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# Who should be our moral compass now?

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PERSPECTIVE

## Who should be our moral compass now?

By Rachel Van Cleave

Legal education, the legal profession and lawyers have been experiencing tumultuous transformations and challenges in recent years. One recent shock — not by any means limited to the legal profession — is a revelation about the once-beloved Atticus Finch in Harper Lee's recently published novel, "Go Set a Watchman." Lawyers and judges have bemoaned the surprise that 20 years after defending a black man falsely accused of raping a white woman, Atticus is fighting desegregation with racist vehemence.

Lawyers often talk about how Atticus has been a hero to them and even prompted them to go to law school. The phrase "go set a watchman" comes from the Book of Isaiah, and is a directive to have someone serve as the moral compass for society. It is clear that Atticus Finch has embodied the ideal of a strong moral compass for many lawyers for a long time. So who will set our moral compass now?

I believe we must find and set our own moral compass as individuals and as a profession. We must also serve as models and mentors for the next generation of law students and lawyers. A recent survey may indicate that others agree.

Educating Tomorrow's Lawyers conducted a survey of over 27,000 lawyers across the country about the qualities, skills and competencies necessary for new lawyers. Almost 73 percent said having a "strong moral compass" is necessary for a lawyer to be successful in the short term. Only 17 (out of 147) other skills, competencies and characteristics, received a higher percentage of votes. Included among these were "treat others with courtesy and respect" (91.9 percent), act with "integrity and trustworthiness" (92.3 percent), and "honor commitments" (93.9 percent).

The full results of the survey have not been published, but were presented to a small group of lawyers earlier this month. And the full picture is even richer and more comprehensive. When the full results are available next year, it will be interesting to see if we can determine whether these types of characteristics reflect qualities that the



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A light shines from the top of Monroe County Courthouse, which served as an inspiration for Harper Lee's novel "To Kill a Mockingbird," in the center of Monroeville, Ala.

respondents find lacking among the lawyers they encounter or whether the respondents believe these are important traits that they seek to cultivate within themselves — or perhaps both.

This is a question that goes to the heart of the legal profession, especially given the tumultuous and dynamic changes occurring in recent years. Who is today's watchman for lawyers? Every single lawyer must be his or her own watchman (or watchwoman) and must cultivate and calibrate his or her own moral compass. How? And what can lawyers and law schools do to encourage cultivation of these traits and qualities? Importantly, what is a moral compass?

David Brooks, in "The Road to Character," seems to list it among what he calls the "eulogy virtues" of being kind, honest and developing strong and positive relationships. This is an internal code one develops and strives to adhere to throughout daily life. Certainly, it is guided and influenced by external codes such as the law, religion or other spiritual beliefs and faiths about justice and fairness.

The debate whether people are inherently good or bad has gone on for centuries. I believe we're good. With a few exceptions, everyone has a deep understanding of what is right. I believe each lawyer, judge, law professor and law student is passionate about justice and about the vital role lawyers have in building a better society and a better world. But many of them recognize how difficult it can be to avoid being reactive. They recognize those times when perhaps they have not been their best

oneselves. They seek healthy techniques to calm their minds and to approach other lawyers, judges, clients and students in thoughtful and effective ways. Some make successful use of meditation and mindfulness practices, while others use yoga or other forms of physical activity. Religious or spiritual beliefs and practices may also be helpful. Cultivating the qualities that rose to the top in the survey responses is crucial for the foundation of our democratic society.

Can law schools teach students to have a moral compass? Can we teach students to treat others with respect and courtesy? Can we teach integrity and trustworthiness? While students must come to law school with a moral compass, we can support students cultivating, calibrating and strengthening this. Of course we can and do — we teach through modeling. Just as faculty members begin classes promptly at the scheduled time, thereby modeling the behavior that received the second-highest percentage (95.4 percent) from survey respondents, legal educators, practicing attorneys and judges teach these characteristics through modeling and mentoring. We will be most effective in this endeavor by working closely together. Law schools have begun partnering with lawyers in myriad sectors and practice settings, with judges, with bar organizations and others to find successful ways to ensure that each lawyer sets his or her own watchman and cultivates his or her moral compass. This is the path by which we can substitute the fictional watchman embodied in the Atticus Finch of "To Kill a Mockingbird" with real, flesh and blood watchmen

and watchwomen who engage in the hard, self-reflective work of becoming better people and better lawyers each and every day.

This is challenging work because we won't achieve perfection, as individuals, as a profession nor as a society. This is one of the striking and profound lessons of "Go Set a Watchman." The grown-up Scout, now Jean Louise, discovers that her father, her role model, her moral compass, is not perfect; indeed, he is deeply flawed. Can Jean Louise become the watchwoman? Can she be the moral compass for her father, for Maycomb, Alabama? First, it seems, she must find and set her own moral compass. She must also cultivate the compassion to engage with her father and others, rather than leave for New York never to return.

As David Brooks describes, developing the "eulogy virtues" is hard work that requires us to confront ourselves every day to ask what we can do to be better; to have the humility to recognize that we won't achieve perfection. This, in turn, requires a strategy to calm our minds and be kind to ourselves when we fall short. To serve our students and the legal profession we must also cultivate the ability to talk about our own struggles in striving to improve, about how we continuously check and when necessary recalibrate our moral compass.

We will inevitably fall short. We will not meet our expectations for ourselves, or for our profession. However, when we continue to tend to the habits of heart and mind that support empathy, kindness and love, we can achieve progress. When we are compassionate with ourselves and with others we can begin to map our course and navigate toward our ideal society of equality and fairness. The incredible value the

lawyer respondents placed on these values and characteristics is grounds for optimism.



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