

Monday, August 20, 2007

Circling the battlefield three times.

Practicing life and law as a harmonious whole. Today's Underdog posting is at once serious and liberating. Some people think I am too serious about life, some think I am not serious enough, and perhaps some think I need to better balance the both. When I let people know me well enough by letting my guard fully down -- which is easy to do with friends, can be dangerous to do with foes, and can be dangerous not to do with juries -- they get a better understanding about how well balanced is my mix of seriousness and humor. Sometimes I suppress some of my seriousness to avoid going into a tailspin of feeling all grey about life and to avoid having judges and juries tune out my message. Sometimes I suppress some of my humor to avoid going the other extreme, with one of my worst nightmares involving laughing uncontrollably during closing argument at trial when remembering through free association a friend's joke that made my soymilk come through my nose; my plan is to neutralize any such possibility by summoning an equally sad or depressing memory. I write more about my approach to humor and seriousness here. Last year, I blogged: "My temptation to feel dread over all the [world's] ongoing injustice is strong, including the dread I often feel in the pit of my stomach as I enter a courthouse with the recognition of all the injustice that has happened there, but needing to remember all the justice that has been done there, too, and that will continue to be done there. Like the protagonists in M*A*S*H, I search out the often bent side of humor to maintain a sane balance. T'ai chi alone won't do it for me." Fortunately, any dread I feel when entering a courthouse disappears rather quickly, as I refocus on the battle at hand. However, I want to feel full balance, full power, and no dread at all in the courthouse, which is my legal battleground. I have come closer to doing so, and this is how: As regular Underdog readers know, I am a non-Buddhist deriving many peaceful and harmonious benefits from Buddhism. As a member of a local Tibetan Buddhist temple suggested to me recently, spiritual truth is spiritual truth, no matter its source nor the path for finding it. Just as nobody has a monopoly on spiritual truth, Duke Ellington asserted that there are only two kinds of music, good and bad. Echoing this view, a friend who pursues a form of karate crystallized and practiced in the Philippines says that with martial arts and everything else, the goal is to receive and follow beneficial teaching and training, no matter the source. Consequently, my path to empowerment is one of millions of possible paths. Buddhism has been a peaceful anchor for me, in part because some of my most peaceful moments have been spent with such Nipponzan Myohoji Buddhists as Rev. Jun Yasuda of Grafton, New York, Rev. Takako Ichikawa of Washington, D.C., Rev. Clare Carter of Leverett, Massachusetts, and Rev. Kato of Leverett. They never suggest that I change my religion, and have a knack for bringing together people of all backgrounds who have a thirst for peace and justice. Jun Yasuda, among others, practices bowing three times, ends prayer sessions with three repetitions of Na Mu Myo Ho Ren Ge Kyo facing the Buddha followed by the same trilogy facing everyone present, and takes her temple visitors for a walk on the surrounding ancient Mohican land, including three clockwise revolutions around the magnificent stupa that apparently is one of the few things that ever has calmed down the otherwise overactive dog of my close friend who lives around fifteen miles away, while leaving burning incense sticks at key parts of the walk. Having asked more than my share of questions to Jun-san, I never asked her about the significance of doing things three times. Perhaps, this Theravada site gives the answer, when discussing doing three prostrations at a Buddhist shrine: "This prostration is made three times, the first time to the Buddha, the second to the Dhamma [also known as dharma, or the Buddha's teachings], and the third to the Noble Sangha," which is defined here as "figures who represent high levels of spiritual attainment who inspire and guide us through both their symbolic example and through visionary experience." Seeing that Jun-san and many others approach all life as sacred, including our enemies, I came up with the idea of trying to get to courthouses and other legal battlefields early enough, from time to time, to do t'ai chi and to circle the battlefield three times, and at least once when less time is available. I tried this for the first time last week at the federal courthouse in Alexandria, where I was scheduled for an initial criminal court appearance. I left home early enough to park a few blocks from the courthouse, and to do t'ai chi at an interesting pedestrian plaza at the nearby Patent and Trademark Office building. Some people gathering before work at a nearby table seemed amused; one of my t'ai chi teachers told me of the benefits to others of practicing t'ai chi before them, including doing so with people staying at hospitals, and I have seen some of the biggest benefits expressed in the reactions of children. After completing the thirty-seven-interconnected-posture t'ai chi practice, I walked to the courthouse, and had a sufficiently light load of just an accordion file, to circle the courthouse, clockwise, three times. This is a circle of around one-third to one-half of a mile, in that the tightest circle goes around the large courthouse, a nearby office complex, the prosecutor's office attached to the courthouse (don't get me started about why the prosecutor's office is exalted right next to the courthouse in such a way that public defender's offices and private criminal defense lawyers' offices are not), and security posts. As I walked, I chanted the odaimoku prayer for peace, composed of the words "Na Mu Myo Ho Ren Ge Kyo" (here being chanted by Rev. Takako Ichikawa, whose temple's website I maintain here). As it turns out, I have Hollywood and literary company chanting Na Mu Myo Ho Ren Ge Kyo, including Tina Turner, and characters in The Simpsons (by Homer), Life in Hell, South Park, Revenge of the Nerds II, and The Exorcist. As I

walked around the courthouse battlefield, my tension and disharmony about this courthouse and the criminal justice/injustice system at the federal and state levels started dissipating. This is not to say that my strong feelings about the criminal justice system changed, but just that I got more relaxed being in a place where often I have felt down knowing about all the injustices being inflicted on people in court buildings. On my first revolution, I ignored the man in the guardbooth for the parking garage underneath the courthouse, not interested in being interrupted by a quizzical reaction. As I passed the guardbooth at the entrance to the prosecutor's office parking garage halfway on the other side, I saw a guard with whom I always have gotten along well, and gave him a friendly wave. As I proceeded to revolutions two and three, I ignored nobody; I imagine that in Buddhism, to ignore anybody is to ignore part of oneself, in that we are all connected in one way or another. By the time I was done, I felt more familiar than ever with this courthouse, and with all other courthouses and battlefields. The judges and everyone else who go in and out of the courthouse are temporary visitors and inhabitants to these buildings and on the planet; my clients and I have at least as much a claim to these buildings as do they. I will not get very far, if at all, showing people my anger and upset over injustices that seem to originate or to be assisted by them, rather than to educate them and to help empower them to come closer to doing the right thing. Getting into greater harmony with my opponents and with judges who do things that appear unjust reminds me what I said in my July 15, 2007, blog entry: "Much more often than not, my simple act of folding a peace crane and handing it with peaceful intentions to another person spreads peace or other forms of happiness to them. I have considered, but thus far declined, handing peace cranes to selected prosecutors and other opponents; then again, consider George Harris's powerful act of placing carnations in the gun barrels of police during a 1967 antiwar demonstration." By now, I cannot think of anything preventing me from handing an opponent a peace crane other than (1) that I only make a few on occasion due to the time to fold a well-made peace crane, and (2) my handing the peace crane may be misconstrued as weakness by me; however, even if that is the response, I am empowered by the very act of doing the same kindness for an opponent as I would do for my closest friend or family member, and any misconstruction of my intentions opens the door to better understanding between me and my opponent, and does not dilute my power. This simple act of performing t'ai chi in view of the battlefield building and then circling the battlefield makes the building seem less alien to me, and gives me a feeling of more harmony and power. None of this is about new age, touchy-feely spiritualism. It is all about the necessity of achieving and maintaining harmony; being fully powerful for myself, my family, my clients, and everyone else; and reaching higher levels of fulfillment and happiness, all without needing to visit a psychological therapist, nor to ingest anything but healthy food and water and to breathe freely and harmoniously. Jon Katz.

Posted by Jon Katz in Persuasion at 00:01

Great post, Jon. Thank you for this . . .
Anonymous on Aug 22 2007, 22:22

Hi, Shaman- Thanks, as always, for your feedback. I hope all goes well. Jon
Anonymous on Aug 23 2007, 19:36