
**LETTER TO A LAW STUDENT
INTERESTED IN SOCIAL JUSTICE**

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Dear Bridgette:

I am delighted to learn of your commitment to social justice law. Despite many decades practicing some form or other of social justice advocacy, I too still have much to learn. I hope some of these thoughts will help you; it helped me to write them down.

Let Me Start With a True Story. After Hurricane Katrina, hundreds of law students volunteered to work in the Gulf Coast region over the winter holidays. Dozens of students helped out with a case in the lower ninth ward challenging the City of New Orleans' unilateral demolition of hundreds of damaged homes without notice to the owner or an opportunity to be heard. Most of these homes had been literally swept off their foundations by the brutal onrush of huge walls of tons of water when the levees broke. Many homes were upside down, some were sitting in the middle of the street blocks away from where they started, and some were on top of cars or even other homes. Regular methods of property ownership checks were insufficient since the houses were often scattered far from the lots and street addresses where they originally sat. Since all of the homeowners were still displaced far outside of the city and still prohibited by martial law from living in their houses, they had no way of knowing that the authorities planned to demolish their homes before they

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could get back to either fix them up or even remove personal effects. In teams, students went to each house scheduled to be demolished to see if they could figure out who the owners were. Then, the teams tried to contact the displaced owners to see what they wanted us to do about the impending demolition.

At the end of a week of round-the-clock work trying to save people's homes, a group of law students met together in one room of a neighborhood homeless center to reflect on what they had experienced. Sitting on the floor, each told what they had been engaged in and what they learned. As they went around the room, a number of students started crying.

One young woman wept as she told of her feelings when she discovered a plaster Madonna in the backyard of one of the severely damaged homes - a Madonna just like the one in her mother's backyard on the West Coast. At that moment, she realized her profound connection with the family whom she had never met. This was not just a case, she realized, it was a life - a life connected to her own.

Another student told of finding a small, hand-stitched pillow amid the ruins of a family home. The pillow was stitched with the words "Blessed Are the Meek." It told a lot about the people who lived in that small home. Not the usual sentiment celebrated in law school.

The last law student to speak had just returned from working in the destroyed neighborhood. He had been picking through a home trying to find evidence that might lead to the discovery of who owned the property. He also was on the verge of tears. The experience was moving. The student felt that it was a privilege to be able to assist people in such great need. It reminded him, he paused for a second, of why he went to law school. He went to law school to help people and to do his part to change the world. "You know," he said quietly, "the first thing I lost in law school was the reason that I came. This will help me get back on track."

SOCIAL JUSTICE LAWYERING IS COUNTER-CULTURAL IN LAW SCHOOL AND IN THE LEGAL PROFESSION

"The first thing I lost in law school was the reason that I came." What a simple and powerful indictment of legal education and of our legal profession. It is also a caution to those of us who want to practice social justice lawyering.

Many come to law school because they want in some way to help the elderly, children, people with disabilities, undernourished people around the world, victims of genocide, or victims of racism, economic injustice, religious persecution or gender discrimination.

Unfortunately, the experience of law school and the legal profession often dilute the commitment to social justice lawyering.

The repeated emphasis in law school on the subtleties of substantive law and many layers of procedure, usually discussed in the context of examples from business and traditional litigation, can grind down the idealism with which students first arrived. In fact, research shows that two-thirds of the students who enter law school with intentions of seeking a government or public-interest job do not end up employed in that work.¹

¹ Christa McGill, *Educational Debt and Law Student Failure to Enter Public Service Careers: Bringing Empirical Data to Bear*, 31 *Law and Social Inquiry* 677, 698-701 (2006). McGill makes some very painful points about law schools and government and public interest careers.

... [W]omen and minorities (African Americans and Hispanics) were much more likely to go into public service jobs after graduation. Students who stated at the start of their second year that they placed a high value on helping people through their work were also significantly more likely to enter GPI [government or public interest] careers as were people who rated the ability to bring about social change as very important. Students who began law school with the desire to enter GPI were significantly more likely to do so. And students who worked in GPI jobs in either summer during law school were much more likely to enter public service careers than those who held other summer jobs. School type also had some significant effects. Students who attended schools in the small, ra-

It pains me to say it, but justice is a counter-cultural value in our legal profession. Because of that, you cannot be afraid to be different than others in law school or the profession – for unless you are, you cannot be a social justice lawyer.

Those who practice social justice law are essentially swimming upstream while others are on their way down. Unless you are serious about your direction and the choices you make and the need for assistance, teamwork and renewal, you will likely grow tired and start floating along and end up going downstream with the rest. We all grow tired at points and lose our direction. The goal is to try to structure our lives and relationships in such a way that we can recognize when we get lost and be ready to try to reorient ourselves and start over.

There are many legal highways available to people whose goal is to make a lot of money as a lawyer – that is a very mainstream, traditional goal and many have gone before to show the way and carefully tend the roads.

cially mixed cluster (SMALL MINORITY) were significantly more likely than others to enter GPI jobs. Students who attended elite schools, the most expensive schools, were least likely to enter public service careers.

... Students from REGIONAL PUBLIC and SMALL MINORITY schools were significantly more likely (2 and 3.4 times) than students from ELITE schools to enter GPI jobs, regardless of educational debt, demographic characteristics, and grades. As a group, African Americans and Hispanic were more likely to enter GPI than their white and Asian counterparts, irrespective of debt and school type. Better grades decreased the likelihood that a student would enter government or public interest work.

... All things being equal, students who worked in GPI jobs during the summer following their second year of law school were five times more likely than those who did not to take a GPI job following graduation. Even a first summer spent in GPI had a direct, positive effect; students who spent their first summer in GPI were twice as likely as others to enter GPI upon graduation regardless of their employment in the second summer and all other variables considered.

For social justice lawyers, the path is more challenging. You have to leave the highway sending you on towards the traditional legal profession. You have to step away from most of the crowd and create a new path – one that will allow you to hold onto your dreams and hopes for being a lawyer of social justice.

Your path has different markers than others. The traditional law school and professional marks of success are not good indicators for social justice advocates. Certainly, you hope for yourself what you hope for others – a good family, a home, good schools, a healthy life and enough to pay off those damn loans. Those are all achievable as a social justice lawyer, but they demand that you be more creative, flexible and patient than those for whom money is the main yardstick.

Our profession certainly pays lip service to justice, and because we are lawyers this is often eloquent lip service, but that is the extent of it. At orientations, graduations, law days, swearing-in days and in some professional classes, you hear about justice being the core and foundation of this occupation. But everyone knows that justice work is not the essence of the legal profession. Our professional essence is money, and the overwhelming majority of legal work consists of facilitating the transfer of money or resources from one group to another. A shamefully large part of our profession in fact consists of the opposite of justice – actually taking from the poor and giving to the rich or justifying some injustice like torture or tobacco or mass relocation or commercial exploitation of the weak by the strong. The actual message from law school and on throughout the entire legal career is that justice work, if done at all, is done in the margins or after the *real* legal work is done.

But do not despair! Just because social justice lawyering is counter-cultural does not mean it is nonexistent.

SOCIAL JUSTICE LAWYERS BY THE THOUSANDS

There is a rich history of social justice advocacy by lawyers whose lives rise above the limited horizons of the culture of lawyers. We can take inspiration from social justice lawyers like Mohandas Gandhi, Nelson Mandela, Shirin Ebadi, Mary Robinson, Charles Hamilton Houston, Carol Weiss King, Constance Baker Motley, Thurgood Marshall, Arthur Kinoy and Clarence Darrow.² Attorneys Dinoisia Diaz Garcia³ of Honduras and Digna Ochoa⁴ of Mexico were murdered because of their tireless advocacy of human rights issues. Ella Bhatt is one of the founders of an organization that supports the many women of India who are self-employed.⁵ Salih Mahmoud Osman is a human rights lawyer in Sudan, a nation struggling with genocide and other human rights violations.⁶ In addition to those named

² Mohandas Gandhi was a lawyer in South Africa for twenty years. Nelson Mandela was also a South African barrister. Shirin Ebadi is an Iranian lawyer who won the Nobel Peace Prize. Mary Robinson is an Irish lawyer who headed the United Nations Commission on Human Rights. Charles Hamilton Houston was a law professor and pioneer in civil rights litigation. Carol Weiss King was a human rights lawyer in the middle of the 20th century. Constance Baker Motley was a civil rights lawyer and federal judge. Thurgood Marshall was also a civil rights lawyer and Justice of the United States Supreme Court. Arthur Kinoy was a law professor and advocate for civil and human rights. Clarence Darrow was a lawyer celebrated for the Scopes trial but made his name and living as a defender of unions. This information comes from an online subscription-based website, *Biography Resource Center*, Farmington Hills, Mich.: Thomson Gale (2007), <http://galenet.galegroup.com/servlet/BioRC> (perform search of individual name and results will be displayed).

³ See Press Release from the Association for a More Just Society (Dec. 4, 2006), available at http://ajshonduras.org/dionisio/press_release.htm (last visited July 13, 2007).

⁴ See *Unouchable?*, THE ECONOMIST, Nov. 3, 2001, at 46.

⁵ For general information on the work of Ella Bhatt see the account of her work for human rights in her own words, ELLA BHATT, WE ARE POOR BUT SO MANY: THE STORY OF SELF-EMPLOYED WOMEN IN INDIA, 3-6 (2006).

⁶ See "Human Rights Watch Honors Sudanese Activist: Darfur Lawyer Defends Victims of Ethnic Oppression," <http://hrw.org/english/docs/2005/10/25/sudan11919.htm> (last visited, July 13, 2007).

The courts and the legislatures are but a few of the tools used in the struggle for social justice. Organizing people to advocate for themselves is critically important, as is public outreach, public action and public education. Social justice lawyers need not do these actions directly, but the lawyer must be part of a team of people that are engaged in action and advocacy.

**BUILD RELATIONSHIPS WITH
PEOPLE AND ORGANIZATIONS CHALLENGING
INJUSTICE: SOLIDARITY AND COMMUNITY**

"If you have come to help me, you are wasting your time. But if you have come because your liberation is bound up with mine, then let us struggle together."¹²

Social justice advocacy is a team sport. No one does social justice alone. There is nothing more exciting than being a part of a group that is trying to make the world a better place. You realize that participating in the quest for justice and working to change the world is actually what the legal profession should be about. And you realize that in helping change the world, you change yourself.

Solidarity recognizes that this life of advocacy is one of relationships. Not attorney-client relationships, but balanced personal relationships built on mutual respect, mutual support and mutual exchange. Relationships based on solidarity are not ones where one side has the questions and the other the answers. Solidarity means together we search for a more just world, and together we work for a more just world.

Part of solidarity is recognizing the various privileges we bring with us. Malik Rahim, founder of the Common Ground Collec-

¹² This quote is often attributed to Lila Watson an aboriginal activist. However, through telephone interviews conducted by Ricardo Levins Morales with Ms. Watson's husband in 2005, Ms. Watson indicated that the quote was the result of a collective process and thus should be attributed to "Aboriginal activists group, Queensland, 1970s."

tive¹³ in New Orleans, speaks about privilege often with the thousands of volunteers who come to help out with the grass-roots repair of our community. In a recent interview with Amy Goodman, Rahim said:

First, you have to understand the unearned privilege you have in this country just by being born in your race or gender or economic situation. You have to learn how you got it. You have to learn how to challenge the systems that maintain that privilege. But while you are with us, we want to train you to use your privilege to help our community.¹⁴

This is the best summary of the challenge of privilege and solidarity in social justice advocacy I have heard recently. This is a lifelong process for all of us. None of us have arrived. We all have much to learn, and we have to make this a part of our ongoing re-education.

So, how do social justice advocates build relationships of solidarity with people and organizations struggling for justice? These relationships are built the old-fashioned way, one person at a time, one organization at a time, with humility.

Humility is critically important in social justice advocacy. By humility, I mean the recognition that I need others in order to live a full life, and I cannot live the life I want to live by myself. By humility, I mean the understanding that even though I have had a lot of formal education, I have an awful lot to learn. By humility, I mean the understanding that every person in this world has inherent human dignity and incredible life exper-

¹³ Common Ground Collective is an organization in New Orleans created after Hurricane Katrina that provides short-term victim relief and long-term rebuilding of hurricane-affected communities. Common Ground Collective, <http://www.commonground.relief.org> (last visited Aug. 23, 2007).

¹⁴ Democracy Now! is a daily television and radio news program. The interview can be found at <http://www.democracynow.org/article.pl?sid=06/08/28/1342226&mode=thread&tid=25> (last visited Aug. 23, 2007).

Part of
team of
advocacy
& action.

iences that can help me learn much more about the world and myself.

There is a wise saying, "What you see depends on where you stand." Latin American liberation theologians insist that a preferential option for the poor must be one of the principles involved in the transformation of the world.¹⁵

Our choices in relationships build our community. If we want to be real social justice advocates, we must invest ourselves and develop relationships in the communities in which we want to learn and work. That sounds simple, but it is not. As law students and lawyers, we are continually pulled into professional and social communities of people whose goals are often based on material prosperity, comfort and insulation from the concerns of working and poor people. If we want to be true social justice advocates, we must swim against that stream and develop relationships with other people and groups.

For example, helping preserve public housing may seem controversial or even idiotic to most of the people at a law school function or the bar convention, yet totally understandable at a small church gathering where most people of the congregation are renters.

Seek out people and organizations trying to stand up for justice. Build relationships with them. Work with them. Eat with them. Recreate with them. Walk with them. Learn from them. If you are humble and patient, over time people will embrace you, and you will embrace them, and together you will be on the road to solidarity and community.

REGULARLY REFLECT

In order to do social justice for life, it is important to engage in regular reflection. For physical and mental health, regular re-

¹⁵ GUSTAVO GUTIERREZ, *A THEOLOGY OF LIBERATION* (Orbis Books 1988) (1971).

lection on your life and the quest for justice is absolutely necessary. For some people, this is prayer. For others, it is meditation. For still others, it is yoga or some other method of centering reflection and regeneration.

Most of the people I know who have remained engaged in social justice advocacy over the years have been people who regularly make time to reflect on what they are doing, how they are doing it and what they should be doing differently. Reflection allows the body and mind and spirit to reintegrate. Often, it is in the quiet of reflection that insights have the chance to emerge.

I am convinced that ten hours of work is considerably less effective than nine and a half hours of work and 30 minutes of reflection.

In an active social justice life, there is the tendency to be very active because the cause is so overwhelming. Advocates who do not create time for regular reflection can easily become angry and overwhelmed and bitter at the injustices around and ultimately at anyone who does not share their particular view about the best way to respond. They consider themselves activists, but they may be described as hyper-activists. They have often lost their effectiveness and the respect of others, which just makes them even more angry and more accusatory of everyone who disagrees with them. We all sometimes end up like that. When we do, we need to step back, reflect, recharge and reorder our actions.

PRACTICE, PATIENCE AND FLEXIBILITY IN ORDER TO PREPARE FOR CHAOS, CRITICISM AND FAILURE

One veteran social justice advocate told me once, "If you cannot handle chaos, criticism and failure, you are in the wrong business." The path to justice goes over, around and through chaos, criticism and failure. Only by experiencing and overcoming these obstacles can you realistically be described as a social justice advocate.

Reflect
Reflect
Reflect!!

We must be patient and flexible in order to do this work over the long run. There are no perfect people. There are no perfect organizations. Most grassroots social justice advocacy is carried out by volunteers – people who have jobs and families and responsibilities that compete with their social justice work for time and energy. There is usually not any money for the work. Often the people on the other side, who are upholding the injustices you are fighting against, are well-paid for their work and have staff and support to help them preserve the unjust status quo. This translates into challenging work. Patience with our friends, patience with ourselves and patience with the shortcomings of our organizations are essential. That is not to suggest that we must tolerate abusive or dysfunctional practices, but while we work to overcome those, we must be patient and flexible.

If you challenge the status quo, you better expect criticism from the people and organizations that are benefiting from the injustices you are seeking to reverse. Though it is tough to really listen to criticism, our critics often do have some truth in their observations about us or our issues. Sometimes criticism can be an opportunity to learn how to better communicate our advocacy or to think about changes we had not fully considered. Other criticism just hurts your backside, and you just have to learn how to tolerate it and move on.

Successes do occur, and we are all pretty good at handling success. However, failure is also an inevitable part of social justice advocacy. Failure itself cannot derail advocacy, it is the response to failure that is the challenge. Short-term social justice advocates feel the sting of failure and are depressed and hurt that good did not triumph. They become disillusioned and lose faith in the ability of people and organizations to create justice. People doing social justice for life are also hurt and depressed by failure. They spend some time tending to their wounds. But then they get back up, and patiently start again, trying to figure out how to begin again in a more effective manner.

JOY, HOPE, INSPIRATION AND LOVE

In order to live a life of social justice advocacy, it is important to have your eyes and heart wide open to the injustices of the world. But it is equally important that your eyes and heart be wide open to and seek out and absorb the joy, hope, inspiration and love you will discover in those who resist injustice.

It may seem paradoxical, but it is absolutely true that in the exact same places where injustices are found, joy, hope, inspiration and love are found. This has proven true again and again in my experiences with people and communities in the United States, in Haiti, in Iraq and in India. In fact, many agree with my observation that the struggling poor are much more generous and have more joy in their lives than other people living with much more material comfort.

Since Katrina devastated the Gulf Coast, I have been inspired again and again by the resiliency and determination of people who suffered tremendous loss.

Recently, I attended an evening meeting of public housing residents held in the bottom room of a small, newly-repaired church. I was pretty tired and feeling pretty overwhelmed. It was a small group. There were a dozen plus residents and a couple of children there. All had been locked out of their apartments for more than 20 months. One was in a wheelchair. Another was in her cafeteria-worker smock. One was the exclusive caregiver for a paralyzed child. Most had no car, yet they got a ride to a meeting to try to come up with another plan to save their apartment complex. Many of their neighbors were still displaced. Others who were back in the metro area were overwhelmed and had given up. We held hands, closed eyes and started with a prayer. Then we dreamed together of ideas about how to turn their unjust displacement around. Some of our dreams were impractical, others unrealistic, a few held out possibility. All at once, I realized almost everyone there was a grandmother. They had already raised their kids, and many were now

helping raise their kids' kids. Most were on disability or social security. They had a fraction of the resources that I had, and they had been subjected to injustices unfathomable in my world; yet they were still determined and fighting to find a way to reclaim affordable housing for themselves and their families and their neighbors. When we finished, we said another prayer, set the date for another meeting, hugged and laughed, and people piled into a van and drove away.

These grandmothers inspire me and keep me going. If they can keep struggling for justice despite the odds they face, I will stand by their side.

Hope is also crucial to this work. Those who want to continue the unjust status quo spend lots of time trying to convince the rest of us that change is impossible. Challenging injustice is hopeless they say. Because the merchants of the status quo are constantly selling us hopelessness and diversions, we must actively seek out hope. When we find the hope, we must drink deeply of its energy and stay connected to that source. When hope is alive, change is possible.

A friend, who has been in and out prison for protesting against the School of the Americas at Fort Benning, Georgia,¹⁶ once told me that there are only three ways to respond to evil and injustice. I listened to her carefully because when she is not in jail for protesting, she is a counselor for incest survivors, so she knows about evil. She told me that there are only three ways to respond to evil and injustice. The first is to respond in kind, perhaps to respond even more forcefully. The second response is to go into denial, to ignore the situation. Most of our international, national, communal and individual responses to injustice and evil go back and forth between the first and second variety. We strike back, or we look away. We forcefully swat down evil,

¹⁶ The official name of the School of the Americas has been changed to the Western Hemisphere Institute for Security Cooperation (WHINSEC). 10 U.S.C. § 4155 (2000); 10 U.S.C. § 2166 (2002). See also <http://www.benning.army.mil/WHINSEC/> (last visited Aug. 23, 2007).

or we try to ignore it. But there is a third way to respond. That is to respond to evil and injustice with love. Though a response of love is the most difficult, it is truly the only way that injustice and evil can be transformed.

Love ends up at the center of social justice advocacy. Love in action; not the love of dreamy-eyed, soft-music television commercials, but the love of a mother for her less able child, the love of a sister who will donate her kidney to save her brother, the love of people who will band together to try to make a better world for their families. These are examples of real love. This is the love that will overcome evil and put justice in its place.

CONCLUSION

Every good law or case you study was once a dream. Every good law or case you study was dismissed as impossible or impractical for decades before it was enacted. Give your creative thoughts free reign, for it is only in the hearts and dreams of people seeking a better world that true social justice has a chance.

Finally, remember that we cannot give what we do not have. If we do not love ourselves, we will be hard pressed to love others. If we are not just with ourselves, we will find it very difficult to look for justice with others. In order to become and remain a social justice advocate, you must live a healthy life. Take care of yourself as well as others. Invest in yourself as well as in others. No one can build a house of justice on a foundation of injustice. Love yourself and be just to yourself and do the same with others. As you become a social justice advocate, you will experience joy, inspiration and love in abundant measure. I look forward to standing by your side at some point.

*Peace,
Bill Quigley*

