

Is a "spiritual trial lawyer" an oxymoron?

By J. Gary Gwilliam



Gwilliam

Is a "spiritual trial lawyer" an oxymoron? Many people never think of a trial lawyer in those terms. Trial lawyers are courtroom fighters, and the courtroom is a long way from a spiritual place. Many of us trial lawyers may agree with this sentiment. We become enmeshed in our work and lose touch with whatever spiritual side we may have.

I have a deep understanding of the conflictual nature of our work. We are constantly fighting to take something away from someone else; we are zealously advocating for our clients; and, we do trials. Even the word "trial" connotes difficulty, struggle and conflict. Yet we all have lives outside the law. Unfortunately for many of us, that life is limited and certainly doesn't involve spiritual work.

What comes first?

We are human beings first and trial lawyers second. I believe all humans desire to know the answers to the big questions. Is there a God? What is it? What is the purpose of our lives? What happens when we die? Have we lived before and will we live again? These and many other questions have baffled philosophers, religious leaders and, in fact, anyone who has given thought to who we are and what our lives are about. I believe most of us want to have a connection to something greater in our lives. We can call it God, the Universe or a Higher Power. Whether through religious teachings or individual spiritual work, we try to find this connection.

The most fundamental religious and spiritual principals are universal. Love thy neighbor and fellow man. Do not kill. Be honest. Do not steal. Live The Golden Rule: Treat others as you want to be treated. Be tolerant of those who are different from us. These principles are true whether we are dealing with Western or Eastern religions and, in fact, are embodied within our Constitution and our laws.

Finding unconditional love in the courtroom

The most fundamental principle of loving our neighbors and fellow humans seems oddly in conflict with being a zealous, tough trial lawyer. Is it possible to really love a defense attorney or adjuster who is lying to us and slandering our client? Can you love someone who cares nothing about justice and fairness – those principles so embodied in our trial lawyers' souls? When we deal with prejudice of judges who make wrong and unfair rulings we become angry, frustrated and filled with righteous indignation. How can these feelings be squared with "love they enemy" (our adversary)? Can we really practice spiritual principles in our day to day work?

In my book (see bio below), there is a chapter entitled *Unconditional Love in the Courtroom*. It is a humorous discussion of a courtroom interchange that illustrates how truly difficult it is to bring spiritual principles into a hard fought trial. The balance between trying to be in touch with our spiritual principles and yet being a tough trial lawyer is a difficult one for me, as it likely is for you. How do I cope?

First, I try to remember a very wise saying: "Anger only eats a hole in your stomach." Allowing ourselves to be filled with anger for anyone in our profession, whether they be lawyers, judges, insurance adjusters or clients, does us no good. We need to change our attitudes about our opponents. Rather than hating them for their prejudice and unfairness, we should think of them not as dangerous adult opponents, but instead as children who know no better.

In fact, many of the unpleasant people we deal with in our profession are, in fact, immature adults who are acting out as children. Would we get angry at three-year-olds if they had a temper tantrum and called us names? What if we think of our opponents as children who are blowing off steam because they know no better rather than as mature adults who are maliciously causing us and our clients harm? Give it a try some time. Visualize your opponent in diapers having a childish temper tantrum. As you suppress a smile, that lawyer will become much less threatening and cause you less anger and frustration.

Who scores a knockout?

Another way to change perspective on our profession is to avoid thinking of our work as battles, fights or boxing matches. For many years I analogized my work to boxing: *Mano a mano.* (There were few women trial lawyers in those days, but let's not go down that road again.) Who is going to get knocked out? Or, will we fight to a draw? Being in battle mode all the time added to my stress and, as I discussed in my book, that led to alcohol as a way to reduce the stress, which led to alcoholism.

What if we think of our work more as an artistic effort than a fight. Instead of a boxing ring, analogize trial work to a stage play and view ourselves as producers, directors, and actors on a stage, rather than participants in a fight to the death. Lawyers as artists? Perhaps another oxymoron, but for many of us it works.

Being aware of and maintaining our connection to a higher power – being spiritual – is more than just dealing with the stress of our work. It is fundamental to our life's purpose. We must do all we can to search out the purpose of our lives within the confines of our difficult and often adversarial work. And what is that purpose? My own purpose is to grow and be the best human being and spiritual being that I can; taking the time to search out the answers to fundamental life questions, whether through reading and intellect, through religion or through such practices as meditation.

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When our days are done, we won't be measured by how many cases we won, how many battles we fought or how many clients we served. We will be judged by our spiritual and human growth throughout our life.

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