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The Meditative Perspective

Meditation is a tool that lawyers have used to cultivate skills and resources to improve their work in the legal profession. Scientific studies have also shown that meditation is beneficial for health and well-being in that it brings a measure of calm and a reduction in stress. In the legal profession, with its culture of speed, aggressiveness, and adversarial energy, meditation's capacity to positively impact one's view and style of work provides an especially attractive possibility. Practicing meditation and incorporating a meditative perspective can have a transformative effect on law practitioners and on the practice of law.

What exactly is meditation, one of the most prominent forms of "contemplative practice"? Broadly defined, a contemplative practice is any activity that quiets the mind in order to cultivate the capacity for insight. Among contemplative practices, mindfulness meditation proves to be an especially powerful medium, in part because it is simple to learn and, although it takes commitment and practice, to incorporate into one's daily routine. Mindfulness meditation is cultivated mainly through the practice of quiet sitting, of focusing on breathing and allowing thinking or emotion to come and go freely within one's field of awareness, rather than shaping thinking as we usually do, according to need or desired result. Once such a practice is established, it can be counted upon in a variety of circumstances. Its essence is simply: being fully present with what happens in each moment of the day. It is a method to create and, when lost, to regain a grounded and centered state of being amidst the often contentious and stressful nature of the legal profession. With practice over time, mindfulness meditation fosters a more profound relationship with our thoughts, emotions, and, ultimately, ourselves. Meditation practitioners gain more choice and flexibility in thinking and feeling as well as an increased capacity to embrace paradox and opposing viewpoints..

The radical change mindfulness meditation can foster is difficult to describe and inseparable from the practice itself; we call it "the meditative perspective." It is an outlook that gradually develops through meditation practice in our daily lives. The meditative perspective connects the focused inner sensitivity that meditation practice brings with our activity in work and relationships. It brings us an enhanced appreciation and understanding of the impact of our actions in the world.

Such focused awareness can generate many benefits. For those in the law profession,, for example, the following values, states of being and skills can evolve with the meditative perspective:

- **Wisdom and Creativity.** The meditative perspective helps us to see things as they are, not as we wish or fear them to be. Consequently our decisions come from a more expansive place of understanding. By promoting flexibility of mind and heart and the ability to gain insight into and perhaps even let go of habitual patterns when appropriate and needed, the meditative perspective allows us to open to new approaches and strategies, helping us to solve problems and accomplish objectives more effectively.
- **A Sensitive and Realistic Sense of Ethics.** With the meditative perspective we become more aware of the discomfort that comes with deviating from our values and considering unethical conduct, enlarging our resolution not to allow this to occur. Confidence and clarity in our commitment to an ethical path brings courage and strength in the midst of complex situations. It makes denial, distraction, and the demonization of others choices we make less often.
- **Focus and Stability.** With the meditative perspective there is more moment to moment focus on every situation, whether it is drafting a document, talking on the phone, meeting with a client, or appearing in court. Such clear and focused presence enhances effectiveness, and it also promotes stability and calmness. It is an excellent antidote to stress. Focus further promotes empathic and accurate listening with colleagues, opposing counsel, judges, and ourselves. With listening comes clearer and more effective communication.
- **Patience and Sustainability.** The meditative perspective allows us to view problems as challenges to be solved, which in turn, strengthens vigor and commitment. It helps us to approach situations with a fresh perspective and to transform tendencies toward anger and self-righteousness into the energy needed to serve clients and justice more effectively.
- **Compassion and Empathy.** The meditative perspective helps us appreciate on a visceral level the interconnections among people and in life. It promotes empathy with clients, colleagues, opponents, and neutrals. It heightens sensitivity to suffering and opens the heart, allowing us to better apprehend difficult situations and handle them with a greater sense of ease. Thus, it promotes a whole life, providing greater insight into our own condition and that of others, our own needs and motivations and the needs and motivations of others, as well as the total situation in which we find ourselves.

These are some of the ways the meditative perspective can be a significant transformative factor in the working lives of lawyers. They do not come automatically with meditation practice, nor can the meditative perspective be adopted simply by intellectual recognition, will, or intention. However, the motivation to change one's way of working as a lawyer, combined with meditation

practice and an active exploration of one's daily life creates a strong potential for powerful, beneficial changes. An ongoing meditation-based discussion group of like-minded legal professionals is a key tool for the cultivation, strengthening, and practical application of the meditative perspective. Our long-range hope is that the meditative perspective can be a basis for a renaissance in the law and for individual lawyers.

The Meditative Perspective document has grown out of the experiences and discussions of the Bay Area Working Group on Law and Meditation, a group of practicing lawyers, judges, professors, and mediators, which has met monthly for more than five years with meditation teacher Norman Fischer to explore the ways that our meditation practice has impacted our lives in law. It has also been the basis for discussions in the annual meditation retreats for lawyers co-sponsored by the Spirit Rock Meditation Center and the Center for Contemplative Mind in Society, and planned by the Working Group.

We acknowledge our debt to Susan Jordan, a charter member of our group—a deep meditation practitioner and a resourceful criminal defense lawyer—who died last year.