

"ZEN AND LAW"

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An Interview of Art Campbell by James B. McEnteer

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Biographical Backgrounds:

Arthur W. Campbell and James McEnteer became close friends before either went to college. Campbell graduated from Harvard College in 1966. During 1967-68, after a year of law school at West Virginia University College of Law and waiting to be called into the Air Force, Campbell returned to Harvard and worked as a night janitor. While there he systematically combed through the university's considerable Zen collection. After learning to navigate low-level, special-operations planes, Campbell returned to law school, graduating in 1971. Going on to earn a master's degree in criminal justice on a fellowship from Georgetown University, he practiced law in Washington, D.C. as both a federal prosecutor and criminal defense counsel. Campbell also became an adjunct professor at, and taught students from, the five major law schools in D.C. In 1976 he began full-time teaching at California Western School of Law in San Diego. His legal treatise, *LAW OF SENTENCING*, has been cited as authority over 600 times. Campbell's three-part memoir, *TRIAL & ERROR: The Education of a Freedom Lawyer*, has achieved critical acclaim. He and his wife, the novelist Drusilla Campbell, have been married for what he calls "40-plus volatile years." Having raised two sons, they now raise dogs and horses. Campbell has studied and practiced both Zen and law for nearly half a century.

James McEnteer was educated at Wesleyan University (BA), the University of British Columbia (MFA) and the University of Texas at Austin (PhD). His published books include: *Shooting the Truth: the Rise of American Political Documentaries*, *Deep in the Heart: the Texas Tendency in American Politics* and *Fighting Words: Independent Journalists In Texas*. He also edited a collection of short stories. His work has been translated into Spanish and Chinese. McEnteer was a Fulbright researcher in New Zealand and later a Fulbright professor at the University of the Philippines in Manila. In both countries he studied and wrote about the role of mass media in national political campaigns. He has taught and lectured at universities in the United States, Europe, Asia, Latin America and the South Pacific. McEnteer was a research fellow at the Joan Shorenstein Center for Press, Politics and Public Policy in the Kennedy School of Government at Harvard University. His work has appeared in the *Harvard International*

Journal of Press/Politics. A journalist for many years, he continues to publish articles and opinion pieces in print and online in various venues. McEnteer lives in Quito, Ecuador with his wife and two children.

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McENTEER: As you know, I'm interested in how you reconcile practicing law and practicing Zen.

CAMPBELL: Wow, I didn't think there was a problem til you asked that question!

McENTEER: Sorry....

CAMPBELL: That's okay. "No problema," I should say. But let me start by stating I'm not qualified to speak for Zen. I can only talk about my own experiences. Zen masters warn that to pontificate on the subject is "to stink of Zen." So now I'll totally disregard my disclaimer and...

McENTEER: ... Uh-oh, let me move a little downwind.

CAMPBELL: You comfy now? Returning to your question, let's agree on its two central terms. A basic definition of practicing law is "applying legal rules to facts." And a useful definition of practicing Zen is "directly apprehending reality— being totally awake." Now, since I can apply legal rules to facts and still be awake, I feel no **basic** tension between Zen and law. But you asked how I "reconcile" the two. That question seeks an answer on the abstract level. You know, a Zen master might...

McENTEER: ... hit me over the head...

CAMPBELL: ... hand you a cookie, smile, and then hit you over the head. The hit would come from an existential level— as an attempt to wake you up and kick you off the level of abstractions. But since law profs generally teach on the abstract level, let me stay there and address a couple squirrely issues I see running around the base of your question.

McENTEER: Would those squirrels stop if you offered them a cookie? Seems you don't need me or my questions to keep you going. How about you just talk to Mikey Microphone while I go get a cookie?

CAMPBELL: No stay! I'll write "cookie" on this slip of paper. You can wad it up and swallow it. It's abstract, of course, but some lawyers and professors live their lives as if abstractions were real.

McENTEER: Okay, since I'm a journalist, I'll stay and save the paper-wad in case I get desperate. So let's explore those under-running issues.

CAMPBELL: One way to view the difference between practicing law and practicing Zen is to see them operating at different levels of the same reality. Lawyers use their analytical minds to solve client problems on the abstract level. They'll pull up conceptual boxes and choose one into which they'll fit the problem. For example, some larger boxes bear the label "Property," "Torts," "Contracts," "Criminal Law," etcetera. Attorneys fish around inside their chosen box to find the best solution for the interests of their client. By comparison, Zen practitioners open their intuitive minds, try to be aware of all levels of reality, then act upon whatever level or levels best harmonizes interests of everyone and everything concerned.

Another way to view their differences is to see attorneys marching down an abstract spectrum labeled "time." They stride to the past (legal precedent) to find solutions to control a portion of their client's future. Zen folks know "past" and "future" are abstractions that can serve as handy tools, but what's basic, essential, and real can only happen in the present. So, although Zennists don't disregard the concepts of chronology, they prefer to dwell in Now. Whoa, those distinctions just triggered more thoughts in my head!

McENTEER: Maybe I should go downstairs, bring us up some coffee, and leave you with your "present." Can you keep firing off your thoughts to Mikey Microphone?

CAMPBELL: Sure! At least Mikey Mic will listen. But, I wonder— can he hear?

McENTEER: Does he really need to— as long as we're all one?

CAMPBELL: Well, some of us are more aware of that than others. And though Mikey's on the level, I'm not sure **which** level.

McENTEER: Okay I'll stay and hold off our caffeine fixes for a while.

CAMPBELL: Hear, hear! Let me spill these thoughts your question started spinning in my mind. First, let's return to viewing Zen and law as working on their different levels of reality. Law, with its abstract categories and precedent— plus special rules controlling just what evidence can be considered by a jury or a judge— could be seen by Zennists as creating heaps of **maya**, or illusions of the mind.

Yet I still don't feel a **basic** contradiction in being both a Zen man and a lawyer. For instance, a Zen attorney **outside** court can often solve a client's problems without resort to law's boxes of abstractions or precedent. Focusing on Now, she might show her client that at deeper levels of reality there's nothing to be "fixed." In some cases she may point out that what seems a "problem to be solved"

is simply "life to be lived." In other words, sometimes the most effective way to deal with a situation is attitudinal— not negotiable, contractible, or litigatable.

Even **inside** court a Zen lawyer could work to expand those little legal boxes or include more levels of reality. Coming from the Now, she can employ the tools of humor and compassion to nudge the judge or jury to embrace more viewpoints or vital information, aiming toward an outcome that's more satisfying to all concerned.

McENTEER: But...

CAMPBELL: Wait, wait, there's more!

McENTEER: What, you're offering me free Ginsu knives... but only if I buy your product "now" while operators are standing by?!

CAMPBELL: Yes, you've got it! But let them sit down while I "stab" a few more skittering thoughts. Your initial question jumped from the middle of a cultural assumption. Our society **does** see Zen and law as conflicting. It also slaps its frames around them, often calling one "religion" and the other a "profession."

However, when I place Zen inside a frame, its borders embrace the entire universe. By contrast, law's frame only holds a few man-made abstractions. If the cosmos were a framed sand-painting, only a few grains would represent the law. On the other hand, a Zen roshi would kick apart the painting to show reality is what's outside all frames.

McENTEER: But isn't Zen a way of life, rather than an organized religion?

CAMPBELL: Right on. Zen sidesteps many of the rigid formalities, hierarchies, and dogmas of conventional Buddhism. Except for a few rituals in its monasteries and meeting places, Zen is as dis-, non-, and un-organized as any wisdom warehouse I've walked through. Indeed Zen's hallmark is to question all authority and accept only what is verified. In other words, Zen strives to **apprehend** what's real by way of one's experience. On the other hand, I see most religions striving to **prescribe** what's real according to their **founder's** experience. Then, of course, there's law as an institution which strives to **control** what's real, at least on the finite level.

McENTEER: Doesn't it get confusing for you to work towards two apparently contradictory objectives, apprehending versus controlling life?

CAMPBELL: I confess, occasionally my elevator gets stuck between floors. For instance, I exhort my first-year students to master "legal analysis." But sometimes I wonder if I'm lockstepping them along the road of pure abstractions, blind to what is real, thus increasing their illusions. I've often quipped, "Tenure for professors means..."

McENTEER:... never having to say you're sorry?

CAMPBELL: Oops, I've probably relied on that too much. But it also means I can "profess" not only law but also what is real. Of course, good lawyers definitely need both. And teaching's a profession where sellers want to give more than their buyers paid for. Still from time to time I ask myself, "Am I hiding a Zen robe beneath my shirt and tie— a wannabe roshi in drag? Am I baiting students with a law degree, so I can hook them with a little life? How can I convey that law is just a tool that can be used **in**, but should not be confused **with**, life?" Maybe we'll explore these issues later in our interview.

McENTEER: No, go ahead, El Senor Professor. I see you're on a roll.

CAMPBELL: Okay, let me lug some boxes of abstractions to our talk. When I work inside a box called "negotiation," I'll help put a deal together and draft a contract to control the parties' future actions. Other times I'll work inside a "corporate" box as member of a board of directors, trying to group-solve business problems. For years I operated in a "litigation" box. Later on today I'll stand inside a "teacher" box, helping students see how they can function ethically inside boxes called "crim-law" or "copyright."

Regardless of which box I'm working in, when I'm there with other lawyers, I've found we tend to operate and view the world on the same level. We'll clothe selected facts and abstract thoughts with special lingo and then— voila— we'll treat our manikin as real!

But lawyers working inside boxes function with such starved and artificial views of what is real! To begin with, in this country our reasoning is limited by the Judeo-Christian-European logic that undergirds it. Next, laws are limited by changing cultural norms that brand them "good," "bad," or "irrelevant." Finally, along with rules for what's considered "evidence," lawyers narrow what is real by employing only facts that match their box's label: "contracts," "property," etc. All these pressures work to shrink the sides of boxes in which lawyers peer to find what they can work with as if real.

Of course, collectively the boxes brim with legal rules— legislative, judicial, administrative— designed to govern problems previously stuffed inside the designated given box. But usually lawyers aren't allowed to look outside that box for rules to solve their clients' problems. The exception to this way of doing things— one honored as "creative lawyering"— merely plucks solutions from some **other** box.

So there's great potential mischief when attorneys try to view new, large, multi-leveled problems with old, small, single-level lenses— then "fix" them using old-box formulas. On the plus side, this process lends great stability and predictability

to society. Of course, latent hazards rise from law's disregard for facts and views that don't fit in its prefabricated boxes.

McENTEER: Doesn't that disturb you when you see it happening in court?

CAMPBELL: It used to. I recall frustration when I first practiced as a litigator. I'd be aware of a solution to some problem in a case but couldn't get the judge to buy it since it didn't come already wrapped in same-box precedent. Or I'd get aggravated when the judge refused to let me present crucial facts before the jury because they fell outside the box of "admissibility."

At times I'd get steamed at law's refusal to recognize a larger view of what is real. Once I threw my hands into the air and said, "Your Honor, can't you see what's **really** going on here?" And His Honor pinned me with a glass-eyed stare and answered, "Yes, Mr. Campbell, I know **exactly** what's going on here. And unless you present your case in a more lawyer-like way, I'm going to hold you in contempt. I suggest you take five minutes, go out in the hall, and recall you're an attorney."

McENTEER: That sounds almost hopeless, a Catch-22 that zaps you if you see too much but makes you keep on fighting with one eye. What made you stay inside the ring?

CAMPBELL: Well, that day I strolled down the hall and replayed my confrontation with the judge as if I'd been observing from the balcony. From that different level I saw my petty strutting on the stage. Then I closed my eyes and pondered all the good law does. One extremely valuable aspect of law's limited approach to problem-solving is its insistence on appropriate procedures for doing so. This creates a vital counter-weight to our human herd's frequently primitive reactions to what its leaders or mass-media dub a "problem." Due-process also checks what otherwise could be tyrannical control by powerful folks and entities over the powerless. So, for all its faults, law provides society with problem-solving methods that at least aspire to be fair and impartial.

McENTEER: Does this mean the law contains a built-in equilibrium, a yin to balance off its yang, like both sides of Dame Justice's scales?

CAMPBELL: Yes, that's a useful way to view it. The trouble is that judges and attorneys sometimes get so fixated on legal process they forget their ultimate goal is to find fair, workable solutions to disputes between citizens or businesses ("civil law"), or find justice when the government accuses one of us ("criminal law.") From what started as a pig with too many curls in its tail, often there's scant value in what's squeezed out through the judicial meat-grinder.

Zen, on the other hand, is suspicious of trying to capture and transform what's real— life that's happening now— inside boxes of abstractions. Indeed, it takes a

dim view of the conceptual boxes I'm creating as we speak! So Zen's doubly wary of using abstractions to force "solutions" onto what in many cases is just "the way life is."

McENTEER: So how do Zen folks operate in the real world? Aren't there times when they recognize a problem— or is everything always just "the way life is"?

Oh, yes, Zennists still see problems. Although most folks' **mental** suffering is needless— caused by refusing to acknowledge or accept what's real— there are factual problems too. Zen practitioners are keen to sense an out-of-balance situation. Once they can completely grasp the multi-level aspects of a given set of circumstances, often they can see the need for some harmonizing act or acts. If the practitioner is a **bodhisattva**— a fully awake person whose purpose is to help the world— she'll take that action with compassion for everyone and everything involved. Remember Saint Augustine's famous maxim, "Love God and do what you please?"

McENTEER: Yes, I really liked that saying when I was a teenager at church socials— especially later, driving back with my date.

CAMPBELL: Me too— weren't we devils quoting scripture! Anyway, a Zen analog might go, "Be awake and do what you must."

McENTEER: That's a curious pick-up line but I'm not sure where it leads. For instance, what about karma? In your work as a Zen lawyer and law prof, what role does karma play in "do what you must"?

CAMPBELL: Uh-oh, you've tossed in a real zinger. You know, Buddhism defines "karma" differently depending on the context. Still, the driving engine of its diverse meanings is the force of cause-and-effect. Let's see if I can place this in a couple of contexts of Zen lawyering and teaching.

When advising clients, some Buddhist lawyers (not I) might say, "Whatever will be, will be. Leave things alone and let each cause have its own natural effect; don't mess with karma; don't interfere. Whatever 'problem' you think you've got will work out naturally. I'll just help you see what's real and what you've manufactured in your mind."

Likewise in trial, some Buddhist attorneys (again not I) might say, "Let the other side present its evidence; I'll present my client's side; then let the jury say which they prefer." Or in a classroom some Buddhist profs (not I) might say, "Let my students read books, come to classes, take exams, and become whatever kind of lawyer that comes naturally."

But— by emphatic contrast— I feel it's **my** karma to nudge clients, trials, and students closer to a natural, balanced order of things.

McENTEER: Can you explain, when you face cosmic karma greater than your own, why you even try to intervene? When you functioned as a trial lawyer, didn't verdicts always come down the way they were meant to, or supposed to, come down...?

CAMPBELL: Let me get a little picky here. In my view verdicts come down as they **must**— not as they're **meant** to, in some predestined way, or **supposed** to according to my clients, my opponents, or the press. In other words, any given outcome was what it absolutely had to be at that time and place. It was the sum of all the causes and effects that worked on the judge's or the jurors' minds. But— and here's the vital catch for me as litigator— those results **included** my own efforts.

As I matured I grew to recognize that basic truth, regardless whether I was prosecutor or defense attorney, regardless if the government won or the accused walked free. But because I held this karmic view about the **end** of trials, that meant **before** the verdict my karmic duty was to strive with utmost vigor as a trial lawyer— or now as negotiator, problem-solver, or teacher— to influence the ultimate outcome with the strongest evidence and arguments available. So I'm a Zen man who's aware of cosmic karma much more powerful than my own. But at the same time my contribution is a vital **part** of that collective force.

Indeed, trying to stay conscious of this fact— alert to signals that it's time to actualize my karmic duty— could be labeled my "morality," "salvation," "at-one-ment with Yahweh ," or "surrender to Allah's will." But I prefer less grandiose terms and think of myself— and my duties as lawyer, teacher, human being— as the proverbial Zen laborer. I'm just a guy who's chopping wood and fetching water, doing his job in the most aware and compassionate way he can.

McENTEER: Is the law a koan?

CAMPBELL: Hmm, I've never thought about the law in that regard. But no, I don't think so. A Zen koan is a statement that can't be grasped by abstract concepts. But law insists on being held that way. Indeed, if you turn law inside out, you're looking at a microcosm of the human mind, how we only "see" realities inside frames created by our culture and desires. The way law boxes its selected facts, excluding others, and then looks inside its fact-packed box for chosen fixes— is both utterly human and utterly primitive: "Don't sit there staring at the sunrise, Throgg! Go out and kill someone who's got a blue-dyed beard. Last night our elders said they've got to die, so our red-dyed tribe survives!"

Sometimes I imagine Lady Justice as a child draped in black, slumped upon a stool, trying to pound square pegs into rounded holes. As I said earlier, although purporting to reflect reality, law is a classic example of **maya**, an illusion we shape

wearing mind-forged manacles. But it's so classically and marvelously human, that **seeing** this— law's blind power and yet magnificent aspiration of its illusions— could push a person to enlightenment the way a koan can.

McENTEER: Earlier you mentioned the potential dangers of conventional legal solutions. Are these what you mean by square pegs pounded into rounded holes? Can you elaborate?

CAMPBELL: All sorts of difficulties can arise— often in the form of unintended consequences— when judges, lawyers, or professors **mistake** law for what is real. From a Zen perspective such errors sometimes look like karmic jokes, like watching an attorney, judge, or law-prof march smugly down the road of his solution and slip on the banana peel he refused to recognize. But when that peel is a person's, nation's, or a planet's life, the outcome can be truly tragic.

As a Zennist I've often grappled with how far I should go with judges, lawyers, clients, students with my view that life is one majestic game we're playing. They needn't snuggle up to my vision of a larger game in order to consider some idea or solution I'm suggesting. On the other hand, I question, especially in this country, why they play **their** games with such ferocious— sometimes suicidal/homicidal— seriousness?

McENTEER: So the challenge of how far to go follows you into the classroom?

CAMPBELL: Yes, I frequently confront it there. I want my students to realize they can become effective, ethical lawyers— instruments for global good— and at the same time know they're players in a zillion interlocking karmic games. Many first-years aren't yet ready for that truth. It would shatter their pre-law expectations about law's grandeur and the impact of their own careers. If I become too flip or jokey when I teach, they'll write me off, treating what I say in this regard with suspicion or contempt. So I sometimes ease into a stance between their expectations and some other level of reality. Still, I can't stand too far away from the level of abstraction because that's where they'll learn to think like lawyers and absorb the rules of law.

Sometimes, if I spot the opportunity, I'll suggest we may be talking on some different level than they were conscious of. For instance, after an exhilarating socratic dialogue, when the class has penetrated to the heart of an issue and students are relaxed, smiling, and exuding confidence, I'll ask if we've been "doing law or life?" Or I may point out that what a student did in answering my questions was just to ponder his prior unexamined mental frames or unexpected consequences of his thoughts. If students learn to catch themselves at this, they'll find out more about the working of their minds, be more effective lawyers, and bring law and lawyers closer to reality.

McENTEER: Are there times you have to rein your students in, times they start stampeding blindly down a hallway of abstractions?

CAMPBELL: On occasion. Let's say I see a student breaking through one of the hardest first-year barriers, mastering the skill of legal analysis. I'll sense her mental light bulb flashing "Wow, I've finally got it!" Her feeling is analogous to Zen's **kensho**, an overwhelming feeling of life's one-ness. I don't want to dampen her new-found confidence and well-deserved pride, but she needs to realize legal analysis is just a lawyer's tool, a special form of abstract thought (like tools that architects or veterinarians use.) It can never capture the experience of a sunrise, seagull, or a symphony. Law's boxes can't contain the essence of these things.

So I caution first-years about wielding legal tools in domestic quarrels, especially with partners, parents, or their landlords. "You may think your logic trumped their arguments but then wonder why you're asked to leave. You've won the battle and just lost the war."

McENTEER: What about after your 1Ls acquire legal analysis and move on to their second and third years? As a Zennist and a law prof, do you then face different challenges?

CAMPBELL: You bet. To begin with, once they've mastered legal-think, I come across a couple students smarter than their prof.

McENTEER: What— how can that be, O Meister of Forensic?!

CAMPBELL: A coach can always spot a player with more talent than he has. He still can teach them special skills, some wisdom culled from his experience, help them find effective ways to use their talents or step around concealed pitfalls on their chosen path.

But here's a toughie I confront when teaching students in the upper-class. First, I continue urging them to use law as tool for bettering the world. And I promise, if they do, they'll find careers more personally rewarding than using law as just a way to gather money, power, and prestige. As 1Ls they were eager to accept this view; it matched their pre-law expectations.

But after they've been pounded by a year of legal-think, had their pre-law visions shrunk to little abstract boxes, many students change to cynics. They abandon both their pre-school hopes and law's aspirations. Other students slump with resignation, thinking it's impossible to achieve both inner satisfaction and the world's external wealth. Instead of searching for their individual ways to find fulfillment plus a decent share of worldly goods, they fall back to our culture's current stance that posits these objectives are an either-or dilemma.

I'm pleased to find these cynics and resigners less enthralled with legal-think. But unfortunately they've also lost connection to the reasons they chose law as a career. It's hard for me to keep their interest, motivate them, reach their core.

On the other hand, every classroom holds at least a couple independent thinkers. They see no need to stuff their dreams in artificial boxes. They'll go on to lead fulfilling lives, plying legal tools discretely, tackling problems from different levels of reality, not conflating law with all that's valuable and real.

Since all these students sit beside each other, I'm challenged to relate across the spectrum, supporting some on their own levels while trying not to turn off the others. Still, I relish this tough task and explore new ways every day I'm on my feet. Of course, there's no fits-all formula to deal with what pops up in a zillion different classroom moments.

McENTEER: So when your workday's done can you leave school, drive into the sunset, and let it all go?

CAMPBELL: That's usually not hard. The trouble starts on days I let myself get sucked into my ego's little game. Let me digress a sec and serve another slice of Zen.

McENTEER: Still no cookies, eh?

CAMPBELL: Nope, but how about some ego-thought for food? I view ego as a super-powerful but distinctly human abstraction. It's our self-image, the mental concept of a "me" that most folks (even atheists) utterly believe is real. Even though I know it's totally made up— cherry-picked historical events and traits— I feel its tug each day. Since I've operated so long from the influence of my ego, I affectionately call him "Posi," my parasite of self-importance.

On days my mind slips into Posi's tune, I'll drive home, walk through my front door, and yet mentally be back in class, going over some experiment I'd tried. Posi's gaily gnawing on his knucklebone of auld lang syne, not living in the now, not present when I greet my wife. On the other hand, if I spot that Posi pushed the replay button, I can pack those thoughts and teacher tools away inside their zippered bag. Then I can walk into my house and plant a fully conscious kiss on Timeless Bride.

McENTEER: Wow, I hope she's ready!

CAMPBELL: After all our years of marriage she can tell if my heart's in the Now or back in school, revising lesson plans.

McENTEER: So Zen might make you a better husband, but does it make you more effective as a lawyer?

CAMPBELL: Undoubtedly. Any player of a game who knows the borders of the field is more effective than one who doesn't. Such attorneys can prevail over lawyers who can't see law's limits, who constantly mistake the law for life. As I said about my early litigation days— when trials felt more like life than games to me— I was frustrated having vital evidence I couldn't get before the jury, seeing larger views of life I couldn't argue, being blocked from what should be my client's "win."

McENTEER: So knowing now it's just a game, do you still get frustrated?

CAMPBELL: Occasionally, especially when my inner warrior mistakes winning for survival. What prompts this once again is Posi. He'll poke my Scottish Highland genes and whisper, "Come on, Art, you absolutely must prevail on this point!" Or he'll slither up and chitter, "Art, at least make sure your self-image comes out looking good."

Sometimes I'll get irritated when I see a negotiation, boardroom, or classroom project veering from the balanced outcome I prefer. I'll ask myself, "Isn't there a better argument I can make, more research I can do, some fact I can uncover that would nudge us to a better result?" But, after doing everything I can to influence the result— after I've chopped all the wood and carried all the water— I'll remind myself it's time to recognize those larger karmic forces.

To put what I've just said in classic Buddhist terms, when I catch myself "craving" a particular outcome for the future or "clinging" to some aspect of the past, I know Posi's biting me again. He whirls, whines, and hissy-fits when he's confronted with a Now he doesn't like.

McENTEER: As a Zen practitioner do you prefer negotiation over litigation?

CAMPBELL: Oh, yes, mucho gusto. Although I've currently laid down my warrior's lance, that's just a personal preference. Some of history's most effective knights were Zen-trained samurai. Zen attorneys, modern knights, are quite successful battling in court. But the way our adversary system's structured, litigation fosters win-or-lose outcomes. So I've switched to forms of lawyering where results can be closer to win-win. When you're negotiating deals or mediating disputes you can bring together diverse points of view and then collectively create an outcome more harmonious than one from win-lose games.

McENTEER: Can you be more specific about how a Zen-trained mind can make you more effective when you practice law or teach?

CAMPBELL: Let me offer two examples. Now and then, negotiating or conferencing, I feel a pervasive sense of serenity, a lack of egoic separation between myself and others in the room. When I'm able to **communicate** this sense it sometimes urges other folks to drop their guards. Together we then reach surprising states of candor and creativity. After putting our egos away, an evolving mutual trust can lead the group to more profound and less polemic views of issues and the stakes involved. Our free-wheeling synergy uncovers new solutions we could never have arrived at as dedicated partisans. Similarly in classrooms, open and spontaneous discussions can reveal new and useful outlooks on our mental processes, blending real life to whatever subject's under scrutiny.

I can't say what triggers these unusual episodes. Maybe someone thinks, "Hmmm, today Campbell's not waving his ego flag, so I'll put mine down a moment." Or perhaps one person says to herself, "Look how unguarded Campbell is. I wonder what would happen if I trusted our collaboration more?" Anyway, neat new things spontaneously arise. And all I did was tell my Posi it was time for him to go outside and play.

McENTEER: How about the reverse? Are there ways in which the law has made you more aware as a Zen practitioner?

CAMPBELL: Oh definitely. Law often tees me up so Zen can whack me in the butt. For instance I need constant reminders that Posi is seducing me. Practicing and teaching law before an audience tosses Posi handfuls of red meat. To extend my earlier example of carrying a problem home inside my mind, I'll start innocently reflecting on something I said or did inside a class or conference room. I'll review the scene from others' viewpoints, asking, "How effective was I with this person or this point?" Then Posi sashays up and asks, "Art, how did your self-image— "I"— come across?" If I don't recognize that voice as Posi's, I'll revise the scene on coulda-would-shoulda lines and replay it like it's not a total fantasy!

That duplicates a hazard built into the law itself. As we've discussed, law traffics in abstractions, linking them to things that happened in the past in its attempt to control a portion of the future. In a Zen sense it's dealing with what isn't, is no longer, or is not yet real. And yet the lawyer's goal— as litigator, negotiator, problem-solver, or professor— is to present abstractions so that they register inside their audience's minds as real.

This leads to why and how attorneys sometimes hoodwink ourselves into conflating law with life. The more we reify abstractions— especially when we method-act inside our made-up dramas— the more our client's viewpoint of the movie **Roshomon** appears to be not just a **real** version of what happened but the **only** real one.

So another difference between Zen and law that Zen first takes a trip into the mind, investigates, and then comes **out**. But law's like what they used to say about Las Vegas: a trip into the mind that **stays** inside the mind.

McENTEER: Compared to when you started law and Zen, does it still boggle your mind, trying to do both?

CAMPBELL: Not much anymore. At least not on days I'm totally awake. But let me answer from a different level, from the "balcony." Yes, sometimes I see my mind **is** boggled as I strut across law's tiny stage. If I accept the boggle, see it's caused by either law's or Posi's mind-forged manacles, I laugh out loud. I'm grateful for this sign I've wandered off the real road, the highway of the Now. Then, when I retake the stage, I can honor and appreciate law and life's fabulous, impermanent, impersonal, and ultimately unsatisfying forms. So I'm glad my mind **is** boggled now and then. If it weren't, I might miss the essence of both Zen and law.