

Report on the October 2001 Contemplative Law Retreat at Race Brook Lodge

by Heidi Norton

"The retreat was a life changing experience. . . . I sit every day now. I try to incorporate mindfulness into my daily life. I am excited and grateful that I stumbled upon a philosophy and practice that I not only believe in intellectually, but that I can see is having an effect on the way I interact with the physical world and the way I experience being. These have been small steps, but incredibly important ones for me."

"I recently had left a group and "spiritual" teacher who in subtle and overt ways denigrated work as an attorney. So, it was affirming, relieving, and heartening to be with a group of attorneys who see that value can flow through a person's work to society where that work is done mindfully."

1. INTRODUCTION

This year's Contemplative Law Retreat, the fifth of its kind, was held October 18 - 22 at a new site, the Race Brook Lodge in Sheffield, Massachusetts. The retreat integrated a mix of participants, including first-, second- and third-year law students and law fellows from Yale, Columbia and Boalt Hall, as well as law professors and administrators, practicing attorneys, staff from the Center for Contemplative Mind in Society, and others. The majority of participants already engaged in some form of contemplative practice, and several were returning from one or more of our previous law retreats. All but two members of the law steering committee, Paul Ginter and Bo Burt, were able to attend.

Joseph Goldstein, Grove Burnett, and a new teacher, Lloyd Burton, taught meditation, gave nightly dharma talks, and met individually with participants to answer questions about contemplative practice. Sunanda Markus provided yoga instruction and directed the well-attended morning yoga sessions. Charlie Halpern also led a morning workshop on Qi Gong techniques. Jack Himmelstein, Harlon Dalton, Charlie Halpern and Mirabai Bush facilitated group inquiry sessions, and all Steering Committee members participated in the overall direction and leadership of the retreat.

As at previous retreats, a day of silence was observed by all participants. In response to feedback from prior years, the silence began at 4:30 p.m. on the first full day of retreat, and continued through lunch and early-afternoon meditation the following day. Meals were varied to achieve a balance with silent dining at some, conversation at others. The rest of the program combined sitting and walking meditation, yoga and Qi Gong, and group inquiry sessions, with periods of less-structured relaxation, group walking, and socializing.

The group inquiry sessions at this retreat were shaped by a combination of Steering Committee conferencing and the work of a smaller subcommittee of Jack, Mirabai, Charlie and Harlon. The subcommittee developed ways to integrate discussions of current world events with the inner life, and to explore their connection with the practice of law. By design, the direction of the sessions was allowed to unfold throughout the retreat, within the framework developed by the subcommittee, in response to the unusual and potentially volatile needs and direction of the group during this turbulent time.

2. LAW PROGRAM GOALS

The premise of the Law Program is that a contemplative awareness among law professionals fosters qualities and capacities that lead to more humane behavior, greater professional satisfaction, and an interest in engaging questions of ethics and values. The reflective lawyer becomes a more balanced, attentive, focused and effective advocate. Innovation and creativity may increase. The practitioner is disengaged from ingrained models of adversarial aggression or self-motivation, and is able to address problems responsively rather than reflexively. The cultivation of compassion and empathy encourages more effective and satisfying relationships with clients and other law professionals.

Contemplative awareness needs cultivation. Retreats give only the first experience or glimpse, an experience that we hope will be profound enough to encourage participants to continue practicing, from which this new awareness will gradually develop.

3. PARTICIPANTS

This year's retreat hosted 45 participants from a diverse cross-section of the profession nationally. Fourteen law students attended, representing Yale, Columbia, and Boalt Hall. Law School professors and staff attended from Yale, Columbia, SUNY Buffalo Law School, University of Miami School of Law, Touro Law School, CUNY School of Law, and the Graduate School of Public Affairs, University of Colorado at Denver. Finally, attorneys from a broad spectrum of practices participated in the retreat, including the firms of Hale & Dorr in Boston, Morrison & Foerster in San Francisco, the United States Supreme Court, the Oregon Department of Justice, a Public Defender's office, public interest firms and organizations, and other small, private firms.

4. MIXED RETREATS

This cross-cultural aspect of the retreat brought many opportunities for insight and reflection among the participants, and proved both socially engaging and broadening in all directions. For example, newcomers to contemplative practices, as well as to the practice of law, gained insight from the perspective of a retired senior partner at a major firm, when he reflected on the ways in which his law practice, as well as his personal sense of balance, might have been different if he'd attended a contemplative law retreat at the start of his career. Established lawyers and law students alike drew inspiration from the experiences of practitioners who work daily to integrate their meditative and professional lives. And all participants familiar with law school culture could empathize with the distress of certain third year law students, who had at one time belittled the need for a contemplative law retreat, but who now realized with great distress how alienated they had become from their former selves - out of touch with the feelings and activities which used to nourish them.

From the post-retreat evaluations, it was clear that the element of exposure to and opportunity to socialize with other practitioners at different stages of personal and professional development was invaluable to many participants:

In my weekly Zen group, there is little opportunity to talk about our work and our lives off the cushion. The chance to bring those elements together was, for me, the best part of the retreat.

Having the opportunity for both quiet space and for discussion with a wide array of legal professionals was extremely valuable for me.

I guess the most valuable thing I took from the retreat was my encounters with people who were either living a life of awareness, or struggling to . . . so that whenever I sit on the cushion, I can keep those people in mind, if not as a "goal," exactly, then at least as concrete examples.

[I found most useful the] example of long-time practitioners like Steven, Grove, and others. I don't see them as heroes, but as lawyers who have successfully maintained a spiritual practice and found it a source of strength, not something that takes away from other parts of their lives.

There are other retreats one can attend for meditation practice, but what is so special about this is the chance to meet others in the legal practice who are willing to examine their work and their lives in a space of open, honest reflection.

5. GROUP INQUIRY

The discussion component of this year's retreat was renamed "group inquiry", to reflect the organic and questioning nature of our discussion time together, and to gently distinguish it from more pedagogical forms of conversation in which lawyers, law students, and professors typically (and sometimes reflexively) engage.

The topics of the group inquiry sessions evolved more organically than in previous retreats, by design. In the first session, the group was encouraged to reflect on personal experiences of recent world events, and to consider ways in which the thoughts or emotions surrounding these experiences had contributed to a personal sense of inclusion and exclusion. From there, group inquiry over the next few days touched upon such wide-ranging themes as connecting in a professional way with colleagues about personal pain; observing and responding to declines in physical or emotional health caused by stress; characteristics associated with lawyering, and whether one has to become a certain type of person to be an effective lawyer; integrating the practice of metta or lovingkindness into a legal setting; and working with feelings of exclusion or intimidation when interacting with others perceived to be more powerful.

6. POST-RETREAT EVALUATIONS

As expressed in the closing circle, the post-retreat evaluations illustrate that participants left excited about a new or strengthened set of tools with which to return to their professional lives:

I can't believe the tremendous growth I have experienced just in the 2 weeks since the retreat. I had no idea during the retreat that such a profound shift was being put in motion. . . I have been meditating every day since my return and it is reminding me about what I know to be true - that daily meditation is key to staying calm, focused and balanced during our busy days and is the path toward understanding. . . I feel great and am so much more mindful and so much more able to respond rather than react to external challenges.

This was a surprisingly refreshing experience. In contrast to last year, I think I was able to experience a very wide range of mind-states and open to them. . . I've found myself since then able to open much more clearly to all of my actual feelings. So, for instance, as I meditated, I realized that one feeling I have when students seem unprepared is that they do not respect me, that they take me for granted, or want to take advantage of me.

The exposure to others who practice mindfulness within the context of the legal profession is invaluable. The immediate impact of the retreat itself certainly includes a stronger sense of

groundedness and perspective. An approach to life that is more based in intention rather than momentum.

I never knew how much my mind wandered from idea to idea until I sat and saw the train take off. ... The retreat made me more sensitive to the hazards that I might be facing going into practice, and gave me some tools that I hope will help me both make good decisions and manage the day-to-day difficulties that seem almost second nature.

I felt I learned a great deal, although not in a way that is easily summarized. My best attempt at a summary is to say that I left feeling like I had a new tool for self-consciousness and against self-deception.