

History of the CUNY Contemplative Urban Law Program-(CULP)

Leadership, Social Justice and Contemplative Practice

Mission:

Our mission is to continue to support the Contemplative Urban Lawyering Program which focuses on leadership development and contemplative practice in a social justice context. There are many very good programs in colleges and universities that experiment with a variety of meditation techniques to enhance the lives, and in some cases the learning potential of their students. Some are even finding their way into law schools and over the last ten years there has been an exponential increase in scientific study on the effects and benefits of meditation. Those results are now generally accepted and have resulted in articles in popular journals and have even graced the covers of Newsweek, Time and National Geographic magazine. So what is different about a program that is already gaining general acceptability in our culture? The answer for us at CUNY is that we represent a unique and cutting edge merger between an extension of meditative practice called “engaged practice” and social justice work.

Meditation practice is generally regarded as one of the many “self help” practices that have emerged from what is loosely described as the “new age movement.” While much has been written about our generation that has had the luxury to pursue, and sometimes overindulge in these activities, most meditation programs focus on the individual and on the assumption that any measure of individual self improvement, no matter how loosely defined, is positive in a broader social sense. These movements tend to assiduously avoid making any specific suggestions about what the individual should do on their newly improved path of life, or what the broader social good should be. A Wall street investment banker or a stock trader is seen as benefiting from meditation practice simply because it reduces the stress in their work--the same as if the practice was carried out by a teacher, police officer. While we agree with the individual benefits associated with meditation, our goal is different. We believe that by teaching meditation as an engaged practice, meaning actively applied to our lives, that we will better equip our students to practice law on behalf of society’s most needy and better fulfill the mission of the school—“law in the service of *human* needs.”

CUNY has developed of a series of training programs and a course that moves law students and young lawyers from the point of self improvement to the path of social commitment. This practice is based on theories of teaching engaged mindfulness developed by Vietnamese Zen Master Thich Nhat Hanh who spoke about those that are living their lives in the hottest part of the fire of life, which he referred to as the *blue flame*. The students of CUNY School of Law are choosing to serve and touch the lives of many peoples who are living in that *blue flame*, by working in some of the most complex, chaotic, painful, difficult circumstances as attorneys committed to social justice. Not only do they feel the *heat* of the flame from serving their clients, but many of our students come from the same or similar circumstances and are choosing to commit their lives to helping transform the suffering they know personally, and to go back into the *flame* as a

career commitment. Few can doubt that today's political climate has turned much of the terrain of public interest practice in to that blue flame

Another important dimension of this curriculum is that CUNY is the leading law school in the country as far as graduates pursuing public interest careers. The students comprise one of the most diverse student bodies as well. (40% students of color, 60% women in the 1L class) The Law School also resides in what some call the most diverse county in the world, Queens County in New York City where we annually serve over 1,000 mostly low income clients through our law school clinics. Our clinic students work with and draw from New York's world communities and a number of our students in the contemplative program are students of color. For a variety of reasons many contemplative programs don't reach communities of color and most programs don't devote the majority of their efforts to truly practice engagement in the chaotic and harsh realities of particularly underserved areas. This makes CUNY a special and wonderful environment to explore contemplative practice, leadership training and its impact on the study and practice of social justice through law.

Over the past two years we have been offering a mini course in CUNY's cross cultural clinic on *Developing Your Inner Credentials: Contemplative Practice for Social Justice Lawyers*. In this program, which has been offered over a three month period, we focus on the application of contemplative practice skills in our inner life and our professional work. We have included a brief meditation practice with each class as well as group dialogue on ways that we have engaged our practice and discussions of how we are learning about emerging models of justice and the law that need further integration into our contemplative work.

The overall focus of the course is to help clinic students apply contemplative practice to their work in their clinic assignment with real clients so that these skills, as with other practice skills, can be transferred to their life in practice. We draw on the skills, experience and background of the faculty, all of whom have long standing personal contemplative practices which they have used in their work in the field of social justice.

This course includes work on:

- Experiential learning techniques, including role plays
- Contemplative practice readings
- Personal development and lawyering skills development
- Group work (dialogue, teaching and contemplative class practice)
- Individual mentoring sessions with the faculty and a group retreat
- Personal practice through journaling
- Guest speakers and panel presentations
- Video and audio tape teachings and documentaries
- Regular review of the impact of the class teaching on student clinical work
- Exercise for stress reduction
- Mindfulness practice
- Opportunity to take our yoga class

- Quaker listening practice
- Practice with deep listening
- Non violent communication training
- Community building strategies
- Therapeutic presence work

Law in the Service of Human Needs: Social Justice and Contemplative Practice

Twenty-three years ago the CUNY School of Law was founded with the express mission to train public interest lawyers for average people in need and we committed to teach the skills needed to put legal theory into practice. That mandate also gave us the opportunity to think broadly about needed changes in legal education and incorporate some of those ideas into how our program was taught and how the law school was organized as a holistic learning environment.

Many of our students are attracted by our motto “law in the service of human needs” and over the last twenty years, the school has managed to retain this core value of training lawyers for public service and justice seeking. The contemplative program is one among several efforts at the law school that focuses on the original vision of the School’s Founders and keeps it alive and relevant in an updated form, designed to respond to today’s challenges.

Our adversarial justice system, which our students are trained to engage, is currently a source of great violence and rupture for people attempting to resolve conflict within that structure. It is clear that new opportunities for justice seeking must be explored. Whether divorce, personal injury, facing social injustice or criminal prosecution, the experience of many within our legal system does not create healing, reconciliation, understanding, forgiveness and love for those it serves. Neither does it support those traits in those who work within it, a fact that contributes to the unhappiness and alienation of so many lawyers. We all lose because of this, especially when legal education primarily exposes students to these shortcomings with little if any support for a new vision of working in the law. The contemplative program at CUNY School of Law is a vehicle to support a different vision to continue the path intended by the Law School founders to pursue “law in the service of human needs.” Moreover, today we are aware that for our graduates to achieve peace and justice through their work, they must have the tools to develop these qualities in themselves.

CUNY began its Contemplative Practices Program in 2001, literally on the eve of 9/11. This effort came from a growing recognition among activist law students that the pressures that they face in law school would only magnify upon graduation. They also saw that where an earlier generation of students had been guided and nurtured by social ideology as well as idealism, that a future generation would need a stronger internal compass, including the ability to address the needs of the human spirit in themselves, their clients and even their adversaries.

Our law school through many of its programs seeks to foster community throughout the institution in which CULP is a part. This is not only part of our heritage, but central to contemplative practice in general. Indeed, the full range of services that the law school employs to humanize the legal education experience is based on our commitment to encourage communitarian values in all areas of the law school environment.

The contemplative program at CUNY offers a refuge for students barraged by the challenges and difficulties of law school. It encourages them to see themselves and their potential in a safe supportive environment and to point toward that fuller potential that encompasses, but goes beyond typical classroom learning. We offer contemplative classes to students, faculty and staff, including cleaning staff, secretaries and janitors who are rarely included in most university sponsored activities. Students and lawyers need to be able to rediscover and nurture that core sense of justice that inspired many of them to enter the law so that they may continue that work after graduation. While this message is given voice in the classroom, external messages and inspiration can only go so far. Without some institutional recognition and reinforcement of our inner core it is very difficult to truly resonate peace and justice in the way we conduct our lives and practice our profession on a daily basis.

Our Progress to Date:

Students and faculty have recently reached out to the broader community of Contemplative Practice through contacts with the Contemplative Mind in Society, Renaissance Lawyers, the India Vision Foundation and Spirit Law Politics. Last year our students sponsored a talk by Dr. Kiran Bedi who spearheaded the use of meditation in prisons and police training in India and captured this major reform effort with a film presentation. CUNY later co-sponsored a presentation of this event at the United Nations and began discussions with the John Jay Collage of Criminal Justice to explore research possibilities in the field of meditation, police training and prison reform. Faculty, students and staff are continuing to integrate mindfulness practices into their course work in meaningful ways by beginning classes with breathing or music.

Our weekly meditation sessions are open to all and have attracted particular interest from our first year students. Our Yoga instructor offers weekly classes to our entire law school community and is supported through a small grant from the Balm Foundation.

Of course contemplative lawyering is not a panacea for all the many issues facing public interest students or lawyers. But it can become an important model to empower a new generation of law students and lawyers to engage themselves, their world and their profession in a vastly different way from the mainstream trend in legal education. We believe that developing this trend is critical in this period. Learning to cultivate the capacities of mind that are found in meditation and similar practices can be integrated into the law school and afford a law student, or lawyer and create a broader underpinning for the complex professional demands they are encountering as they begin their careers.

Methods and Plans for the Future:

All third year students at CUNY take a clinical class from the various practice areas that we offer. They include a Battered Women's Rights, Criminal Defense, Elder Law, Immigrant and Refugee Rights, International Women's Human Rights and Mediation. We also have two concentrations, Equality (Civil Rights) and Health Law.

Recently the clinical faculty expanded these offerings by adding a cross-clinic elective focused on contemplative skills called *Developing Your Inner Credentials: Contemplative Practice for Social Justice Lawyers*. This seminar meets four times a semester. It focuses on the application of contemplative practice skills in both our inner life and professional work. It has included a brief meditation practice with each class as well as group dialogue on ways that we have engaged our practice, both our successes and our shortcomings. These contemplative “rounds” are able to integrate traditional case discussion methods familiar to most clinical students, but add a specific focus on the integration of inner self-development with that work. We also explore emerging models of justice and the laws that need further integration into our contemplative work, including issues of race, gender, sexuality and class which are often left out of contemplative dialogue.

The overall focus of the course is to help clinic students apply contemplative practice to their work in their clinic assignment with real clients so that these skills can be more readily transferred to their life in practice. We draw on the skills, experience and background of the faculty, all of whom have long standing personal contemplative practices which they have used in their life and work in the field of social justice, and students many of whom bring contemplative practices from their respective cultures.

Developing Your Inner Credentials: SKILLS FOR SUSTAINING YOUR VISION AND COMMITMENT ON THE PATH OF PUBLIC INTEREST LAWYERING AND SOCIAL JUSTICE A Clinic Based Cross Cultural Mini Course

Therapeutic Presence: Sustaining One’s Centered Presence for Now and the Future that is Possible.

Therapeutic Presence (TP) is a practice and term found in social sciences and in organizational development. As used in the CUNY School of Law clinic, TP is seen as a lawyering skill that assists students and attorneys to bring a centered, grounded, open, aware, active, concerned connection with one’s client, one’s self and the environment. TP is not detachment, nor is it numbing *out* as merely a mask of calmness, but rather it is remaining as fully present as possible in the face of chaotic, difficult and challenging circumstances. Ideally, a student/lawyer practicing TP offers an empathetic presence without getting overwhelmed and deterred by the client’s frustration, anxiety, fear or grief or by the environmental circumstances one is encountering. Merely striving for an ideal can act as both a standard to aim toward and/or another way to become self-judgmental, self-alienating, self critical and perfectionist. In order to counter this possible

(probable) shadow side of TP, we require that the student/attorney learn self care and how to be in touch with one's own emotions and feelings while remaining centered and grounded. In this way, the practitioner begins to work within one's own limits and abilities while practicing self awareness and self care. By doing so, one is offered a stronger personal inner foundation to address the needs/issues of the client, as well as other encountered in the environment. This helps the practitioner from becoming uprooted by one's own personal responses to the situation or by one's personal/professional challenges with the client and the case.

TP requires that the student/lawyer develop:

1) Inner connectedness and trust on one's own inner purpose and process.

Students explore their purpose and how it connects to their studies and practice of law. The faculty also supports an understanding of process-oriented thinking as another option from solely focusing on outcome oriented thinking.

2) Self care and self-reflection practices. It is clear from many studies that a growing number of law students seek to medicate themselves from the stress of law school by drug and alcohol use. Self-care education and self-reflection practice offer a professionally based avenue for recognizing the impact that unhealthy life style practices have on one's abilities. This dimension also adds to the humanizing of the law school environment. Methods include breathing and awareness practices as found in mindfulness meditation, yoga, chi gong energy practices, biofeedback and applied psychophysiology and learning to embrace the isolation that sometimes results from moral choices.

3) Creating a Safe and Supportive Environment. Creating safety and trust is not only an inner capacity, but also the ability to generate a sense of safety and trust in any given situation and circumstance? The capacity that a student/attorney develops to become aware of the client's needs and issues for *environmental safety* can directly impact the client's ability to do their best during the legal process. The clinic offering supports this dimension of TP by teaching that both students and faculty are in process of becoming their aspirational model.

We would also like to translate the clinical course on *Developing Your Inner Credentials: Contemplative Practice for Social Justice Lawyers* into a one day Continuing Legal Education (CLE) that can be offered to our grads the our CLRN program. There is considerable interest among CLRN members in this type of practice and we envision offering it twice a year.

The Future: We have developed an organizational structure that reflects communitarian values and have co-sponsored events with other student organizations. We have faculty advisors whose work with CULP is credited as a "regular" faculty committee by the Dean and an enthusiastic group of students who have many ideas for moving this work forward. Our future is infused with strong positive energy; but ultimately our future is what we choose to make it.