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# Lawyering in the Little Way of St. Therese of Lisieux with Complete Abandonment and Love

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# LAWYERING IN THE LITTLE WAY OF ST. THÉRÈSE OF LISIEUX WITH COMPLETE ABANDONMENT AND LOVE

MICHAEL A. SCAPERLANDA<sup>†</sup>

We are about to explore a profound and wonder-filled mystery. This is the story of how we—lawyers convening in one of the world’s mega-centers of power—came to study at the school of Marie Françoise Thérèse Martin. And although many lawyers—me included—have an aversion to science and math, we find ourselves this evening in Thérèse’s science class, studying the Science of Divine Love.<sup>1</sup>

## I. THÉRÈSE

Thérèse, the youngest of nine children (only five survived infancy), was born in a small French town on January 2, 1873. Her mother died when Thérèse was four years old. She became a cloistered nun in Lisieux at the age of fifteen and died a cloistered nun at twenty-four. Only thirty people attended her funeral.<sup>2</sup> As one biographer put it, “[m]ost assumed she would soon be forgotten.”<sup>3</sup> Except for a brief encounter with Pope Leo XIII when she was fourteen<sup>4</sup>—described by Pope John Paul II as

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<sup>1</sup> See JOHN PAUL II, APOSTOLIC LETTER *DIVINI AMORIS SCIENTIA* ¶ 1 (1997) [hereinafter *DIVINI AMORIS SCIENTIA*] (proclaiming Saint Thérèse a Doctor of the Universal Church).

<sup>2</sup> STEVEN PAYNE, SAINT THÉRÈSE OF LISIEUX: DOCTOR OF THE UNIVERSAL CHURCH 58 (2002).

<sup>3</sup> *Id.*

<sup>4</sup> This encounter is described in ST. THÉRÈSE OF LISIEUX, THE AUTOBIOGRAPHY OF THÉRÈSE OF LISIEUX: THE STORY OF A SOUL 82–84 (John Beevers trans., 1989) [hereinafter *STORY OF A SOUL*].

a moment of “filial boldness”<sup>5</sup>—nothing in her life seemed extraordinary, at least when seen with the world’s eyes. The arrogant among us might look at her short life and, borrowing the words that Justice Jackson used to describe Ignatz Mezei, conclude that she lived a life of “unrelieved insignificance.”<sup>6</sup>

Can the life of this seemingly ordinary cloistered Catholic shed light on the ordinary practice of law? If so, how?

Fortunately for us, the eyes of faith and the Providence of the Almighty work in ways unseen by the mighty and the proud. As Pope John Paul II said, “The science of divine love, which the Father of mercies pours out through Jesus Christ in the Holy Spirit, is a gift granted to the little and the humble so that they may know and proclaim the secrets of the kingdom, hidden from the learned and the wise.”<sup>7</sup> Instead of being forgotten, her vocation in the world was just beginning as Thérèse’s life and spiritual insight became widely known very shortly after her death. The discalced Carmelites of Lisieux, following “the custom of publishing an obituary ‘circular letter’ after the death of a community member,”<sup>8</sup> pieced together three autobiographical manuscripts of Thérèse’s and published them as *The Story of a Soul*. Two thousand copies were published a year after her death.<sup>9</sup> By 1905, this work was available in ten languages.<sup>10</sup> Ten years later, the Carmel had sent out more than a million copies of her writings.<sup>11</sup> Today, her writings are translated “into about 50 languages.”<sup>12</sup> As Pope John Paul II said: “Thérèse [is] known in every part of the world, even outside the Catholic Church. A century after her death, Thérèse of the Child Jesus continues to be recognized as one of the great masters of the spiritual life in our time.”<sup>13</sup>

In 1910, four years before her cause for beatification was formally introduced, Pope Pius X referred to Thérèse as “the

<sup>5</sup> *DIVINI AMORIS SCIENTIA*, *supra* note 1, ¶ 5.

<sup>6</sup> *Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206, 219 (1953) (Jackson, J., dissenting).

<sup>7</sup> *DIVINI AMORIS SCIENTIA*, *supra* note 1, ¶ 1.

<sup>8</sup> *PAYNE*, *supra* note 2, at 58.

<sup>9</sup> *Id.* at 62.

<sup>10</sup> *See id.* at 63.

<sup>11</sup> *See id.*

<sup>12</sup> *DIVINI AMORIS SCIENTIA*, *supra* note 1, ¶ 3.

<sup>13</sup> *Id.*

greatest saint of modern times.”<sup>14</sup> Pope “Benedict XV characterized her ‘way . . . of spiritual childhood’ as ‘the secret of sanctity’ . . . .”<sup>15</sup> Pope Pius XI considered her the “Star of his pontificate,” canonizing her in 1925.<sup>16</sup> Two years later, at the request of “many missionary Bishops,” this young woman, who had the zeal of a missionary, but lived the life of a cloistered contemplative, was given the title “patron of the missions along with St. Francis Xavier.”<sup>17</sup> Praise of St. Thérèse and her spiritual doctrine continued with Pius XII, John XXIII, Paul VI, and John Paul II. Hundreds, if not thousands, of books and articles have been written about her and her spirituality, and doctoral dissertations have explored her thought. Moreover, she is cited numerous times in the documents of Vatican II and in the Catechism of the Catholic Church.

Thérèse brings to her science class one additional credential that is worth mentioning and pondering—a doctorate. Each of us here (or at least most of us here) have doctorates, belonging to an exclusive club of those who have completed the requirements for the degree of Juris Doctor. Exclusivity is a relative term. Together with more than 300 classmates, I received my Doctor of Jurisprudence at the University of Texas on May 19, 1984. Excluding J.D.’s, the University of Oklahoma conferred doctoral degrees on 188 candidates during the 2005–2006 school year. The University of Notre Dame conferred 158 Ph.D’s this past year. Thérèse, in contrast, is one of only thirty-three individuals to be declared a Doctor of the Universal Church. Thirty-three doctorates conferred during a 2000 year history. That is an exclusive group.

Thérèse’s doctorate is even more remarkable because (1) she is only the third woman to receive this title; (2) she is the youngest recipient; and (3) she lacks the formal educational training normally associated with a doctorate. Steven Payne writes that “[t]he impact of her seemingly simple message was so immediate and profound that, not long after her canonization, various parties [including the abbot of Gethsemani Abbey in Kentucky, Jesuits from Mexico, bishops from Brazil and Argentina, and a scholar from Argentina] were already informing

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<sup>14</sup> *Id.* ¶ 10.

<sup>15</sup> PAYNE, *supra* note 2, at 72.

<sup>16</sup> *DIVINI AMORIS SCIENTIA*, *supra* note 1, ¶ 7.

<sup>17</sup> *Id.* ¶ 2.

the Lisieux Carmel of their interest in having Thérèse declared a 'doctor of the church.'"<sup>18</sup> By the early 1930's, more than 300 bishops had endorsed the conferring of this doctorate.<sup>19</sup> There was, however, one major problem—no woman had ever been declared a doctor of the universal church, and Pius XI indicated that he would leave the decision to his successors.<sup>20</sup> The call for Thérèse's doctorate was renewed after Teresa of Avila and Catherine of Siena received their doctorates in 1970.

John Paul the Great chose missionary Sunday of 1997, one hundred years after Thérèse's death, to proclaim her as a doctor of the universal church. In his homily that day, he recognized that:

something surprising is happening. St. Thérèse of Lisieux was unable to attend a university or engage in systematic study. She died young: nevertheless, from this day forward she will be honoured as a doctor of the Church, an outstanding recognition which raises her in the esteem of the entire Christian community. . . .<sup>21</sup>

He said:

[W]hen the Magisterium proclaims someone a doctor of the Church, it intends to point out to all the faithful . . . that the doctrine professed and proclaimed by a certain person can be a reference point, not only because it conforms to revealed truth, but also because it sheds new light on the mysteries of the faith, a deeper understanding of Christ's mystery.<sup>22</sup>

Thérèse led an extraordinary life after all. Given the testimony of popes and peasants, perhaps Thérèse, despite the differences in education level, vocation, and lifestyle, can offer insight into the ordinary practice of law. In order to fully consider what St. Thérèse might offer us, we will first consider briefly the environment in which we practice law, including issues related to job satisfaction and work-life balance.

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<sup>18</sup> PAYNE, *supra* note 2, at 74.

<sup>19</sup> *See id.* at 76.

<sup>20</sup> *See id.* at 77.

<sup>21</sup> JOHN PAUL II, HOMILY PROCLAMATION OF ST. THÉRÈSE OF THE CHILD JESUS AND THE HOLY FACE AS A "DOCTOR OF THE CHURCH" ¶ 3 (1997) [hereinafter *DOCTOR OF THE CHURCH*], available at [http://www.vatican.va/holy\\_father/john\\_paul\\_ii/homilies/1997/documents/hf\\_jp-ii\\_hom\\_19101997\\_en.html](http://www.vatican.va/holy_father/john_paul_ii/homilies/1997/documents/hf_jp-ii_hom_19101997_en.html).

<sup>22</sup> *Id.*

## II. THE LEGAL PROFESSION

Numerous studies, surveys, books, and articles address the question of job satisfaction and work-life balance among attorneys.<sup>23</sup> Last year the NALP Foundation for Law Career Research and Education published a report by Professor Susan Saab Fortney entitled *In Pursuit of Attorney-Work-Life Balance: Best Practices in Management*.<sup>24</sup> Nearly half of the supervised attorneys reported that they felt “stressed and fatigued most of the time.”<sup>25</sup> Nearly 43% of the law firm supervised attorneys reported not having “a good balance between my job and my personal life,” while only a little over a third reported achieving the desired balance.<sup>26</sup>

The NALP report followed studies done by the ABA’s Young Lawyers Division in 1984 and 1990. The ABA study showed that 81% of all attorneys were satisfied or very satisfied with their jobs in 1984.<sup>27</sup> This number had dropped to 76% by 1990.<sup>28</sup> In

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<sup>23</sup> See generally Debra T. Berube, *Everybody's Doing It: Seeking Personal and Professional Satisfaction in the New Millennium*, 25 VT. B.J. & L. DIG. 36 (1999); Kenneth G. Dau-Schmidt & Kaushik Mukhopadhyaya, *The Fruits of Our Labors: An Empirical Study of the Distribution of Income and Job Satisfaction Across the Legal Profession*, 49 J. LEGAL EDUC. 342 (1999); Susan Saab Fortney, *An Empirical Study of Associate Satisfaction, Law Firm Culture, and the Effects of Billable Hour Requirements*, 64 TEX. B.J. 1060 (2001); Susan Saab Fortney, *Soul For Sale: An Empirical Study of Associate Satisfaction, Law Firm Culture, and the Effects of Billable Hour Requirements*, 69 UMKC L. REV. 239 (2000); Susan Saab Fortney, *The Billable Hours Derby: Empirical Data on the Problems and Pressure Points*, 33 FORDHAM URB. L.J. 171 (2005); John P. Heinz, Kathleen E. Hull & Ava A. Harter, *Lawyers and Their Discontents: Findings from a Survey of the Chicago Bar*, 74 IND. L.J. 735 (1999); Kathleen E. Hull, *Cross-Examining the Myth of Lawyers' Misery*, 52 VAND. L. REV. 971 (1999) [hereinafter Hull, *Myth of Lawyers' Misery*]; Joseph E. La Rue, *Redeeming the Lawyer's Time: A Proposal for a Shift in How Attorney's Think About—and Utilize—Time*, 20 NOTRE DAME J.L. ETHICS & PUB. POL'Y 473 (2006); Lawrence R. Richard, *Psychological Type and Job Satisfaction Among Practicing Lawyers in the United States*, 29 CAP. U. L. REV. 979 (2002); Patrick J. Schiltz, *On Being a Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession*, 52 VAND. L. REV. 871 (1999); The Project for Attorney Retention, *An Initiative of the Center for WorkLife Law of the UC Hastings College of Law*, <http://www.pardc.org/> (last visited May 10, 2007).

<sup>24</sup> SUSAN SAAB FORTNEY, *IN PURSUIT OF ATTORNEY WORK-LIFE BALANCE: BEST PRACTICES IN MANAGEMENT* (2005).

<sup>25</sup> *Id.* at 97. While 36.2% of all supervised attorneys agreed with the statement, “I feel stressed and fatigued most of the time,” 11.9% indicated that they strongly agreed. Twenty-three percent neither agreed nor disagreed. *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> See ABA YOUNG LAWYERS DIVISION, *THE STATE OF THE LEGAL PROFESSION: 1990*, 52 (1991).

<sup>28</sup> See *id.*

2005, the percentage of supervised attorneys who were “very satisfied” in their job stood at 50.2%.<sup>29</sup> The decline in job satisfaction is even more pronounced for attorneys in private practice. By 2005, only 44.8% of supervised attorneys expressed satisfaction in their jobs.<sup>30</sup>

Pressure to bill more hours has been rising along with increased compensation<sup>31</sup> and has combined with the breakdown of civility among attorneys,<sup>32</sup> the shift toward viewing law as a business rather than a noble profession,<sup>33</sup> and an increasing desire to have a life outside the law firm<sup>34</sup> to contribute to a decline in job satisfaction. Responses to this phenomenon of dissatisfaction are of two kinds: structural and personal.

If there is a crisis in the legal profession, as some argue,<sup>35</sup> this crisis should be addressed at the institutional or structural level. For example, firms could make a concerted effort to allow flex-time and part-time schedules. According to Professor Fortney’s study, although ninety-three percent of managing partners said that their firms allow attorneys to work reduced hours, only fifty-nine percent of the supervised attorneys were aware of or thought this a viable option.<sup>36</sup> Perhaps the disparity in response between supervised and supervisor can be explained by law firm reality. “Allowing” flexible and reduced schedules does not necessarily translate into an openness toward those who choose this path. Reality hits home reading our host Professor Uelmen’s account of the “professional suicide” committed by merely inquiring about the possibility of going part-time.<sup>37</sup> Perhaps market forces or other pressure will cause structural or cultural changes in time. According to the NALP survey, only

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<sup>29</sup> See FORTNEY, *supra* note 24, at 98 (stating that 40.2% agreed and 10% strongly agreed).

<sup>30</sup> See *id.* But see Heinz, Hull & Harter, *supra* note 23, at 736 (stating that 84% of Chicago lawyers surveyed “were either satisfied or very satisfied” and another 10% were neutral); Hull, *Myth of Lawyers’ Misery*, *supra* note 23, at 972–73.

<sup>31</sup> See FORTNEY, *supra* note 24, at 19.

<sup>32</sup> See Richard, *supra* note 23, at 987.

<sup>33</sup> See *id.* at 979.

<sup>34</sup> See FORTNEY, *supra* note 24, at 11.

<sup>35</sup> See ANTHONY KRONMAN, *THE LOST LAWYER: FAILING IDEALS OF THE LEGAL PROFESSION* 4 (1993).

<sup>36</sup> FORTNEY, *supra* note 24, at 94, 109.

<sup>37</sup> Amelia Uelmen, *The Evils of “Elasticity”: Reflections on the Rhetoric of Professionalism and the Part-Time Paradox in Large Firm Practice*, 33 FORDHAM URB. L.J. 81, 81 (2005).



one-fifth of the managing partners surveyed thought that reduced hours negatively affected the client or the firm's relationships with clients, and two-thirds thought it more cost-effective to retain part-time attorneys than to hire new attorneys.<sup>38</sup> If it costs more to recruit and train than to retain on a reduced hours basis, and if clients don't suffer from these arrangements, it makes business sense to move toward allowing and valuing flexibility in the work schedule.

In addition to working to change law firm culture, each attorney has individual choices to make. Professor Uelman, for instance,

decided that even if it was professional suicide [to ask about going part-time], I would go ahead and at least ask the question. I figured that if the answer to my request was no, then that would be a sign that it was time to start looking for a different kind of job.<sup>39</sup>

Professor—now federal district judge—Patrick Schiltz, offered sound advice to law students several years ago. He said:

My "big picture" advice is simple: Don't get sucked into the game. Don't let money become the most important thing in your life. Don't fall into the trap of measuring your worth as an attorney—or as a human being—by how much money you make. If you let your law firm or clients define success for you, they will define it in a way that is in their interest, not yours.<sup>40</sup>

He also offers "four pieces of 'little picture' advice": (1) avoid working in large law firms—or in firms that act like large law firms; (2) seek alternatives to private practice—and especially to big firm practice; (3) if you go to a big firm, make a smart choice; and (4) develop the habit of acting ethically.<sup>41</sup>

Others argue that "[t]he solution may not be leaving your current job, but improving your current job satisfaction" by becoming a more effective manager of time and people, including support staff and clients.<sup>42</sup> Setting boundaries, prioritizing, creating support systems, spending time alone, planning, simplifying, doing what you love, experiencing nature, developing

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<sup>38</sup> FORTNEY, *supra* note 24, at 37 ("About one-third of firm managing attorneys (32.8%) agreed that reduced-hour arrangements hurt the attorney's chances of professional advancement.").

<sup>39</sup> Uelman, *supra* note 37, at 83.

<sup>40</sup> Schiltz, *supra* note 23, at 921.

<sup>41</sup> *Id.* at 924, 938, 941, 949.

<sup>42</sup> Berube, *supra* note 23, at 36.

personal relationships, exercising, enjoying spiritual practices, and spreading joy are recommended ways of transforming the work day.<sup>43</sup> In the late 1990's you could hire any one of about 2000 "professional coaches" to help you "work through frustrations and sort out options," allowing you to "create [a] more satisfying [life] by becoming [a] better self-manager[]," for a fee of \$150 an hour.<sup>44</sup> And, you could "[r]edefine your job by adding excitement to it."<sup>45</sup>

Each individual attorney, whether generally satisfied with his work situation or not, could examine the preceding advice to determine whether it is applicable or helpful to his quest to live his life and fulfill his vocation in an integrated manner. I, for example, have three primary callings as husband, father, and law professor, and I struggle to balance my life so that I am faithful to each of these callings at each unique point in my life and the life of our family. Some, but certainly not all, of the preceding advice is helpful in guiding me through this daily struggle. I haven't hired a "professional coach," preferring to spend this money on a quiet dinner with my wife or a night at the beach. And, while I like a little excitement in my work, I have come to realize that my wholeness and well-being does not require redefining my job for excitement. But, I have found a job that I love, I try to exercise both the body and the spirit daily, and I take time to smell the honeysuckle in my backyard.

This brings us back around to St. Thérèse of Lisieux. Thérèse, I want to suggest, offers a transformative vision for the everyday and ordinary practice of law applicable to all lawyers, whether satisfied in their jobs or not, whether seeking a change in job or career or not, whether doing exciting work or not, and whether working for cultural change in the legal profession or not. Simply put, her advice is to fall deeply and madly in love with the King of the Universe, living every moment and experiencing every situation wrapped in the totality of that love. It is to her little way that we now turn.

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<sup>43</sup> See *id.* (citing Deborah Andelt, *Get a Life! (It'll be Good for You and Your Job)*, 17 LEGAL MGMT. 78 (1998)).

<sup>44</sup> *Id.* at 37.

<sup>45</sup> *Id.*

### III. THÉRÈSE'S "LITTLE WAY" OF "HOLY CHILDHOOD" FOR LAWYERS

In the introduction to *The Story of a Soul*, John Beevers summarizes Thérèse's doctrine, known to us as "the little way of spiritual childhood." Her doctrine, he says:

[I]s based on complete and unshakeable confidence in God's love for us. This confidence means that we cannot be afraid of God even though we sin, for we know that, being human, sin we shall but, provided that after each fall, we stumble to our feet again and continue our advance to God, He will instantly forgive us and come to meet us. St. Thérèse does not minimise the gravity of sin, but she insists that we must not be crushed by it. . . . God's love for us must be matched, within our human limitations, by our love for Him. . . . Now this interchange of love does away with the feeling that to please God we must do great and extraordinary things.<sup>46</sup>

In short, according to another author, " 'God as Merciful Love' becomes the hermeneutical lens through which she will boldly and creatively reread all of the elements of Christian doctrine . . . ." <sup>47</sup> To explore her doctrine, I will focus on Thérèse's realism, her relationship with God, her—our—vocation, and her understanding of God's justice.

#### A. *Thérèse's Realism*

Thérèse was a realist. She was neither an optimist who saw the cup as half-full nor a pessimist who saw it as half-empty. She wanted to experience life with no illusions, seeing and knowing the truth about God, herself, and others. She didn't shy away from tough questions. From a young age, a thorny theological problem presented itself to Thérèse. "[F]or a long time," she wondered "why God had preferences and why all souls did not receive an equal amount of grace."<sup>48</sup> Instead of dismissing, ignoring, or suppressing the question, she confronted it with a childlike openness. Jesus "set the book of nature before [her] and [she] . . . realized that if every tiny flower wanted to be a rose, spring would lose its loveliness and there would be no wild flowers to make the meadows gay."<sup>49</sup> Her sister, Pauline,

<sup>46</sup> STORY OF A SOUL, *supra* note 4, at 17.

<sup>47</sup> PAYNE, *supra* note 2, at 193.

<sup>48</sup> STORY OF A SOUL, *supra* note 4, at 19.

<sup>49</sup> *Id.* at 20.

illustrated the answer to a similar question. Writing to, and under the direction of, Pauline as prioress, Thérèse recounted:

You made me bring Daddy's big tumbler and put it by the side of my tiny thimble. You filled them both with water and asked me which was fuller. I told you they were both full to the brim and that it was impossible to put more water in them than they could hold. And so, Mother darling, you made me understand that in heaven God will give His chosen their fitting glory and that the last will have no reason to envy the first.<sup>50</sup>

During her lifetime, Thérèse experienced many periods of spiritual dryness where she was acutely aware of God's absence. She completely embraced these periods with no sugar coating. This is how she described one such experience:

God afflicted me with a most grievous martyrdom which lasted for three days. It brought sharply home to me the bitter grief felt by the Blessed Virgin and St. Joseph as they searched for the Child Jesus. I was alone in a desert waste—or rather, my soul was like a fragile skiff tossing without a pilot on a stormy sea. I knew Jesus was there, asleep in my craft, but the night was too black for me to see Him. All was darkness. . . . [I]t was night, the dark night of the soul. Like Jesus during His Agony in the Garden, I felt myself abandoned and there was no help for me on earth or in heaven. God had abandoned me.<sup>51</sup>

Thérèse also had a keen sense of her self—her virtues as well as her faults. As she began to write *The Story of a Soul*, Thérèse, who was only barely twenty, could already declare (and rightly so, given the subsequent scrutiny of her life) that “I have now reached a stage in my life when I can glance back at the past, for my soul has matured enough in a crucible of inner and external trials.”<sup>52</sup> She was also fully aware of her shortcomings. At several points in her autobiography, she tells of her struggles with self-love.<sup>53</sup> This realism—this knowledge—provides a key component to the development of her doctrine because knowing, intimately, her own weakness—her own sin—and knowing that she lacked the strength to do anything about it caused her to fall into the merciful arms of God with a heart full of gratitude.

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<sup>50</sup> *Id.* at 35.

<sup>51</sup> *Id.* at 70.

<sup>52</sup> *Id.* at 21.

<sup>53</sup> *See id.* at 24, 55–57, 97, 122–23.

God shows his mercy, partly, by providing others to help illumine our path. While suffering the agony of a particularly serious temptation, Thérèse did the best thing possible and immediately told her novice mistress of the temptation.

The humiliation I felt at telling her all this drove off the devil like magic, for he wanted me to keep quiet about my distress and so remain entangled in his snare. But I was the one who trapped him, for, to complete my humiliation, I also told the whole story to the prioress. . . .<sup>54</sup>

This advice, central to understanding the Catholic sacrament of confession or reconciliation,<sup>55</sup> has had practical effect in the lives of millions of addicts in twelve-step programs who faithfully call their sponsors when temptation knocks on their doors.<sup>56</sup>

Thérèse's realism extended to those around her. By the age of fourteen, she had for some time been praying for sinners, but she had never thought about praying for priests, naively thinking that "their souls were without blemish."<sup>57</sup> During a trip to Italy, she "saw that some of them were still men, weak and subject to human frailty," and realized that Carmelites had a great vocation praying for these souls who are meant to be "salt of the earth."<sup>58</sup> She also saw living in community for what it was with nuns of different temperament, some even behaving in irritating or annoying ways. But, she said, that "God, in his mercy, has preserved me from illusions. I found that a nun's life was just what I imagined it would be. None of its sacrifices surprised me, and yet . . . there were at first more thorns than roses on my path."<sup>59</sup>

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<sup>54</sup> *Id.* at 100–01.

<sup>55</sup> *Cf.* CATECHISM OF THE CATHOLIC CHURCH ¶ 1455 (2d ed. 1997).

<sup>56</sup> We "[a]dmitt[ed] to God, to ourselves, and to another human being the exact nature of our wrongs." ALCOHOLICS ANONYMOUS, THE BIG BOOK 59 (4th ed. 2001) (reciting the fifth step of the twelve steps).

<sup>57</sup> STORY OF A SOUL, *supra* note 4, at 76.

<sup>58</sup> *Id.*

<sup>59</sup> *Id.* at 90. In reading Thérèse, I am reminded of the movie, *The Matrix*. In that movie, Neo wanted to experience reality even with its pain, misery, and squalor. In contrast, the traitor—the Judas character—desired a life of illusion, preferring an imaginary steak dinner in the Matrix to the porridge available to those living in the real world outside the Matrix.

### B. *Thérèse's Love Affair with God*

Thérèse's realism allowed her to fall in love with God and not merely her image of God. Although most of us know her as Thérèse of Lisieux, or as the Little Flower, her religious name was Thérèse of the Child Jesus and of the Holy Face. Her sister, Céline, wrote:

Devotion to the Holy Face was, for Thérèse, the crown and complement of her love for the Sacred Humanity of Our Lord. . . . Just as the picture of a loved one serves to bring the whole person before us, so in the Holy Face of Christ, Thérèse beheld the *entire Humanity* of Jesus.<sup>60</sup>

In reflecting on her dedication to the Child Jesus and the Holy Face, one author said that:

Thérèse . . . pondered the Holy Face as the image of Christ's unimaginable love for humanity, the same love which had first brought him to earth in the Incarnation. For Thérèse, sentimental approaches to the Infant Jesus could not be separated from the suffering of the Passion, nor the crèche divorced from the Cross.<sup>61</sup>

How did this dedication to the Child Jesus and the Holy Face manifest itself in Thérèse's life? She described Jesus' love as a "mad love,"<sup>62</sup> a love that caused her to say "a thousand silly things."<sup>63</sup> In other words, there is something pure, refreshing, youthful, and passionate about her love affair with Jesus. In response to His love, she replied: "Now I wish for only one thing—to love Jesus even unto folly! . . . I've finished all other work except that of love. In that is all my delight."<sup>64</sup>

As true love ought, she cared more for her lover than for herself, saying at one point, "I don't want Our Lord to visit me for my own satisfaction, but only for His pleasure."<sup>65</sup> Her response

<sup>60</sup> PAYNE, *supra* note 2, at 44 n.27.

<sup>61</sup> *Id.* at 45.

<sup>62</sup> STORY OF A SOUL, *supra* note 4, at 158.

<sup>63</sup> *Id.* at 71.

<sup>64</sup> *Id.* at 109.

<sup>65</sup> *Id.* at 106. This insight, offered to me many years ago by my wife, has been key to the development of my prayer life. As a young adult, I would judge my prayer time (centering prayer or mental prayer) by how I felt afterward or throughout the rest of the day. After a particularly long dry spell, and wallowing in my own spiritual immaturity, I gave up in frustration because "I" wasn't "getting anything"—defined as a spiritual high—out of it. Now my prayer time—even with its multiple distractions—is about commitment, showing up to sit quietly in the presence of the One who created me, and sustains me in every moment of my

to the spiritual dryness she experienced during a retreat reveals the depth of her love for Jesus. Instead of griping about the lack of consolation—the fact that she didn't feel like she received anything during the retreat—her gaze was upon her beloved and His needs. She said:

I suffered complete spiritual dryness, almost as if I were quite forsaken. As usual, Jesus slept in my little boat. I know that other souls rarely let Him sleep peacefully, and He is so wearied by the advances He is always making that He hastens to take advantage of the rest I offer Him. It's likely that as far as I'm concerned, He will stay asleep until the great final retreat of eternity. But that doesn't upset me. It fills me with great joy.<sup>66</sup>

Completely comfortable and at home with her beloved, she knew that she too could rest sleepily in His arms. "I should be distressed," she said,

[T]hat I drop off to sleep during my prayers. . . . But I don't feel at all distressed. I know that children are just as dear to their parents whether they are asleep or awake and I know that doctors put their patients to sleep before they operate. So I just think that God 'knoweth our frame. He remembereth that we are dust.'<sup>67</sup>

The playfulness of this love affair can be seen in a wedding invitation that Thérèse composed:

ALMIGHTY GOD  
*Creator of Heaven and Earth*  
*Supreme Sovereign of the Universe*  
*and*  
 THE MOST GLORIOUS VIRGIN MARY  
*Queen of the Court of Heaven*  
*Announce to you the Spiritual Marriage of their august Son*  
 JESUS  
 KING OF KINGS and LORD OF LORDS  
*with*

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existence. No longer do I sit in judgment about how I feel after prayer, which allows me to remain committed even during long periods of spiritual dryness.

<sup>66</sup> *Id.* at 99.

<sup>67</sup> *Id.* at 99–100. This too was instrumental in the development of my prayer life. In my younger days, I would condemn myself for falling asleep during prayer. The image in my brain upon waking would be that of Peter asleep in the garden and Jesus' rebuke, "So you could not keep watch with me for one hour." *Matthew* 26:40 (New American). I am sure that there are times that being awake during prayer is required of us. But, for the rest of the time, I am now more relaxed, employing Thérèse's image of sleeping in Jesus' arms.

*Little Thérèse Martin*

*now Princess and Lady of the Kingdoms of the Childhood of Jesus and His Passion, given to her as a dowry by her divine Spouse from which she holds her titles of nobility OF THE CHILD JESUS and OF THE HOLY FACE.*

*It was not possible to invite you to the wedding feast held on the Mountain of Carmel, September 8, 1890, as only the heavenly Court was admitted, but you are nevertheless invited to the At Home tomorrow, the Day of Eternity when Jesus, the Son of God, will come in the clouds of heaven to judge the living and the dead in the full splendor of His majesty.*

*The hour being uncertain, you are asked to hold yourself in readiness and to watch.<sup>68</sup>*

How could one so little and so ordinary respond to God's call? She desired to be a saint. But when Thérèse compared herself with saints, she "always found that there is the same difference between the saints and [her] as there is between a mountain whose summit is lost in the clouds and a humble grain of sand trodden underfoot by passers-by."<sup>69</sup> Not discouraged by this vast difference, she told herself that "God would not make me wish for something impossible," firmly believing that despite her littleness, sainthood was a legitimate goal.<sup>70</sup> But, by what path—she could not "grow bigger," so she "put up with [herself] as [she] was, with all [her] countless faults."<sup>71</sup> Understanding of her own littleness leads to a pivotal development in her doctrine:

I will look for some means of going to heaven by a little way which is very short and very straight, a little way that is quite new. We live in an age of inventions. We need no longer climb laboriously up flights of stairs; in well-to-do houses there are lifts. And I was determined to find a lift to carry me to Jesus, for I was far too small to climb the steep stairs of perfection. So I sought in Holy Scripture some idea of what this lift I wanted would be, and I read these words from the very mouth of eternal Wisdom: "Whosoever is a little one, let him come to me." I drew nearer to God, fully realising that I had found what I was looking for. . . . It is your arms, Jesus, which are the lift to carry me to heaven. And so there is no need for me to grow up. In

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<sup>68</sup> STORY OF A SOUL, *supra* note 4, at 102–03.

<sup>69</sup> *Id.* at 113.

<sup>70</sup> *Id.*

<sup>71</sup> *Id.* at 114.



fact, just the opposite: I must stay little and become less and less.<sup>72</sup>

Her heart was filled with gratitude to the merciful God who showed her the way.

Without great deeds to offer, Thérèse viewed desire and intention as central to the spiritual life. There was an episode in her early childhood when she was presented with a basket of ribbons and other things and was told that she could take what she wanted. Her response: "I choose everything."<sup>73</sup> Reflecting on this later, she remarked that "[t]his episode sums up the whole of my life."<sup>74</sup> In responding to God's call in her life, she said: "My God, I choose all. I do not want to be a saint by halves. I am not afraid to suffer for You. I fear only one thing—that I should keep my own will. So take it, for I choose all that You will."<sup>75</sup> It was in this way that Thérèse discovered her vocation.

### C. *Thérèse's Vocation*

I apologize in advance for the extended quote, but at this critical juncture, it is much, much better to hear from Thérèse than from me. At the end of *The Story of a Soul*, she talks directly to her beloved bridegroom:

O my Beloved! This grace was only the prelude of the greater ones You wished to shower on me. Let me recall them to You, and forgive me if I talk nonsense in trying to tell You again about those hopes and desires of mine which are almost limitless . . . forgive me and heal my soul by granting it what it wants. It should be enough for me, Jesus, to be Your spouse, to be a Carmelite and, by union with You, to be the mother of souls. Yet I long for other vocations: I want to be a warrior, a priest, an apostle, a doctor of the Church, a martyr. . . . I would like to perform the most heroic deeds. I feel I have the courage of a Crusader. I should like to die on the battlefield in defence of the Church.

If only I were a priest! How lovingly, Jesus, would I hold You in my hands when my words had brought You down from heaven and how lovingly would I give You to the faithful. Yet though I long to be a priest, I admire and envy the humility of St. Francis of Assisi and feel that I should imitate him and

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<sup>72</sup> *Id.*

<sup>73</sup> *Id.* at 26.

<sup>74</sup> *Id.*

<sup>75</sup> *Id.*

refuse the sublime dignity of the priesthood. How can I reconcile these desires?

Like the prophets and the doctors of the Church, I should like to enlighten souls. I should like to wander through the world, preaching Your Name and raising Your glorious Cross in pagan lands. But it would not be enough to have only one field of mission work. I should not be satisfied unless I preached the Gospel in every quarter of the globe and . . . I should like to have been [a missionary] from the creation of the world and to continue as one till the end of time. But, above all, I long to be a martyr. From my childhood I have dreamt of martyrdom, and it is a dream which has grown more and more real in my little cell in Carmel. . . . My Jesus, fling open that book of life in which are set down the deeds of every saint. I want to perform them all for You!

Now what can You say to all my silliness? Is there anywhere in the world a tinier, weaker soul than mine? Yet just because I am so weak, You have granted my little, childish desires and now You will grant those desires of mine which are far vaster than the universe. These desires caused me a real martyrdom, and so one day I opened the epistles of St. Paul to try to find some cure for my sufferings. . . . [I read,] "Be zealous for the better gifts. And I show unto you a yet more excellent way." The apostle explains how even all the most perfect gifts are nothing without love and that charity is the most excellent way of going safely to God. I had found peace at last.<sup>76</sup>

Wanting to recognize herself in all the various members of the Body of Christ, she viewed charity as "the key to [*her*] vocation."<sup>77</sup>

I realised that love includes all vocations, that love is all things, and that, because it is eternal, it embraces every time and place.

Swept by an ecstatic joy, I cried: "Jesus, my love! At last I have found my vocation. My vocation is love! . . . *I will be love*. So I shall be everything and so my dreams will be fulfilled."<sup>78</sup>

In her weakness, she dared give herself completely to Jesus and His mission.<sup>79</sup>

Knowing that she was incapable of this love, Thérèse reached for the elevator. "Jesus has shown me," she said, "the only path which leads to this divine furnace of love. It is the

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<sup>76</sup> *Id.* at 153–54.

<sup>77</sup> *Id.* at 155.

<sup>78</sup> *Id.*

<sup>79</sup> *See id.*

complete abandonment of a baby sleeping without a fear in its father's arms."<sup>80</sup> Turning her attention to us, she said: "If people who are as weak and imperfect as I am only felt what I feel, not one of them would despair of scaling the summit of the mountain of love. Jesus does not demand great deeds. All He wants is self-surrender and gratitude."<sup>81</sup> Anyone willing to pray, to sacrifice, to suffer with Christ, to completely abandon themselves in Christ, and to develop habits of love by doing small good deeds for those around them can be a saint. Thérèse's extraordinariness lies in her ordinariness, and it is there for us also if we only have the eyes to see.

#### D. A Comment on Thérèse's Understanding of God's Justice

Before concluding, I will briefly mention Thérèse's refreshing view of God's justice. She viewed all, including her understanding of God's justice, through the rubric of God's love and mercy. In her letters, her poetry, and her autobiography, she said:

To me, He has revealed His infinite mercy, and I see all His other attributes in the light of that. Thus they all seem glowing with love: His justice, perhaps even more than the others, is clothed with love, for how sweet a joy it is to think that God is just; that, in other words, He makes allowances for our weaknesses and understands perfectly the frailty of our humanity. So what have I to be afraid of? If God, who is perfectly just, shows such mercy in forgiving the prodigal son, must He not also be *just* to me. . . ?<sup>82</sup>

With this understanding of justice, it is easy to see how Thérèse abandoned herself to the care of her just lover and Lord.

#### CONCLUSION

In his introduction to *The Story of a Soul*, John Beevers said: "It often happens that anyone reading *The Story of a Soul* for the first time will be quite unimpressed and may even find it

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<sup>80</sup> *Id.* at 150.

<sup>81</sup> *Id.*

<sup>82</sup> *Id.* at 110–11. "It is because He is just that 'He is compassionate and filled with gentleness, slow to punish, and abundant in mercy, for He knows our frailty. He remembers we are only dust.'" Letter from Thérèse to P. Roulland (May 9, 1897), in 2 LETTERS OF ST. THÉRÈSE OF LISIEUX, 1890–1897, at 1093 (John Clarke trans., 1988).

distasteful. . . . But it is very certain that this reader will not forget it and that, one day, he will return to it and read it again—and again.”<sup>83</sup>

I know of at least one lawyer who found Beevers’ warning to be accurate. I could not relate to Thérèse or to her quaint style of recounting her childhood. Yet, reading John Paul the Great instructed me to try. In an Angelus Proclamation on the occasion of Thérèse’s doctorate, John Paul said: “[A]ll who are called to contemplate and transmit the truths of the faith must cultivate that deep intimacy with God which belongs to the ‘little’ and the ‘humble.’ Treasure this teaching!”<sup>84</sup> Thérèse, this little flower—this doctor of the Church—had something to teach me, if only I was humble enough to take instruction from a nineteenth century uneducated person who died young.

Pride—a lack of humility—blocked my path. I suffered from the worst kind of pride, one that exceeded even that of the Pharisees. I fancied myself as the humble widow giving her two cents to God or as a lowly leper begging for Jesus’ healing power, all the while looking down upon the prideful present-day Pharisees. In other words, I often times possessed great pride in my humility. I was living in a delusional state. As glimpses of pride broke through my illusion, I knew I had to reform my life. I had to seek humility. But, one cannot make oneself humble. If we could, we would justifiably take pride in our accomplishments. We can, however, desire humility, admit our powerlessness over pride, and seek grace from the One who can make us humble. But, be careful what you ask for because you might get it, often, in unexpected and painful ways.

In January 2002, I presented a paper in Lisbon, Portugal, at a conference on terrorism.<sup>85</sup> The conference organizers generously provided a free day, and I chose to spend mine in Fatima, where Our Lady of the Rosary is said to have appeared to three shepherds in 1917. At Fatima, I asked for two graces: to desire God with all my heart and to learn to love others completely, especially my wife of twenty years.

Pride, however, stood in the way. From an early age, I had fragmented my life. With ninety-eight percent of my being, I

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<sup>83</sup> STORY OF A SOUL, *supra* note 4, at 15.

<sup>84</sup> DOCTOR OF THE CHURCH, *supra* note 21, ¶ 6.

<sup>85</sup> See Michael Scaperlanda & Matthew C. Kane, *The War on Terrorism After September 11: A Perspective from America’s Heartland*, 2 DAXIYANGGUO 113 (2002).

attempted to live a committed Christian life devoted to God and others. The other two percent, I desperately wanted—as stupid as this sounds—to keep hidden, even from God. In living a dis-integrated life, the two percent corrosively affected the ninety-eight percent in countless ways. I had made myself a God over the two percent. When things went well, I got the credit. When things went poorly, I took the blame. I was in control. Over this portion of my life, there was no sense of gift and no attitude of gratitude. The border between the two percent and the other ninety-eight percent was porous, and the alternating emotions of accomplishment and guilt seeped into the rest of my life. I could not fully desire God if I was not prepared to fully abandon myself to His love. And, I could not fully love others, even my wife, unless I fully placed myself in God's loving embrace. But, I could not be the one to integrate my life, to turn it completely over to God. For, if I had the power to reform my life in this radical way, I would not need God. All I could do is admit that I was powerless over my pride, my guilt, and my ingratitude, and beg God to make me whole so that I could live an integrated life. But, to grant me—an arrogant law professor—this grace, the Divine Doctor had to perform painful surgery,<sup>86</sup> removing the cancer killing my soul and body.

It is funny how the Holy Spirit works. If I had given this talk when Professor Uelmen first asked, it might have been better, at least as judged by standards of intellectual rigor, but I would have written and delivered it with a complete lack of understanding. But, in his mercy, God has brought me low this past year—so low that I was willing, for the first time in my life, to throw myself with complete and utter abandon on the mercy—or rather, the justice—of the Divine Court. Fortunately, my humiliation was private, but it was profound nonetheless, and it made me little—it humbled me—so that I could learn the “little way.” I will never be sufficiently grateful for the surgery performed by the Divine Physician.

Except for a very brief mention of justice, we have not discussed the practice of law, but I hope that you see that this “little way” can, and will, transform your life, including the practice of law. I carry one regret from my years as a practicing

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<sup>86</sup> The cross reminds us that the path back to God is always painful as we give up our illusions of control. The crucifix serves to remind us that the One who has walked this path before walks our path with us.

lawyer. After spending a wonderful year with Hogan & Hartson, I left Washington, D.C. and returned to Austin. I was extremely unhappy in my second firm. The partner I worked for saw my potential as a lawyer and mentored me the best that he could. But, his idea of a good lawyer and my own did not mesh. I judged his single-minded quest for victory in litigation as too narrow because it failed to consider the broader interests of the client, much less any interest outside the client's sphere.<sup>87</sup> Although married with two children, the impression I got of him was that of a lawyer with singular devotion to his work. This was his idea—at least this is my impression of him—of a successful litigator, and he wanted to gift this vision to me. He wanted me thinking about my clients while showering, shaving, and eating breakfast.

This was not what I desired for myself and my family, and I knew I needed to change jobs. But, how was I to act in the interim? My wife encouraged me to approach my job in the "little way," asking God to give me peace and contentment in the midst of the growing crisis. She reminded me that countless people find such solace while suffering through much worse situations. In my anger and frustration, my vision narrowed. As I thought of others who courageously live lives of love under deplorable conditions, I could see myself heroically following in their footsteps. But, in the midst of my own pain, I could not imagine it for my own reality. Instead, I lived a life of anger, resentment, and possibly even hatred toward this partner. Of course, these attitudes crept into my life at home, with others at the office, at church, and in every other area of my life. I now wish I had listened to my wife's advice and begged God to allow me to approach my job in the "little way" so that I would have experienced satisfaction in an unsatisfactory situation by counting my misery—real or imagined—as little sacrifices teaching me to love.

The "little way," with its radical realism, humility, and complete abandonment into the loving arms of God, is for all, even for lawyers. May you find it now. Twenty years ago, I lacked the eyes to see and the ears to listen to Thérèse's "little

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<sup>87</sup> See generally THOMAS L. SHAFFER & ROBERT F. COCHRAN, JR., *LAWYERS, CLIENTS, AND MORAL RESPONSIBILITY* (1994) (proposing a model of lawyering where interests in addition to the client's narrow financial interest are considered by lawyer and client working collaboratively).

way.” Now that humility has provided me with new eyes and new ears to see and hear what was previously hidden, I can happily report that I am a grateful novice in Thérèse’s school of Divine Love.

