

The Guild of Catholic Lawyers of the Archdiocese of New York
22nd Annual Charles Carroll Award Reception, Union League Club, New York, NY
February 3, 2005

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Remarks

Thank you—I have to say this was really a shock—I am very very honored, and deeply grateful. This evening brings together so many people in my life.

Since many here tonight are practicing lawyers, I wanted to start by offering an episode from my time in practice, which might give an idea of what's at the root of our work at Fordham's Institute on Religion, Law & Lawyer's Work. One of the reasons I was drawn to Arnold & Porter was the firm's strong commitment to *pro bono* work. But there was not always agreement about what kinds of cases were good for the community. One of the clients was an abortion rights activist group. When the opinion in the Stenberg "partial birth abortion" case came down, one of the attorneys who had worked on the case sent an email to "all attorneys" declaring that some aspects of the analysis could be considered a "victory for the firm." The tone was: "if you're young, hip, and work for this firm—then you must be on the only 'rational' side of the abortion debate."

After talking with some friends and sleeping on it, the next day I responded with a one line reply to "all attorneys." It said: "On such a sensitive topic, I think it might be important to acknowledge that some of us at this firm read this not with a sense of 'victory,' but of profound and terrible sadness." Send.

This provoked a 3 inch thick stack of firm-wide email exchange, an apology from the partner who initially sent the email, a policy committee resolution for how to handle these issues with awareness of diverse opinions in the firm, and most important, I think, a long discussion about what kinds of work on the "pro-life" side of the issue would not constitute a direct conflict. One by one, about 20 attorneys, partners and associates—many but not all Catholic—called or emailed to discuss how we could help the firm begin to open up to different perspectives.

I say this in part as a tribute to the sincere and genuine openness that I found at Arnold & Porter—it was a great place to work. But I mention it also because for me it marked a moment when I realized just how much room there is—even in large firm practice—to express perspectives based on deeply held religious convictions. And it was a moment in which I realized that I was not alone.

This is what now forms the heart of the Institute's mission. Our programs, coursework and scholarship set out to explore just how much room there is to bring religious values and perspectives to bear on our professional lives. In coming together, we gain strength and courage from the fact that we are not alone.

Given the incredibly difficult challenges we face in our professional lives, is it naïve to be hopeful? Who here hasn't worried that we have irreparably lost what once seemed to be a pretty solid commitment to ethics, and a capacity to reach beyond narrow interests in order to foster the common good? And who of the latest to join our ranks hasn't felt that the ground has always shifted from beneath us, that it has always been difficult to find a clear sense of direction? We are together in this boat, tossed by increasingly turbulent waves of doubt and disorientation.

It is here that Someone approaches our boat, walking on the water: “Take courage, it is I”— I, too, in that cry on the cross, “My God, my God, why have you forsaken me,”— I, too, went through the tunnel of darkness and doubt. With him we too can say, “into your hands” we put the legal profession of our times. And with him, we too rise, sure that he keeps his promise to “stay with us”—even now, as we face the challenges of today’s professional life.

In recent programs we have asked ourselves some difficult questions: is there room for Gospel values amidst the tensions of corporate counseling, the pain of divorce cases, the adversarial nature of litigation? Or, as we ask this year in our series on *Catholics and the Death Penalty*, how might Gospel values inform our roles as lawyers, jurors and judges? He “stays with us” to illuminate creative possibilities. He is with us as we nourish the next generation of lawyers with courses in Religious Lawyering and Catholic Social Thought. He is with us as we converse with—and challenge—the academy to open up to the beauty of the Church’s reflections on God’s plans of love for humanity. This past year, the email that gave me the greatest joy was from my law school mentor, who is Jewish, who wrote to say how deeply he resonated with my essay, *Toward a Trinitarian Theory of Products Liability*.

In reaching out—beyond the Catholic community—He certainly “stays with us” as we discover how lawyers from other faith traditions, struggling with the same questions, can be formidable partners in this venture. A contemporary American philosopher, Richard Rorty, once argued that religion should be kept out of public discourse because it is, as he termed, “a conversation stopper.” In fact, we must admit that there are risks—not everyone in the profession is ready, and some are fearful—we had one judge walk out of a conference with an angry, “you have created a nightmare.” But I think I can say, together with Russ Pearce, the founding spark of the Institute, who is here tonight, that overall our gatherings are proof that religion is a “conversation starter,” and that inter-faith dialogue can be the most solid, most enriching, and most fruitful foundation for any conversation about professional life.

As this project has evolved, I have accumulated many debts of gratitude—people who have been for me models of integrity and commitment, starting with my parents—both Catholic lawyers, professors at Georgetown, many colleagues at Arnold & Porter. I am grateful to the Fordham University Administration for their constant support—especially to Father Joseph McShane, Father Vincent Duminuco, Father Gerry Blaszcak, Fr. Joseph Koterski, and so many Jesuits who embody so well Ignatius’s vision of God in all things. I am deeply grateful to John Feerick, who had the foresight and the courage to get the Institute off the ground, and who is himself an outstanding model of Catholic values in action.

When I heard the news that Bill Treanor would follow John as Dean, I shut my office door and leapt for joy. I knew that he would bring to the job an incredibly deep background in Catholic intellectual history—he’s an expert on Cardinal Newman—and I had witnessed over the course of our faculty colloquia on the Jesuit mission, his capacity to “foster the conversation,” as he described it at last year’s conference of Religiously Affiliated Law Schools. And I was right—he has proceeded to wrap both his head and his heart around the issues we are engaging in an extraordinary way—such that other Catholic law schools now look to Fordham’s model for hopeful guidance. I am deeply indebted to Bill for his profound and enthusiastic commitment and support for the Institute’s work and the project as a whole.

And finally to many friends in the Focolare Movement, who since my childhood have been for me a model of a joyful life at the service of the Church, fueled by a hopeful vision of the unity of all humanity. To share with you just a taste of that hope, I’d like to close with an

excerpt from a writing by Focolare founder Chiara Lubich, which I believe speaks deeply to our vocation as lay people in the Church today:

This is the great attraction of our times: to reach the highest contemplation while sharing in the life of every person, being one among many.

I would say more: to merge oneself with the crowd so as to allow the divine to penetrate it, like wine penetrates a piece of bread.

I would say even more: as participants in God's plans for humanity, to weave into the crowd rays of light, sharing shame, hunger, troubles, and brief joys with our neighbor.

The attraction today, as in all times, is Jesus and Mary—the highest conceivable expression of the human and the divine—the Word of God, a carpenter's son; the Seat of Wisdom, a mother at home.

And this is me: if Jesus and Mary chose carpentry and housework as raw material for sanctity, I am sure they are smiling on all of our efforts to weave rays of light into the legal profession.

Thank you for this extraordinary honor, my ears are open for ideas and suggestions for how our work can be of continued service to the Church in New York, and I look forward to seeing you at future events!