

Friday, November 7, 2008

**Blue skies, smiling at me.**

Â Â During my first summer in law school, working in the regulations and legislation division of a federal agency, I mentioned my interest in becoming a litigator. One of the staff attorneys -- who had paralegaled at the ACLU, which was one of the places I wanted to work -- exclaimed: "Don't you know that is the legal path that causes the most ulcers?" Â Ulcers shmucers, I reasoned. I went to law school intent on learning better how to fight for civil liberties, and preferred -- and still do -- an ulcer doing work I enjoy than havingÂ a less meaningful life without stress. Â Â Of course, ultimately I found the path to being calm even in the eye of the most virulent trial storm, as I describe here. Before reaching that path, though, many times in my first two years of practicing criminal defense I would walk into the courthouse feeling my heart sink to my stomach, obsessed over how much injustice was being done every minute in any courthouse I walked into. Ultimately, I reversed that view to seeing every visit to court as an opportunity to add more justice to the world and to reverse all the world's injustices, although the opposite view still tugs at me. Â Ironically, I probably would not have found this path of calm in the eye of the storm had I not met the eye of the storm so many times as a trial lawyer fighting tooth and nail for my clients' liberty. Â Too many people lose touch with the child within them as they get farther away chronologically from childhood. Look at the adults to whom children gravitate at holiday gatherings, at weddings and other big celebrations, and on boring shopping trips with their parents, and you are bound to see adults very much in touch with the positive child within.Â The division between work and play needs to be dissolved, for each living moment to be part of a harmonious, powerfulÂ and enjoyable whole. Â Two people who bridge the gap between work and play, and adulthood and childhood are the late Ella Fitzgerald and Thich Nhat Hanh. Who else but Ella could have elevated "A Tisket A Tasket"Â from a droning kindergarten-required song to the masterpiece seen in this video, and even more so when I experienced Ella and Oscar Peterson separately on stage on a magical summer evening in 1982? The only thing better would have been for Thich Nhat Hanh to haveÂ joined them onstage. Â A few years ago, I found the following passage from Thich Nhat Hanh, which brought me all the more closer to living and lawyering fearlessly and in the moment: Â Contemplation on No-Coming and No-GoingBy Thich Nhat Hanh This body is not meI am not limited by this body.I am life without boundariesI have never been born,And I have never died. Look at the ocean and the sky filled with stars,Manifestations from my wondrous mind.Since before time, I have been free Birth and death are only doors through which we passSacred thresholds on our journeyBirth and death are a game of hide and seek. So laugh with me,Hold my hand,Let us say goodbyeSay goodbye to meet again soon.We meet todayWe will meet again tomorrowWe meet at the source every moment. We meet each other in all forms of life. Â Thich Nhat Hanh, Chanting and Recitation from Plum Village. Page 188. Â In the above-displayed video, Thich Nhat Hanh talks of being mindful, happy and in the moment with each passing second. Not only is such an approach essential, but, when applied, it helps one concentrate on the task at hand, even if the person prefers being elsewhere in time, place, health, and experience. Many talk of time management, but overly thinking about the future in an effort to manage time will boomerang against the time manager if s/he cannot be here now. Â A big challenge to keeping work as play is to transcend the feeling of imprisonment being in a stuffy, windowless, courtroom where one cannot even enliven the experience with an I-Pod. Then again, before the days of electronics, electricity and batteries, people found a way to do that without I-Pods, and I will endeavor to do the same. Â As the week comes to a close, I have posted the above videos. The first video presents Ella Fitzgerald in Berlin singing Berlin's "Blue Skies". The second videoÂ presents Thich Nhat Hanh bringing the benefits of mindfulness/being in the moment, to life. Thanks to a listserv member for the link to the latter video. Jon KatzÂ Â ADDENDUM: After posting the forgoing blog entry, I finally listened to the rest of theÂ above clip of Ella Fitzgerald to see that the song is actually "On a Clear Day" after Ella starts off with the first line of "Blue Skies". I found no close rendition of "Blue Skies". Here is one by Willie Nelson.

Posted by Jon Katz in Persuasion at 00:00