

Notre Dame Law School Commencement Speech

May 18, 2013

Jeffrey A. Pojanowski, Associate Professor of Law

Thank you so much for this great honor.

First, allow me to congratulate you on all the hard work and sacrifice that has led to this wonderful day. And this is a wonderful day. One of the best things about commencement is seeing families and friends gather to mark this important passage in life. In fact, during last year's graduation weekend I was struck by how parents I did not even know would walk up to me, greet me...and congratulate me on graduating. Let's take a moment now to thank those who helped you get here today: your families and friends.

I am deeply honored to speak to you on this great day. I've had the pleasure of teaching many of you, but being here now is quite different. For starters, two of the three classes I have taught you are required courses, so for many here this is the first time you sit before me of your own free will. More seriously, your first day as law students was my first day as a law teacher, and many of you had this nervous, pacing rookie for first semester torts. The Class of 2013 will always have a special place in my heart, and I am so grateful for the opportunity to help close your chapter that we started together.

What makes this even more special for me is that I received this award soon after my wife, Sarah, delivered our youngest son, Felix. In fact, I was at the doctor's office for Felix's first checkup when I got your email inviting me to speak. This honor will always be linked in my mind with the joy of welcoming Felix into the world. This proximity seems more than circumstantial: it turns out that today, May 18, is the feast day of Saint Felix of Cantalice.

Hoping that Providence could help ghostwrite my address, I read up on the life of this 16th Century Italian saint. Felix was what the old biographies refer to as a "rustic." He was an illiterate shepherd and farmhand who, after becoming a Capuchin friar, was a great collector of alms, and had a special apostolate among children, whom he taught the faith through songs. So far, not obvious commencement material: a lot of reading and writing got you here, not harvest work or animal husbandry, and those who sat near me at the prayer service can attest that my singing voice was made for silent films.

But there's more to it than that. Felix decided to join the friars after his cousin read to him about the lives of the Desert Fathers—the ascetics who withdrew from society to live in God's silence. We can imagine Felix standing alone in a field, reflecting on that reading, and appreciating the wisdom of those who looked for God in solitude. None of you, I suspect, plan on practicing law atop a pillar in the desert, but I ask you to preserve, or rediscover, the value of stillness in your life.

Now, commencement speakers often grandly intone that graduates are entering an increasingly complex world. This is true, but not something to breezily note before moving on. Today's world can seem vast, hard to understand, and indifferent to our attempts to change it for the better. One tempting response to that resulting sense of powerlessness is to manage what

little we can with a vengeance: immersing ourselves in our work, trying to control our relationships with others, or living on the surface of micro-worlds that we construct through gadgets and filter through social media. I know: I was the guy reading email at his son's first checkup.

Our restlessness calls to mind Pascal's observation that humanity's problems stem from our inability to sit quietly in a room alone. The theologian David Schindler similarly posits that we can know God "only by truly *being* in a place, through the interior stillness that alone permits depth of presence." And only with the gift of such silence, I might add, can we truly allow others to be present in our lives, and in turn have full selves that we can give to others in love. And only then will the work ahead of you truly be a labor of love—even if you do not love it all the time. I therefore encourage you to emulate Felix's corrective example and embrace that inner, deeper stillness.

You might be thinking: That's all well and good for a monk or a professor, but what about real lawyers? Well, here things get even more interesting. Felix loved nature and took his vows hoping to spend his years in a secluded, forest monastery. God had other plans for him, however. Felix's superior stationed him in Rome for daily work among the poor and the wealthy, the weak and the powerful, and the holy and the corrupt. And it was not glamorous or ethereal work. Remember: the man begged for a living. We can imagine that Felix's daily toil required him to witness and endure suffering, arrogance, rejection, and ingratitude. We can imagine him being tired and even bored of going from door to endless door.

So we can also imagine Felix's disappointment on that initial journey from the forest to the city after his commission. His dream—a good and inspired one at that—had been taken away. Some here may not have to try too hard to imagine: perhaps you entered law school with certain hopes and leave with uncertainty and trepidation. Others here, more satisfied and sure of their paths, should indeed be joyful, but also recall the Yiddish proverb: "Man plans, God laughs." The point for all of us, then, is that Felix was great not only because he was humble and lived in that inner silence with God. Felix did not become great by following his plan of retreating from society. He became *Saint* Felix because he carried a silence within him that preserved and strengthened his simple goodness as he engaged a world that was not simple and often not very good at all. And, judging by the way children loved him, Felix laughed, too.

My point is that the guiding monastic principle of "prayer and work" is not just for friars like Felix. And that, to me, is an important sense in which you can be a different kind of lawyer: one who works to sustain and improve the existing legal order while living with hope in the city of God. Doing both is not easy. As we try to integrate these overlapping jurisdictions in our lives, it sometimes seems the best we can do is to pray that such tension be a creative one. By living this challenge, however, one stands in contradiction to much of what is troubling in our world. One, in short, is a different kind of person.

Many of you came here three years ago because you were attracted to, or perhaps intrigued by, a place that allows that countercultural excellence to thrive. I know I was. I read Notre Dame's claim to educate "A Different Kind of Lawyer" in that light. We promise to challenge

and help that different kind of person master the lawyer's knowledge and skills. We aim to give you a first-class legal education, but we aspire to do so in a community of friendship that provides an intellectual and spiritual climate that cultivates the very difference that drew you here in the first place.

It's a tall order, and no place is perfect, but as we send you on your path away from this leafy green campus, I hope we have done well by you. I hope so because your task is an important one. All of you have taken jurisprudence, so you have learned that law is necessary for any good society; that we need a well-functioning and generally just legal system to promote the common good and to create an environment where individuals can become the persons they were made to be. Some will claim that there are too many lawyers in our world, but if I am right about what we are trying to accomplish here together, there are not nearly enough of you.

Congratulations. May God bless you all and may Saint Felix pray for us.