



The Meditative Perspective

*This is a working draft prepared by the Working Group on Meditation and Law,
which has met in the San Francisco bay area for the past three years.*

It is commonly acknowledged and supported by scientific studies that meditation is beneficial for health and well-being. Less commonly known is meditation's potential to transform the way one views self, world, and activity. In the legal profession, whose culture emphasizes speed, stress, and oppositional energy, meditation's capacity to radically alter one's view and style of work provides an especially attractive possibility.

What exactly is meditation practice, or, as it is often called, contemplative practice? Broadly defined, a contemplative practice is any activity that quiets the mind in order to cultivate the capacity for insight. Mindfulness meditation is a powerful contemplative practice that is simple to learn and incorporate into one's daily routine. Mindfulness meditation is cultivated mainly through the practice of quiet sitting, with focus on breathing, not repressing thinking or emotion but simply allowing it to come and go within the field of awareness. Once such a practice is established it can be applied in informal ways during the day. Its essence is simply being fully and nonjudgmentally present with what happens, on a moment by moment basis. With practice over time, mindfulness meditation fosters a new relationship to our thoughts and emotions. There is more choice and flexibility in our thinking and feeling, and an increased capacity to embrace paradox and opposing viewpoints without losing balance or focus.

We distinguish what we have called the meditative perspective from meditation practice itself. The meditative perspective is the outlook that gradually develops through the thoughtful application of meditation practice to our daily living. The meditative perspective connects the increased inner sensitivity that meditation practice brings with our activity in the world through work and relationships. By becoming more aware of ourselves through meditation, we become more aware of others, eventually gaining an appreciation and understanding of the texture of our interactions in the world. We begin to see ourselves and our work in a wider context.

As we connect with ourselves and develop a meditative perspective, certain values and skills begin to emerge which complement our work as lawyers:

- **Patience and sustainability.** The meditative perspective changes problems into challenges, and strengthens vigor and commitment. It helps us to approach situations with a fresh perspective.
- **Wisdom.** The meditative perspective helps us to see things as they are, not as we wish they were. Consequently our decisions come from a more expansive place of understanding.
- **Passion.** The meditative perspective helps us to transform anger and self-righteousness into energy to serve one's clients and justice.
- **Honest self-reflection.** The meditative perspective fosters honesty with our experience and relationships. It makes denial, distraction, and the demonization of others more difficult.
- **Calmness.** The meditative perspective promotes stability and calmness. We can know and tame our emotions rather than be victimized by them.
- **A sensitive and realistic sense of ethics.** With the meditative perspective we become more aware of the discomfort that comes with unethical conduct, and resolved not to allow it. Confidence in this brings courage and strength.
- **Integrity** in the midst of complex situations. The meditative perspective helps us to hold and maintain a clear vision of the values we are trying to promote in our work in the law. It helps to ground us in these values.
- **Compassion.** The meditative perspective helps us to appreciate on a visceral level the interconnections between people. It promotes empathy with clients, colleagues, opponents, and neutrals. It heightens sensitivity to suffering and opens the heart, allowing us to move towards difficult situations and handle them with a greater sense of ease.

- **Focus.** With the meditative perspective we are less obsessed with a stressful emphasis on achievement, so 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 co-counsel, or speaking in court. Such clear and focused presence enhances effectiveness.
- **A whole life.** Lawyers who are influenced by the meditative perspective bring to their work the values and styles they hold in their personal and spiritual lives. For them it is neither desirable nor possible to conduct themselves professionally in ways they would find uncomfortable in their private lives.
- **Awareness.** Of our own condition and that of others. Of our own needs and motivations and the needs and motivations of others. Of the total situation in which we find ourselves.
- **Skillful listening and communicating.** The meditative perspective promotes empathetic and accurate listening. We listen better to clients, colleagues, opposing counsel, judges, and ourselves. With listening comes clearer and more effective communication.
- **Creativity.** The meditative perspective, in promoting flexibility of mind and heart, and the ability to let go of habitual patterns when necessary, allows us to open to novel strategies to solve problems and accomplish objectives.

These are some of the ways the meditative perspective can be transformative in the working lives of lawyers. Note that though some active engagement with meditation practice over time will make a big difference, the meditative perspective does not come automatically to lawyers who practice meditation. Nor can it be adopted simply by will or intention. But the motivation to change one's way of working as a lawyer, combined with meditation practice, and an active exploration in one's daily life of the values and skills mentioned above, will bring powerful changes. We have also found that the ongoing *practice* of a meditation-based discussion group with other like-minded legal professionals is a key tool for the cultivation and strengthening of the meditative perspective.

Insofar as the values and skills promoted by the meditative perspective are considered desirable in many moral systems, both religious and secular, our long range hope is that the meditative perspective can be a basis for a renaissance in the law. Our agenda is thus two fold. We want both to respond to the question "how can I use meditation to make my life as a lawyer better?" and to go beyond this question to contribute to a re-envisioning of the legal profession.