra note 25, at 590; see Rebecca R. French, Lamas, Oracles, Channels, and the Law: Reconsidering Religion and Social Theory, 10 YALE J.L. & HUMAN 505, 532 (1998) (commenting that "the legal academy is simply not talking about many of the issues that currently seize the American religious imagination").
91. See ALLEGRETTO, supra note 9, at 3 ("At its core the legal profession faces not so much a crisis of ethics, or commercialization, or public relations, but a spiritual crisis.") (emphasis omitted); id. at 34 ("[M]any lawyers are facing a spiritual crisis. Many are unhappy with their work and their lives."); McCauliff & Franzese, supra note 48, at 767 ("If we renew our spiritual vision and put into practice what we see anew, we
'spiritual' malaise exist among law students and lawyers. Many law students are morally troubled and dismayed by what they encounter in law school, and students are often more concerned about social issues when they enter law school than when they graduate.”

Indeed, many of the criticisms levied against lawyers and the practice of law are directed with equal vehemence at law schools and legal education, and it has

will still have more to do in helping those around us to re-examine their professional lives.”. Thomas Porter further suggests:

The practice of law is experiencing a spiritual crisis. This crisis is seen in the personal lives of lawyers, in the lives of law firms, in the legal systems in which we work and in the paradigms that inform them... [O]ur noble profession is suffering spiritually at both the personal and professional level.


92. Steven M. Barkan, Jesuit Legal Education: Focusing the Vision, 74 MARQ. L. REV. 99, 99 (1990). Anecdotal evidence of this can also be found in the observations of Charles Emmerich of the Christian Legal Society:

When I was pre-law director at Wheaton College, I had occasion to mentor seven students that... were placed in the lead law schools... I had occasion to run across each of these seven students again. Only one of the seven, as far as I could tell, had any remnant of their spiritual life left.

Panel Discussion, supra note 48, at 949.

93. See David Hall, Legal Education and the Twenty-First Century: Our Calling to Fulfill, 19 W. NEW ENG. L. REV. 139, 142 n.10 (1997) (“[M]any lawyers are morally impoverished. Law schools have lost or abandoned their mandate to protect the rule of law and to serve the system of justice.”) (alteration in original) (quoting Mark Ruth Hass, Lawyers & Morality, MASS. LAW. WKLY., Jan. 8, 1996, at B11); Philip C. Kissam, The Decline of Law School Professionalism, 134 U. PA. L. REV. 251, 253 (1986) (describing “decline of law school professionalism and the gradual abandonment of traditional values that have long characterized American legal education”); id. at 316 (“The decline of law school professionalism has meant, among other things, the loss of any sense of common community or common professional purpose among law professors.”); McCann et al., supra note 61, at 314 (“Few law students, practicing attorneys, or legal employers are applauding the current state of legal education. ... There are a number of sources of this dissatisfaction—some old, some new.”); Pang, supra note 10, at 272 (describing spiritual malaise among law students); Schlitz, supra note 1, at 723 (fearing that after the modern law school experience, “the new attorney may begin her professional career with the values and convictions that once guided her life in shambles”); Sullivan, supra note 1, at 1242 (“[B]ar leaders often suggest that the law schools are principally responsible for whatever problems bedevil the practicing part of the profession.”); Timothy P. Terrell, A Tour of the Whine Country: The Challenge of Extending the Tenets of Lawyer Professionalism to Law Professors and Law Students, 34 WASHBURN L.J. 1, ___ (1994).

William Kralovec provides the following opinion:

Unfortunately, contemporary legal education fails to achieve [its] magnificent potential. For many students, law school is not only rigorous and demanding (as it should be), but also personally demeaning and emotionally traumatic. Those who manage to survive law school frequently look back on their coursework as a tedious enterprise that was largely irrelevant to their actual work as practitioners. In addition, rather than broadening a student’s mind and heart, legal training tends to narrow the mind and deaden the emotions.

Kralovec, supra note 25, at 578. Lorine Graham further adds:

There is no question that public distrust of lawyers and of the legal system as a
been soberly feared that “the academy has a problem of perspective that is every bit as serious as the profession’s.”

Some opine, quite correctly, that one root of spirituality’s unpopularity in the legal academy is the desire to approach legal analysis from a purely objective, analytical perspective. Such a perspective—while intellectually rigorous and quite satisfying as a logical pursuit—creates a vacuum when it comes to matters of real meaning and value. All too easily, “the manipulativeness of an analytic reasoning” so prized in legal education can become “severed from the spiritual longings of the soul.”

More pessimistically, it has been observed:

A final feature of legal education that merits mention is the sense of spiritual alienation that many students experience in legal study.... Legal education has been radically denuded of any spiritual content whatever. As a result, students with religious interests and commitments have no opportunity to

whole is at an all-time high. Not surprisingly, legal education is viewed as both the culprit and the redeemer. Law schools have been faulted for failing to live up to their obligation to teach students about values—to instill in them a sense of moral obligation.... By attempting to remain value-neutral, law schools have reinforced the unreflective inclination toward moral relativism....

Graham, supra note 1, at 29–30 (footnotes omitted). A similar sentiment is expressed in Kalscheur, supra note 62, at 338 (describing “the failure of modern legal education to produce humanistic lawyers who are open to more broadly based questions about the role of law and the legal process in society”). But, this is not an entirely new criticism either. See generally Karl N. Llewellyn, The Current Crisis in Legal Education, 1 J. LEGAL EDUC. 211 (1948); Duncan Kennedy, Comment, How the Law School Fails: A Polemic, 1 YALE REV. L. & SOC. ACTION 71 (1970).

94. Schlitz, supra note 1, at 788.

95. Panel Discussion, Does Religious Faith Interfere with a Lawyer’s Work, 26 FORDHAM URB. L.J. 985, 1000 (1999) (comment of Peter Gabel); see also id. at 1000-01 (“[T]he ‘legal mind’ becomes an analytical mechanism without moral anchor, in a world in which there is no sensibility present in the culture for the use of an emphatic and compassionate guiding awareness.”); id. at 1001-02 (advocating the rejection of a “hyper-analytic, spiritually insensitive process that is legal education and legal practice right now, and that sees the legal arena as a potential location where people—longing to escape their alienation—can see it occurring in front of them in a highly visible public space”). This phenomenon is also discussed by James Nolan, who states:

Lawyers are trained to think. Some fault this training as too technical, as purged of humane values, as too limited and constricting. Others value the discipline of systematic rational thought in a time where logic, reasons and concerns of the intellect seem to have taken a backseat to mindless emotionalism or post-modern nihilism.

consciously integrate those commitments with their professional training.\textsuperscript{96}

Although professional education in other fields is taking on a spiritual component,\textsuperscript{97} there are many unique obstacles to introducing spirituality

\textsuperscript{96} Kralovec, supra note 25, at 582. Kralovec offers two different approaches through which this spirituality may be addressed within the law school enterprise:

Some movement in the direction of spiritual depth could be achieved within existing institutional confines. Many institutions have denominational roots or existing affiliations that could be revived. Granted, our society is far more pluralistic today than at the time schools with robust religious affiliations were founded. Nevertheless . . . it is possible for a law school to be situated within a particular religious tradition while providing a rigorous and nonsectarian professional training.

Although a renewal of conventional religious affiliations may offer a partial solution to the problem of spiritual alienation, a serious engagement with our diverse religious and spiritual traditions inevitably gives rise to the question of whether much more radical changes should be contemplated. That is because every enduring spiritual tradition demands more than mere ethical propriety or personal piety. These traditions require that each person define himself or herself by reference to an ultimate reality that is larger and more important than the individual self . . . .

\textit{Id.} at 590-91 (footnote omitted).

Yet, in spite of the perceived lack of spirituality in legal education, a desire to pursue it has also been perceived. See, e.g., Samuel J. Levine, \textit{Teaching Jewish Law in American Law Schools: An Emerging Development in Law and Religion}, 26 FORDHAM URB. L.J. 1041, 1041 (1999) ("In recent years, religion has gained an increasing prominence in both the legal profession and the academy."); see also Kalscheur, supra note 62 (providing another interesting perspective on spirituality in law school life). In this piece, the Jesuit author recounts his ministry to students at Loyola Law School in Chicago, where he observed:

I wanted to see if law students could be encouraged to view their lives and their desires to be lawyers as part of a call from God, rather than seeing the law simply as a job or a role that was somehow separate from the rest of their lives. I hoped, in short, to raise questions and facilitate reflection and conversation that might bring a greater degree of wholeness and perspective to lives I knew to be frustratingly harried and fragmented.

\ldots [T]he sustained and significant contact that I eventually had with a relatively small but stable group of students definitely confirmed my belief that there is a very real desire among law students for an experience of law school which speaks to them as whole persons; a desire that is frustrated by their experience of law school and the practice of law as activities which are disconnected from the rest of their lives.

\textit{Id.} at 337. Another observer states that descriptions of ambitious law students using all of their energies to get ahead, and of antagonistic professors working them to the limit, did not depict an atmosphere conducive to spiritual development.

\ldots I was disappointed that both law school and the legal profession did not seem to regard individual faith, spirituality, or morality as particularly relevant to the life of a lawyer.

Levine, \textit{Broad Life}, supra note 62, at 1200.

\textsuperscript{97} See Palmer, supra note 13, at 8 ("Spiritual questions, rightly understood, are embedded in every discipline, from health to history, physics to psychology, entomology to English. Spirituality . . . . is at the heart of every subject we teach, where it waits to be brought forth.").
While training in rule-based professional ethics is generally accepted as a valuable part of legal education, there are some inherent difficulties in failing to introduce spirituality in law school:

Modern constitutional doctrine puzzles and mystifies us because it postulates the existence of values which depend on a belief in an individual soul and a public spirit, while denying that such things as the soul or the spirit exist or, if they do, that they belong on the other side of the wall of separation between church and state. We must come to recognize that our quest for the elusive ideal of equality is ultimately a moral and spiritual aspiration. Constitutional law is laced with an unconscious spirituality which our legal education compels us to consciously deny while seeking to cultivate within us values such as the inherent dignity and worth of the individual, equality, fairness and justice, all of which are, in reality, substitute objects for our lost belief in the human soul.


However, despite the increased attention paid to the teaching of legal ethics, its efficacy has been questioned. See, e.g., Graham, *supra* note 1, at 29 ("Although there has been an increase in the past twenty years in the number of 'professional responsibility' courses being offered, many believe that the legal profession continues to be in the midst of a 'moral crisis.'"); Stanley M. Morris, *The View from Main Street*, 38 Cath. L. 229, 231 (1998) ("Depressingly, it seems the more ethics is being taught in schools, the more lightly ethical violations are regarded.") (footnote omitted).

In 1979, Ronald Pipkin published survey results indicating that at most American law schools the legal ethics course is ... despised by students, taught by overworked deans or underpaid adjuncts and generally disregarded by the faculty at large. Unhappily, things have not much changed in the
particular difficulties inherent in discussing spirituality with law students in a classroom or curricular context. These difficulties require attention to many thorny and difficult questions, including:

- Are there any ways in which the tradition of the academy may be adverse to the spiritual life? More specifically, are there ways in which the traditions of the legal academy might be particularly adverse to notions of the spirit?

Intervening years. Conversations with colleagues from law schools throughout the country confirm that the legal ethics course is among the most difficult to teach....


100. See Kalscheur, supra note 62, at 368 ("[T]he typical authentic conversation in the law school context will rarely be a dialogue that can be characterized as 'spiritual conversation' ... ").

101. See Lynn R. Buzzard, A Christian Law School: Images and Vision, 78 MARQ. L. REV. 267, 270 (1995) (describing "forces [that] often cause suspicion of the ... potential academic integrity of one whose life is of deep spiritual commitment"); see also Robert John Araujo, "The Harvest Is Plentiful but the Laborers Are Few": Hiring Practices and Religiously Affiliated Universities, 30 U. RICH. L. REV. 713, 718 (1996) (describing Professor Mark Tushnet as being concerned with "the incongruity between a university's efforts to maintain its religious affiliation and its quest for and maintenance of a national reputation"); Hamilton, supra note 2, at 59 ("I believe that we must give permission and encouragement for graduate students and practicing professionals to explore and connect with their spiritual tradition in performing their work. The current socialization of professionals is disintegrating in the sense it disconnects the graduate student from his or her tradition."); Henry J. Hyde, Contemporary Challenges to Catholic Lawyers, 38 CATH. LAW. 75, 78 (1998) ("[T]he secularization of American higher education over the past [75] years is one of the most astonishing transformations in our national cultural history."); id. at 79 ("At best, elite universities regard religious conviction as a curious personal intellectual fetish. At worst, religious conviction is a threat to the scholarly pursuit of truth."). But see Palmer, supra note 13, at 10 ("Teaching and learning, done well, are done not by disembodied intellects but by whole persons whose minds cannot be disconnected from feeling and spirit, from heart and soul."); Charles Suhor, Spirituality—Letting It Grow in the Classroom, EDUC. LEADERSHIP, Dec. 1998-Jan. 1999, at 12, 13 ("A growing body of empirical research also supports spiritually oriented teaching and learning ... ").

102. See Steven H. Leleiko, Love, Professional Responsibility, the Rule of Law, and Clinical Legal Education, 29 CLEV. ST. L. REV. 641, 642 (1980) ("The professional values which legal education emphasizes appear, and often are, antithetical to the motivating desires and needs of many students who focus on the 'helping' and 'loving' roles of the lawyer."); quoted in Amy D. Ronner, Some In-House Appellate Litigation Clinic's Lessons in Professional Responsibility: Musical Stories of Candor and the Sandbag, 45 AM. U. L. REV. 859, 875 n.64 (1996); Pang, supra note 10, at 244 ("The risk of sounding unctuous, irrelevant, 'squishy', or threatening may lurk for one who injects spirituality into conversation. There is even more discomfort when the subject arises in a law school."); id. at 273 n.82 (noting scholarly elaboration on particular complications inherent in introducing a spiritual component to law schools); Pearce,
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- How can spiritual matters be addressed appropriately and effectively in legal education: In class? In extra-curricular activities? During individual meetings? Through voluntary reflections in journals?103
- What are the particular difficulties that may accompany the public discussion of a subject that for many students is so inherently private?104
- How is the best way to facilitate such a discussion that respects:
  - The variety of religious traditions and faiths from which students and teachers may come?
  - The ways in which some students may already have thought about spiritual matters while others may not?
  - The strong opinions and reservations students may have about

supra note 1, at 729 (observing that “Langdell’s idealization of science continues to profoundly influence legal academia”); Thomas L. Shaffer & Robert E. Rodes, Jr., A Christian Theology for Roman Catholic Law Schools, 14 U. DAYTON L. REV. 5, 13 (1988) (“It has been the educational boast of American legal education that it displaces these marks of ordinary good character, that it produces in their place the analytical disposition we refer to as ‘thinking like a lawyer.’”); see also Howard B. Eisenberg, Mission, Marketing, and Academic Freedom in Today’s Religiously Affiliated Law Schools: An Essay, 11 REGENT U. L. REV. 1, 9 (1998-1999) (“I routinely asked graduates of religiously affiliated law schools what impact the religious nature of the institution had on their education and growth as a lawyer-scholar. Without exception, the response was ‘none.’”); David M. Smolin, Cracks in the Mirrored Prison: An Evangelical Critique of Secularist Academic and Judicial Myths Regarding the Relationship of Religion and American Politics, 29 LOY. L.A. L. REV. 1487, 1507 (1996). In the context of religion in the legal academy, Smolin notes:

... A January 1996 American Association of Law Schools ... Mini-Workshop on developments in scholarship and law over the last [10] years had a session on “Perspectives on Law” with presentations on [13] perspectives ... The failure to include law and religion as a distinct perspective on law, amongst such a long and varied list of perspectives, illustrates the failure of the legal academy to perceive religion as a significant and legitimate perspective from which to view ... .

Id. at 1507 n.43.

103. See, e.g., Hamilton, supra note 2, at 59, which states:
I ask the students to write a personal ethic or credo focused on what is their life purpose as a person and professional[...]. For most adults, spirituality and religious tradition play the central role in defining the purpose of life, the morality of the individual, and the individual’s commitment to the common good.

Id.

104. See Rex E. Lee, Today’s Religious Law School: Challenges and Opportunities, 78 MARQ. L. REV. 255, 258 (1995) (“[M]atters of faith are so deeply personal that those ... who hold them do not want to subject them to the view and possible criticism of those who do not hold such beliefs.”).
the appropriateness and relevance of discussing spiritual matters in the classroom.  

- What is the best way to achieve a common "vocabulary" for discussing spirituality among those who have not yet had the occasion to discuss it or among those who have become used to discussing it in different terms?  

- How should the religious affiliation of the law school—or the lack thereof—affect the contours of any discussion on spirituality?

105. See Firshein, supra note 15 (describing difficulty in teaching spirituality in medical schools because of student criticisms "that these [spirituality and medicine] courses 'are garbage').

106. Dean Robert Reeler is reported in the panel discussion on *Models of Successful “Religion and Lawyering” Programs* as stating:

> It is not easy to talk about faith and lawyering. There is suspicion, fear, competition, privatized views of religion, conflicting values, and misconceptions about our different religious traditions. Attention has to be given to getting people acquainted, developing a sense of trust and finding a common language.

Panel Discussion, supra note 48, at 939; Panel Discussion, *Can We Find Common Ground as Religiously Committed Lawyers*, 26 FORDHAM URB. L.J. 961, 975 (1999) ("I hope we recognize . . . how difficult interreligious dialogue [and] cooperation is. I think the truth is there is an awful lot of common ground, but we run into real vocabulary difficulties.") (quoting panelist Tim Floyd). Much the same could be said about the difficulties of a discussion about spirituality.

107. See Steven M. Barkan, *The First Conference of Religiously Affiliated Law Schools: An Overview*, 78 MARQ. L. REV. 247, 247 (1995) (noting that "approximately [35]"); accredited American law schools "claim some type of religious affiliation"); David L. Gregory, *Where to Pray? A Survey Regarding Prayer Rooms in A.B.A. Accredited, Religiously Affiliated Law Schools*, 1993 BYU L. REV. 1287, 1309 (1993) ("Fifty-two religiously affiliated law schools comprise almost one-third of the 176 law schools accredited by the American Bar Association. They are a critically important and indispensable component of contemporary legal education."). Although these authors differ on the number of religiously affiliated schools, they make a similar point—there are a significant number of religiously affiliated schools whose perspective on this issue may be unique. As was aptly noted, "there are many philosophical and substantive differences among religiously affiliated law schools." Eisenberg, supra note 102, at 1.

As the spirituality of professional life becomes more widely discussed, law schools, law students, and law teachers will find themselves grappling with these sensitive questions. The mere fact that these are difficult questions, however, does not mean that spiritual issues should be avoided in law school life. Quite the contrary. Indeed, there is a danger in avoiding such issues:

[Unless the student's spiritual foundation is allowed to grow sufficiently to deal with the harshness of life's realities, that student, as a future lawyer, may have a negative impact on herself, her future clients and society. Furthermore, even if there is no negative impact by the future lawyer or these three subgroups, the failure to allow the student to expand the religious foundation certainly misses an opportunity for much greater benefit to society that could come from a student with a solid spiritual and religious base.]

As other professional schools are discovering, there are many opportunities in professional education to explore spiritual questions.

As an initial matter, the successful integration of spiritual perspectives in law school requires a willingness on the part of law school faculty to discuss these matters with students in formal or informal settings. In the analogous context of religion, it was recently observed: "If we [i.e., law faculty] are to assist our students in internal integration, we must be willing to discuss with them their religious conviction and the role that these convictions will play in their professional lives. . . . If we are not willing to discuss religion openly, we will be poorer mentors for it." A similar observation can be made about the need for faculty members to be receptive to the inquiries their students may have about spiritual matters. Once the faculty is receptive, the interesting question becomes when and where in the law school experience spirituality might be explored.

Law school orientation programs might pose a logical point to raise questions of spirituality. Much of the focus of such introductory programs is to introduce students to the culture of law school and to the

109. See Hall, supra note 93, at 147 ("We must nurture a methodology that combines intellect, spirit, and body. I believe this goal is accomplished through a holistic model of legal education.").


111. Id. at 753 n.181. Professor Schlitz goes on to note that "few law professors are willing to put religion on the table." Id.; see Pang, supra note 10, at 278 ("[P]rofessors need to assume some responsibility for maintaining the human and the humane in our beings . . . . [O]ur experiences as lawyers and law teachers engender a special understanding and appreciation for a law student’s journey.") (footnotes omitted).
ways in which their lives may change as a result of entering law school and pursuing a life in law. In many ways, this is the perfect time to flag for students the possibility that there may be spiritual dimensions to their transformation from student to lawyer that they may have not foreseen. Raising such an issue early on may help students recognize that such concerns—while not often discussed—are a legitimate part of their education as lawyers and their development as adults. In a profession that prides itself on its logical rationality, students may come to feel as though spirituality has no place in their education and is, at best, an “extra-curricular” personal pursuit to be divorced from their professional life. Letting students know early on that spirituality is valued can go a long way in countering the notion that spiritual life and professional life should not be mixed.

In addition, professional ethics classes are a place in which spiritual issues might be appropriately addressed. As discussed earlier, professional ethics and spirituality are not synonymous. Thus, intertwining a discussion of them invites the unfortunate danger of blurring the important distinctions between them. However, as students begin to study professional ethics, they face profound questions about the morality of the profession and the roles they are called to play. They are also confronted with the pressing and troubling questions concerning potential differences between their personal beliefs—which may be rooted in spirituality—and the beliefs incorporated in their professional ethical codes. To the extent that these are disconnected, spiritual difficulties may surface for the first time. Additionally, in such classes, students may be likely to observe the limited nature of the profession’s ethical rules and question whether there might be something deeper and more pervasive to guide their conduct and practice. As this happens, it is particularly important for law schools to offer an opportunity to explore these issues and to allow consideration of them.

Outside the realm of the traditional classroom, there are also many opportunities to foster discussion of spiritual issues among students interested in the spiritual dimensions of their legal careers. For example,

112. In a similar vein, Patrick Schlitz declares:
Most of our students will encounter strong pressure to develop one set of ethics for work and another for home. We can anticipate this pressure and help our students to resist it if, as we introduce them to their new life in the law, we also challenge them to bring along their personal values.
Schlitz, supra note 1, at 785-86 (emphasis added).

113. For an additional view, see Pang, supra note 10, at 269-270 (“While the law school culture may allow and even encourage students to . . . pursue the spiritual in their private lives, it fails to acknowledge spirituality in a formal institutional way, and this failure contributes in part to the perception that our activities . . . [lack] the stuff of life.”) (footnotes omitted).
a panel discussion or series of discussions on “holistic lawyering” might be very helpful to students trying to learn how the spiritual lives of their clients might often require attention, just as doctors might be taught that the spiritual life of a patient is an important factor in effective diagnosis and treatment. This aspect of client needs may not often have been considered, and a law school may provide valuable service by beginning such a discussion.

A dialog among those exploring spiritual issues in other professions can also be a valuable way to foster an interdisciplinary discussion of the spiritual challenges that face thoughtful practitioners in a variety of fields. Although there is much that makes the legal profession unique, lawyers share many of the same spiritual challenges as their counterparts in other professions. Exploring how those in other areas grapple with such questions can be a fruitful way to gain new insights into the spirituality of lawyering. In the analogous context of growth in virtue, it has been noted:

As future or existing members of the legal profession, each law student and teacher can profit from the experience members of other professions have had in situating both rules and virtue within their respective professions. Members of the medical profession have addressed how virtues and virtue-based approaches to professional issues can contribute to the betterment of health providers, patients, and society at large.

The formation of a discussion group composed of law school faculty, staff, and students with spiritual interests provides yet another forum for spiritual development. At the very least, the presence of such a group acknowledges that spirituality has importance and legitimacy. Hopefully, a group like this can also be the forum for some substantive exploration of spiritual questions and experiences. Readings in the spirituality of work and the nature of spirituality in varied religious traditions can form a valuable part of such a group’s activities. It might also lead to a unique bond of fellowship that may later nurture the members of the group in their potentially lonely pursuit of a spiritual life once they leave law school.

114. See supra notes 15-17 and accompanying text (reviewing increased emphasis on spirituality in the medical profession).
115. See supra notes 44-60 and accompanying text.
116. Araujo, supra note 6, at 117 (emphasis omitted).
117. See Panel Discussion, supra note 48, at 925 (“Lawyers facing this crisis of meaning need to realize that they are not alone, that other members of the profession are dealing with the same issues and concerns.”) (quoting panelist Joseph Allegretti);
A religiously affiliated law school may have a special contribution to furthering the presence of spirituality in law school. Indeed, such schools have a particular obligation to do so. It is a uniquely appropriate role for religiously affiliated law schools to assist in "the integration of the intellectual life and the spiritual life" and to provide a "spiritually cordial atmosphere." The spiritual traditions of the sponsoring Church may provide a helpful starting point for discussions of spiritual traditions, as well as the vast similarities and striking similarities in the spirituality experiences by those from very different backgrounds.

Finally, students may benefit from clinical experience that provides the opportunity to integrate spiritual perspectives into their lives as future lawyers. It is in the clinic that the world of student and the world of lawyer converge. In this place of delicate rendezvous, spirituality may seek and find a home.

Focusing first on the inward, it may be in the clinic that students have their first opportunity to be reflective and to think about the type of lawyer they are becoming and the style in which they wish to serve as professionals. In a clinic with an emphasis on self-assessment, students may discover through writing, reading, or reflection that they are troubled by, frightened about, disillusioned with, or concerned with the way they view themselves as future lawyers. Conversely, they may be awakened for the first time to the potential that they have to make a valuable contribution to the profession that waits to welcome them and

Schlitz, supra note 1, at 733 ("Everyone has had the experience of 'discovering' a belief or the depth of a belief only after a long talk—or a series of talks—with a trusted friend.").

118. Barkan, supra note 107, at 250; see id. at 250-52 (summarizing views of symposium participants).

119. Id. at 251; see Michael J. Naughton & Thomas A. Bausch, The Integrity of a Catholic Management Education, CAL. MGMT. REV., Summer 1996, at 118, 124 ("If a Catholic university does not provide ways to address questions of faith and work, it becomes deficient in its mission by failing to contribute theological and spiritual insights for an increasingly secular world."); Pang, supra note 10, at 269-70 n.71 (describing particular spiritual responsibilities of religiously affiliated law schools).

120. Again, this Essay refers readers to Pang, supra note 10, at 260-68, for its strong advocacy of the law school clinic as a "particularly good place to begin normalizing spirituality and spiritual perspectives . . . ." Id. at 261. Professor Pang provides narrative examples of how this may happen particularly well in the context of an elder law clinic. See id. at 260-69.

their talent.\textsuperscript{122}

Such reflection on these deeply personal questions may offer students their first opportunity to consider spiritual perspectives in an applied practice.\textsuperscript{123} A clinical educator may respond to this increased attention by discussing it explicitly in class, encouraging exploration of it in journals, demonstrating a willingness to talk about it privately, or adopting another way to assist students. This will, naturally, vary greatly, and may be handled well in several different styles.

The outward-looking aspect of spirituality also contributes to the suitability of a clinical setting for planned or unplanned student attention to spirituality. In the clinical setting students come face-to-face with the humanity of law practice. As aptly observed, “respect for the divine image in every single human being—no matter how obnoxious, untalented, or unattractive that person may be—that is a spiritual value.”\textsuperscript{124} Whether they are facing an individual client needing assistance or a broad question of social justice, a clinic may be many students’ first encounter with the human faces behind the previously abstract notion of “practicing law.”\textsuperscript{125} It is there that many students

\textsuperscript{122} See Pang, supra note 10, at 246-47 (“The clinically-induced transformation of law student into lawyer... should give students cause to think about who they are... While some students emerge from the clinical experience with a renewal of spirit and purpose, others undergo a crisis in spirit...”).

\textsuperscript{123} Indeed, with the emphasis in many clinical courses on “reflective lawyering,” this may be the first real opportunity students have to consider a number of professional issues not limited to spirituality, but construed broadly to include other weighty issues that students find difficult to address in other contexts. See Jane Harris Aiken, \textit{Striving to Teach “Justice, Fairness, and Morality,”} 4 CLINICAL L. REV. 1, 9 (1997) (“Rarely do our students have the opportunity to discuss what kind of lawyer they want to be, what norms should control their behavior, and how they should relate to clients, adversaries, judges, support personnel, and other third parties.”); Graham, supra note 1, at 8-9 (“[C]linical education—to the extent that it is truly committed to both learning from experience and promoting the practice of critical reflection—offers a rich opportunity for students to reestablish and redefine the values of the profession.”). For further comments on the value of such self reflection, see Araujo, supra note 6, at 117 (“When wisdom permeates our consciousness, our knowledge of ourselves becomes more secure and more certain. When our self-knowledge grows, the vision of who we want to be, both as individuals and as members of communities, will progress more clearly.”).


\textsuperscript{125} At the risk of stating the obvious, the clinical setting will take many forms depending upon the clinical programs the law school chooses to offer. For an overview of the significant and numerous distinctions among law school clinical programs, see generally Anthony G. Amsterdam, \textit{Clinical Legal Education—A 21st Century Perspective,} 34 J. LEGAL EDUC. 612 (1984); Nina W. Tarr, \textit{Current Issues in Clinical Legal Education,} 37 HOW. L.J. 31 (1993).
come face-to-face with "the other" for the first time, and there that they may observe human suffering and their ability or inability to use their legal training to relieve it. Particularly when providing legal services to the poor and otherwise unrepresented, "the legal services network becomes a rich environment for exploring the issues of the connectedness to spirituality and faith development.

Clinics are also the place where students are expected to make independent judgments that will have a real impact on real people.

126. See Allegretti, supra note 9, at 39 ("Clients usually come to lawyers because of some serious problem they are encountering. They are confused and troubled."); Ells, supra note 81, at 512 ("Those who seek out lawyers are usually troubled in some serious way: some clients are in pain, others grieve, and still others experience intense anger or rage at the harm or wrong that has befallen them. Lawyers, like physicians, deal with human suffering . . .").

Lawyers are faced daily with the most important problems in people's lives: the weakness of a marriage, the potential loss of a child, the challenge of a serious accident, the threat of imprisonment or death, the vulnerability of a business, the loss of a job, the protection of a home, the provision for one's future, the challenge to one's rights.

Lee, supra note 80, at 1458-59; see Rhode, Institutionalizing, supra note 38, at 735 ("Clinics and pro bono programs provide some of the only opportunities for many students to encounter the legal world inhabited by the have-nots and to cope with ethical issues . . ."); see also Tom H. Matheny, My Faith and My Law, 27 Tex. Tech L. Rev. 1211 (1996). Matheny writes that

we have to be concerned about our clients and we have to hurt with them when they are hurt and hurt with them if we lose in court.

Clients have frailties. They get sick. They have personal problems, and they die. And if you are to be a good lawyer . . . you have to be involved in their lives.

Id. at 1218; Alan W. Perry, Javert or Bebb?, 27 Tex. Tech L. Rev. 1271, 1283 (1996) ("Litigated disputes involve not only issues of fact and law but also frightened, hurting, and fallible people . . ."); Thomas M. Reavley, My Faith and My Work, 27 Tex. Tech L. Rev. 1295, 1298 (1996) ("Few people are needed so much as lawyers are. . . People need representation, advice, and healing. Controversies cry out for thoughtful and fair compromise."). McCauliff and Franzese write:

[L]awyers, professionals though we are, are first of all human beings and we must relate to our clients as people first. We too, like them, have a spiritual hunger. To be excellent and contented lawyers, we need to look beyond the law. We can only replenish ourselves for our everyday professional work by recognizing and nourishing that spiritual part of our nature.


127. Cromartie, supra note 2, at 1064.

128. See Graham, supra note 1, at 37 ("[S]ince the clinical method requires 'choice and judgment' about real cases, it is concerned with legal ethics in ways not possible in the traditional classroom setting."); Myers, supra note 7, at 836 ("[I]t is not until students actually experience the reality of practice that they begin to internalize and make their own moral and ethical judgments that are at the core of practice."); see also Green, supra note 55, at 28 ("[A] lawyer's moral and spiritual traditions properly play an important role in the lawyer's making of all significant decisions or choices.") (quoting Conference on the Relevance of Religion to a Lawyer's Work, Working Group on Deciding Whether to Represent a Client, Draft Agenda (1997)); Naughton & Bausch, supra note 119 ("A
The responsibility of handling a needy "other" with compassion, dignity, and generosity may, for many, trigger contemplation of the spiritual life as they provide legal services for the first time. Indeed, because it is in clinics where much of the abstract becomes concrete for the first time, professional responsibility is often taught in clinical courses. This is

dialogue between faith and work deepens and widens the criteria of judgment.

129. The notion of being a legal services provider for the poor, and the spiritual elements involved in such an undertaking, are described quite extensively by Cromartie: [T]he vocation of legal services worker was, for me, a deeply spiritual calling . . . . I was increasingly aware of and fascinated by the persistence and dominance of the themes of spirituality, faith commitment and vocation within the people who work within the legal services community—even among people who had seemingly rejected their religious roots . . . .

Cromartie, supra note 2, at 1061.

130. For discussion of the theory and practice of ethics in clinical programs, see generally David R. Barnhizer, The Clinical Method of Legal Instruction: Its Theory and Implementation, 30 J. LEGAL EDUC. 67, 71-72 (1979) (discussing practical aspects of ethics training in clinical courses); Lester Brickman, Contributions of Clinical Programs to Training for Professionalism, 4 CONN. L. REV. 437 (1971-72) (discussing the ability of clinical courses to provide training in professional responsibility); Steven Hartwell, Moral Development, Ethical Conduct, and Clinical Education, 35 N.Y.L. SCH. L. REV. 131 (1998) (discussing use of clinical programs for education in legal ethics); Hartwell, supra note 128, at 505 (arguing that ethics is best taught through experiential clinical learning); Leleiko, supra note 102 (describing benefits of using clinical courses for professional responsibility training); Lisa G. Lerman, Teaching Moral Perception and Moral Judgment in Legal Ethics Courses: A Dialogue About Goals, 39 WM. & MARY L. REV. 109 (1996) (discussing difficult pedagogical questions involved in assisting clinic students in making professional responsibility decisions); Ronner, supra note 102, at 874 ("A clinic lends itself to the training of professional responsibility because it is elastic: it brings all kinds of experiences to the students that inevitably force them to explore their own judgments and
also the place where law students are introduced to many of the realities of professional life, including such diverse experiences as: responding to the needs and expectations of clients; collaborating with other professionals; managing time; handling supervisors’ diverse styles; and juggling the potentially conflicting demands of different supervisors. As law students try to integrate these aspects of the lawyer’s life into their own, it is logical that the challenge of integrating a spiritual life will also arise for some. Thus, to the extent they can, clinical programs should strive to be receptive to spiritual development.

V. CONCLUSION

Where, then, does this Essay lead? It ends not with a definitive lexicon for discussing spirituality, nor with a theologian’s perspective on the nature of the spiritual life and its manifestation in human affairs and human work. It provides neither a syllabus for integrating spirituality into the law school experience nor, even, the claim that there are any clear-cut pedagogical ways to do so. There are many questions raised in this Essay, and the conclusion to this Essay does not furnish answers.

Instead, this Essay ends with an invitation to all those privileged to help shape the lives of future lawyers. This is a simple invitation to look and listen for the ways in which glancing inward or peering outward inspires students to enter practice equipped with more than thoughtful theories, wise words, powerful prose, and stirring speech. As


131. See Graham, supra note 1, at 36-37 (“[S]tudents [in clinics] act in the role of attorneys rather than as mere observers of the legal system or participants in abstract discussions.”).

132. For an interesting perspective on time management, see DROEL, supra note 22, at 41 (explaining ways in which “virtues of time management are also part of the spirituality of work”).

133. See also Ronner, supra note 102, at 875:

What emerges in the clinical context is an incipient integration of the students’ identities as lawyers with their identities as human beings. They come to feel and even articulate that the ethical and moral dilemmas they face while in their ‘legal’ personae have a meaningful nexus to . . . their lives as people.

Id. (footnote omitted).

134. However, the questions in and of themselves have true value. See Pang, supra note 10, at 313 (“[I]n spiritual matters, it is not the answers that are important. It is the asking of meaningful questions and the journey to find pieces of the answer that are more akin to the spiritual.”).
tomorrow’s lawyers seek to animate their vocations with a lively spirit, those who work with them have a standing invitation to join them as they consider how to best enrich the spirit of a profession too often accused of being “poor.”

135. *See supra* note 90 and accompanying text.