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VOCATION AS CURSE

F. Giba-Matthews, ofm*

At present, there is a scholarly debate about the proper place for the notion of religious vocations in the lives of lawyers. Some scholars have suggested legal work should acquire a vocational dimension, citing the benefits that vocations could provide both lawyers personally and the legal profession generally.¹ Other scholars have questioned the role of religious vocations in the practice of legal work, citing the need for the public to be protected from the individual, sectarian and personal beliefs that a lawyer may possess.² A third group of scholars have argued for a vocational nature in the practice of legal work by defining vocation as a commitment to raising the ethical standards for the practice of law by all lawyers.³ According to this latter perspective, a lawyer should come to understand his/her career as a calling from God, a calling necessitating the practice of law in accordance with a higher ethical standard.

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1. See generally, JOSEPH ALLEGRETTI, *THE LAWYER'S CALLING: CHRISTIAN FAITH AND LEGAL PRACTICE* (Paulist Press, 1996); see also Leslie Griffin, *The Relevance of Religion to a Lawyer's Work: Legal Ethics*, 66 *FORDHAM L. REV.* 1253 (1998) (arguing in favor of a lawyer having religious vocation); Gregory A. Kalscheur, S.J., *Law School as a Culture of Conversation: Re-imagining Legal Education as a Process of Conversion to the Demands of Authentic Conversation*, 28 *LOY. U. CHI. L. J.* 333, 337 (1996) (describing that law students have "desires to be lawyers as part of a call from God"); James Luther Adams, *The Vocation of the Lawyer*, 31 *MERCER L. REV.* 531, 543 (1980) (proposing that lawyers should look "beyond the call of career interests"); Charles L. Krammer, III, *Vocation and the Professions*, in *THE ANNUAL OF THE SOCIETY OF CHRISTIAN ETHICS* 153, 154 (1981) (focusing on the religious concept of vocation to "ascertain a vision of responsive professions"); CHRISTOPHER F. MOONEY, S.J., *PUBLIC VIRTUE: LAW AND THE SOCIAL CHARACTER OF RELIGION* 70-110 (1986) (discussing law as vocation); Thomas L. Shaffer, *The Christian Lawyer — An Oxymoron?*, *AMERICA*, Nov. 23, 1996, at 12.

2. See Bruce A. Green, *The Role Of Personal Values In Professional Decision-making*, 11 *GEO. J. LEGAL ETHICS* 19, 60 (1997) (arguing that "professional norms presently do not accommodate personal conscience in all cases"); see also Norman W. Spaulding, *The Prophet And the Bureaucrat: Positional Conflicts in Service Pro Bono Publico*, 50 *STAN. L. REV.* 1395 n.157 (1998) (arguing that "the public and private aspect of the self are kept apart") (quoting ROBERT MANGABEIRA UNGER, *KNOWLEDGE & POLITICS* 61 (1975)).

3. Kenneth W. Starr, *Christian Life in the Law*, 27 *TEX. TECH. L. REV.* 1359 (1996) (arguing that the demands of Christianity are compatible with the skills of a lawyer); see generally JAMES A. PIKE, *BEYOND THE LAW: THE RELIGIOUS AND ETHICAL MEANING OF THE LAWYER'S VOCATION* (1963).

This Essay argues that while legal work as a vocation may have positive effects for society as a whole, as well as overall benefits for the legal profession, legal work as a vocation under any of these models could very well hurt the lawyer "called" to take up such a vocation. A vocation is not always an enviable thing to have. In fact, a vocation poignantly has been described as a curse,⁴ because a vocation, as seen from its theological and biblical roots, has a much more powerful resonance than "impeccable integrity."⁵ A vocation is not simply the application of one's religious beliefs to the practice of law;⁶ rather it is a "burning fire" in the lawyer's soul which the lawyer "cannot contain."⁷ Thus, a lawyer's vocation becomes an overwhelming priority. Once a lawyer with religious belief discerns the actions God would want that lawyer to do, the values that most lawyers cherish become compromised. Accordingly, autonomous control, career advancement, professional acceptance/recognition and freedom become second-hand considerations.

Part I of this Essay provides an explanation of the biblical underpinnings of vocation through a discussion of the Hebrew word, *dabar*. Part II discusses the two skills which lawyers uniquely possess to help them understand the Word of God which any person with a vocation must realize: (1) the ability to use and interpret words and (2) the ability to analyze the world around them. Part III employs the biblical example of Jonah to illustrate that the practice of law as a vocation is a deeply personal and religious event that could be good for God, the common good and public discourse, but not for the individual lawyer. Finally, this Essay concludes that while society indeed reaps the benefits of a lawyer's vocational skills, the very possession of such skills can, at the same time, cause internal distress.

4. *Jeremiah*, 20: 7-18 at v.14 (The Jerusalem Bible) (presenting a short autobiographic reflection of Jeremiah being seduced by God, with his final evaluation being "A curse on the day when I was born").

5. See PIKE, *supra* note 3, at 91.

6. See, e.g., F. Giba-Matthews, ofm, *A Catholic Lawyer And The Church's Social Teaching*, 66 FORDHAM L. REV. 1541 (1998).

7. THEOLOGICAL DICTIONARY OF THE NEW TESTAMENT 97 (Gerhard Kittel ed. & Geoffrey W. Bromiley, trans. & ed.) (1983).

I. *Dabar*: The Basics of Vocation

Dabar generally means the word of God which a person with a vocation must discern.⁸ The meaning of *dabar* is best illustrated by its usage in the passage from *Isaiah* (55:10-11):

Yes, as the rain and the snow come down from the heavens and do not return without watering the earth, making it yield and giving growth to provide seed for the sower and bread for the eating, so the word [*dabar*] that goes from my [Yahweh's⁹] mouth does not return to me empty, without carrying out my will and succeeding in what it was sent to do.¹⁰

One scholar has described *dabar* as both word and event.¹¹ Yet, it is not to be understood as a magical event or a spell that works against a person's will.¹² While the Bible says *dabar* is inevitable, it is not automatic.¹³ A person must receive *dabar*, and that reception is only accomplished when the person listens.¹⁴ Yet, once a person has truly heard the word of God, *dabar* is steadfast¹⁵ and will not desist until the purpose of the word of God is accomplished. It is similar to a marriage or friendship or accepting a case: once the dialogue has begun, the very force of the commitment to dialogue accomplishes its own purpose. Moreover, unlike spouses, friends or clients, Yahweh's commitment to the dialogue, expressed by Yahweh's word, is permanent.¹⁶

II. Skills To Understand *Dabar*

There are two skills which lawyers uniquely possess to help them to understand *dabar*. *Dabar* is both the general written law, usually in the plural (be it the Decalogue or the Ten Commandments), and the personal law, usually in the singular, that determines the lawyer's entire life.¹⁷ Words are the tools of a lawyer's trade, and lawyers have an intuitive understanding of their power. The preci-

8. For the purposes of this Article, the *Fordham Urban Law Journal* employs the author's exegesis for the word *dabar*.

9. This Article interchanges the words God, Yahweh and the subject of *dabar* as God. This is because when the author wishes to bring out the general understanding of God, he uses simply, God, but if he wishes to refer to the historic actions of Yahweh as God, then he uses Yahweh.

10. The Jerusalem Bible (all Biblical citations will be from this version).

11. See JOHN SCULLION, S.J., *ISAIAH* 40-66 131 (1982).

12. See *id.*

13. See *id.*

14. See *id.*

15. See *id.* at 22.

16. See *id.*

17. See *id.*

sion of words and their interpretation is how a lawyer crafts documents and interprets law. Therefore, a lawyer is uniquely situated to discern the meaning found in God's written word, *dabar*.

Secondly, the lawyer's ability to analyze and appreciate the world God has created around them is a powerful skill he/she possesses to help them explore *dabar*. Throughout the Pentateuch, the creation of nature is attributed to *dabar*.¹⁸ Creation had its origins in *dabar*. Creation came about through the force of *dabar* that God spoke. Therefore, heaven and earth contain the word of God. A law school education teaches a lawyer to question and incorporate all that surrounds him/her — such as colleagues, staff, family, neighborhood, city, state, country, world — and discern his/her place in this universe. As such, a lawyer can discern God's will in a way unavailable to most people.

III. *Jonah: A Case Study*

The Biblical story of Jonah provides a good example of how a lawyer can discern a vocation, as well as the inevitable consequences of being faithful to one's vocation. Jonah was possessed of qualities often associated with being a lawyer: he argued well and consistently,¹⁹ he knew and carefully manipulated jurisdictional issues,²⁰ he was a man of means²¹ and he quickly accustomed himself to material comforts.²² In fact, Jonah could be understood as a religious lawyer. Jonah was a devout man who worshiped Yahweh and tried his best to be faithful to Yahweh's teachings.²³ He was accustomed to offering sacrifices in Yahweh's temple.²⁴ As a result of these facts, when Yahweh first called him to get "up,"²⁵ Jonah recognized God's words.

18. See Kittel, *supra* note 7, at 99 (discussing *dabar* as the creator of creation).

19. *Jonah* 1:4-16 (arguing successfully for the sailors to throw him into the raging sea); *Jonah* 3:4-5 (convincing the Ninevites to change their sinful ways); *Jonah* 4:1-4 (arguing powerfully but unsuccessfully that Yahweh destroy the Ninevites); *Jonah* 4:8-11 (arguing with ambiguous results that Yahweh allow him to die).

20. See *Jonah* 1:2-3 (fleeing the land of the Hebrews, Jonah was attempting to flee Yahweh's power, because in the Ancient Near East, the belief was that divine power followed geography).

21. See *Jonah* 1:3 (paying his fare for international travel without any mention of difficulty).

22. See *Jonah* 4: 6-8 (exploiting the delight of the castor-oil plant and then demanding suicide when it was taken away from him).

23. See *Jonah* 1:9.

24. See *Jonah* 2:8-10.

25. See *Jonah* 1:1-2.

Yet Jonah's ability to find God's meaning produced much turbulence in his life. In fact, Jonah was besieged with fear and pain when God's meaning was revealed to him, and this drama occurred only when Jonah tried to flee Yahweh. From the violence of the storm God sent to plague Jonah, Jonah discerned the violence from his own abandonment of Yahweh's call.²⁶ In despair, Jonah appealed to God:

Out of my distress I cried to Yahweh
and he answered me;
from the belly of Sheol I cried.
and you have heard my voice.
You cast me into the abyss, into the heart
of the sea,
and the flood surrounded me.
All your waves, your billows,
washed over me.²⁷

Finally, Jonah accepted his burden, and Yahweh commanded Jonah, "Go to Nineveh, the great city, and inform them that their wickedness has become known to me."²⁸ While the text is silent about why Yahweh chose Jonah for this particular task, inferences from the text's details do reveal similarities between Jonah and the modern lawyer. Because Jonah possessed lawyer-like qualities,²⁹ Yahweh could better accomplish Yahweh's goal through a man like Jonah. Not only could Jonah argue proficiently and thus gain the ear of foreigners like the Ninevites, but his knowledge of jurisdictions enabled him to persuasively frame accusations. Moreover, because Jonah was well off financially, he had the means to travel to Nineveh. In addition, by virtue of his financial security, he enjoyed material comforts, and therefore, he could present to the Ninevites that adhering to this foreign God's regulation would not hurt them materially.

The Book of Jonah metaphorically illustrates the problem of injecting vocation into legal work: a person with a vocation loses control of his or her destiny and may end up doing unsavory,³⁰ unpopular, and uncharacteristic tasks. Jonah was commanded to

26. See *Jonah* 1:12.

27. *Jonah* 2:2-4.

28. *Id.* at 1:2.

29. See *supra* notes 20-23 and accompanying text.

30. Arguably, Jonah's vocation to walk through Nineveh and threaten the entire population with imminent destruction is not completely unsavory for prophets. Hosea, who was commanded to marry a prostitute, would be a better example. See *Hosea* 3:1.

leave home, preach an unpopular message to foreigners and threaten a massive foreign city with destruction. Moreover, Jonah did not want God to be successful.³¹ Nevertheless, Jonah wanted Yahweh not to relent, but to make good on his threat to demolish the sinners. It was hard for Jonah to understand God's compassion for these foreign people and their animals.³² In the end, a lawyer, responding to a vocation from God, might end up like Jonah: dissatisfied with himself, his task and his/her God. Moreover, the book of Jonah ends without revealing whether or not Jonah makes peace with Yahweh or reaches any level of job satisfaction.

Conclusion

Ironically, the skills which facilitate a lawyer's ability to know God can benefit society but be terribly burdensome for the individual lawyer. The Jonah story illustrates that a lawyer's vocation is a well-founded call facilitated by a lawyer's skills. These skills reveal the meaning of God in words of law and in the messages of creation. Yet while the result of responding from this call is a better world (as exemplified in the tale of Jonah and the foreign city of Nineveh), the conduit of such a message faces a less appealing existence.

31. See *Jonah* 1:1-3.

32. See *Jonah* 4:11 (telling God that he could not feel sorry for the Ninevites, "people who cannot tell their right hand from their left").