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Laudato Si' and Care for Our Common Home: What does it mean for the legal professional?

Lucia A. Silecchia[†]

I. INTRODUCTION

Pope Francis's recent encyclical, *Laudato Si'* ("Praised Be You"),¹ has been one of the most widely anticipated papal documents in recent memory. It has also received far more secular and popular commentary than would be expected of a papal encyclical.² Yet, while *Laudato Si'* has been widely dubbed "the climate change" encyclical, it is far broader than that.

In *Laudato Si'*, Pope Francis certainly discusses care for creation or, as he calls it, care for "our common home."³ By referencing "our common home" as an important part of *Laudato Si'*'s title itself, Pope Francis emphasizes his belief in the interconnectedness of the natural environment, the human environment, the spiritual life, and the ethical challenges of life in a global community. The emphasis on the natural environment in *Laudato Si'* will make this document a landmark in religious

[†] Lucia A. Silecchia, Professor of Law and Vice Provost for Policy, The Catholic University of America. An earlier version of these remarks followed the Diocese of Austin's Red Mass on October 8, 2015. I am deeply grateful to the Diocese of Austin for the invitation to speak to the Catholic legal community of Austin and for the kind welcome I received. I am also grateful to Ms. Barbara McCoy for her administrative assistance with this project and Ms. Tiffany Tse for her research assistance.

1. Pope Francis, *Laudato Si'* [Encyclical Letter on Care for Our Common Home] (May 24, 2015), http://w2.vatican.va/content/dam/francesco/pdf/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si_en.pdf [hereinafter *Laudato Si'*].

2. Papal teaching is found in many different genres. An encyclical is one of the more formal of these genres as it is a letter written by a Pope addressing an important, often current, topic of concern to the Catholic Church and to the world. While in the past, these letters were traditionally addressed only to other bishops and to clergy, today they are also addressed to the lay faithful and, often, "to all people of good will." For discussion of an encyclical's binding authority in the particular context of *Laudato Si'*, see generally Adelaide Mena, *Infallible? Informal? How binding is the new encyclical on Catholics?*, CATHOLIC NEWS AGENCY (June 19, 2015), available at <http://www.catholicnewsagency.com/news/infallible-informal-how-binding-is-the-new-encyclical-on-catholics-24963/>.

3. *Id.*

discourse on environmental ethics.⁴ However, it is also a far-reaching analysis of a number of political, economic, spiritual, social, and legal issues, in addition to being an extensive exposition on human duties toward creation.⁵

In the text of this encyclical, there are also some important lessons to be gleaned for attorneys. This is what these reflections explore: What does *Laudato Si'* mean for the legal professional? What does Pope Francis' reflection on "our common home" have to teach attorneys about their common profession? In a way perhaps unintended, this encyclical is an invitation for attorneys to reflect anew on their obligations toward each other, to the clients who entrust them with so many things, to the ideals of justice that profession and promise bind them to uphold, and to the passion for what is right and good that drew them to a common vocation a few, or many, years ago.⁶

4. It was not, however, the first time that recent popes have spoken about ecological questions. Pope Francis's immediate predecessors were also outspoken on ecological responsibility. See, e.g., Pope Benedict XVI, *If You Want to Cultivate Peace, Protect Creation* (January 1, 2010), http://w2.vatican.va/content/benedict-xvi/en/messages/peace/documents/hf_ben-xvi_mes_20091208_xliii-world-day-peace.html; and, Pope John Paul II, *Peace With God the Creator, Peace with All Creation* (January 1, 1990), http://w2.vatican.va/content/john-paul-ii/en/messages/peace/documents/hf_jp-ii_mes_19891208_xxiii-world-day-for-peace.html.

5. Because of its broad scope, *Laudato Si'* has already been the subject of a growing body of scholarly literature. See, e.g., John Copeland Nagle, *Pope Francis, Environmental Anthropologist*, 28 REGENT U.L. REV. 7 (2015–16).

6. Certainly, there have been many other explorations of the connection between religious belief and professional ethics. While this listing is by no means a comprehensive bibliography in the field, for commentary on the interrelationship between religion and legal practice, see generally: Joseph Allegretti, *A Religious Perspective on Legal Practice and Ethics*, 66 FORDHAM L. REV. 1101 (1998) [hereinafter Allegretti]; Robert J. Muise, Note, *Professional Responsibility for Catholic Lawyers: The Judgement of Conscience*, 71 NOTRE DAME L. REV. 771 (1996); Thomas Schaffer, *Christian Theories of Professional Responsibility*, 48 SO. CAL. L. REV. 721 (1975) [hereinafter *Christian Theories*]; Thomas Schaffer, *On Religious Legal Ethics*, 35 CATH. LAW. 393 (1994) [hereinafter *Religious Legal Ethics*]; Leslie Griffin, *The Relevance of Religion to a Lawyer's Work: Legal Ethics*, 66 FORDHAM L. REV. 1253 (1998) [hereinafter Griffin]; Fred C. Zacharias, *The Lawyer as Conscientious Objector*, 54 RUTGERS L. REV. 191 (2001); Monroe H. Freedman, *Religion is Not Totally Irrelevant to Legal Ethics*, 66 FORDHAM L. REV. 1299 (1998); Howard Lesnick, *The Religious Lawyer in a Pluralistic Society*, 66 FORDHAM L. REV. 1469 (1998); Jerome Hall, *Religion, Law and Ethics—A Call for Dialogue*, 29 HASTINGS L. J. 1257 (1978); Russell G. Pearce & Amerlia J. Uelmen, *Religious Lawyering in a Liberal Democracy: A Challenge and an Invitation*, 55 CASE WESTERN L. REV. 127 (2004) [hereinafter Pearce & Uelmen]; Robert K. Vischer, *Catholic Social Thought and the Ethical Formation of Lawyers: A Call for Community*, 1 J. CATH. SOC. THOUGHT 417 (2004); J. Nickolas Alexander, Jr., *Faith and the Law – a Lifetime of Balancing of Interests*, 27 TEXAS TECH L. REV. 941 (1996); Joseph G. Allegretti, *Neither Curse Nor Idol: Towards a Spirituality of Work for Lawyers*, 27 TEXAS TECH L. REV. 963 (1996); Timothy W. Floyd, *The Practice of Law as a Vocation or Calling*, 66 FORDHAM L. REV. 1405 (1998); Gordan G. Beggs, *Laboring Under the Sun: An Old Testament Perspective on the Legal Profession*, 28 PAC. L. J. 257 (1996) [hereinafter Beggs]; Charles Skriner, *The Distinctiveness of Christian Legal Ethics*, 24 GEO. J. LEGAL ETHICS 921 (2011); and, Lucia A. Silecchia, *A Witness First Lives the Life He Proposes: Evangelization and the Catholic Lawyer* (May 21, 2015), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2616323.

Woven throughout *Laudato Si'* is the theme of stewardship—the obligation to care for all that has been given out of love and respect for the Creator who gave it, and love and respect for those with whom it is to be shared. *Laudato Si'* criticizes those who fail to care for all with which they have been entrusted and the consequences that can flow from that failure. Certainly, in a very tangible and obvious sense, all are stewards of the natural, created world with the duty to hold and tend it for the well-being of each other, for the glory of God, and out of respect for the generations to come. Viewed more broadly, however, *Laudato Si'* presents a more expansive professional call to responsibility for everything with which attorneys are entrusted.

Attorneys are entrusted with significant responsibility as stewards in their professional lives—whether they are judges, legislators, litigators, teachers, or others whose vocation involves the law.⁷ They are stewards of their clients' hopes, dreams, and woes. They are stewards of the legal system that, to a large extent, is theirs to manage or mismanage. They are stewards of the confidences and property of others. They are stewards of the weak and vulnerable who need defense and protection. They are stewards of justice and the judicial system itself in a deep and profound way. Thus, it is natural that an encyclical letter devoted to the broad theme of stewardship would have much to teach and inspire attorneys.

At the heart of *Laudato Si'*'s message for attorneys is the call to be a good steward. Pope Francis says, “[b]elievers themselves must constantly feel challenged to live in a way consonant with their faith and not to contradict it by their actions. They need to be encouraged to be ever open to God’s grace and to draw constantly from their deepest convictions about love, justice and peace.”⁸ Pope Francis further noted, “[r]ather than a problem to be solved, the world is a joyful mystery to be contemplated with gladness and praise.”⁹ In this, he urges proper worship of the Creator from which should flow right relations with each other. Therefore,

Even before the release of *Laudato Si'*, Pope Francis had already articulated a broad understanding of the importance of the lawyer’s role in achieving—or obstructing—justice. *See generally* Lucia A. Silecchia, *Pope Francis and the Vocation of the Lawyer: Reflections on Service and Responsibility*, 54 J. CATH. LEGAL STUD. 23 (2015).

7. MODEL RULES OF PROF’L CONDUCT PREAMBLE (2014) [hereinafter MODEL RULES]. The Model Rules outline the scope and diversity of the attorney’s roles and responsibilities to the public at large and to individuals, noting “[a] lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system and a public citizen having special responsibility for the quality of justice.” *Id.*, PREAMBLE [1].

8. *Laudato Si'*, *supra* note 1, at ¶ 200. The benefit of integrating faith with professional ethics has been the subject of robust attention. *See, e.g.*, Allegretti, *supra* note 6, at 1105 (“Legal ethics benefits when it opens itself to wisdom from every source, when it grants religion a place at the table.”).

9. *Id.* at ¶ 12.

Laudato Si is, among many other things, a call to personal conversion in everything—to restore proper relationships with God the Creator, with each other, and with the created world.

Because the Judeo-Christian tradition's foundational moral framework is articulated in a set of ten rules,¹⁰ what follows are reflections—short reflections!—on ten lessons that Pope Francis offers lawyers in *Laudato Si*'. Five pertain to lawyers' obligations as stewards of their clients, and five pertain to their stewardship of the legal system.

II. STEWARDSHIP OF CLIENTS

Attorneys are stewards of the clients they serve because attorneys are entrusted with their clients' hopes, dreams, fears, woes, confidences, and, sometimes more mundanely, with their property as well.¹¹ The legal rules that govern attorneys as stewards are fairly direct and comprehensive. The familiar Model Rules of Professional Conduct devote significant attention to delineating the ethical rules that attorneys must follow with respect to the individuals who seek counsel, assistance, and representation in their personal and economic lives. For example, rules govern fees,¹² conflicts of interest,¹³ the safekeeping of property,¹⁴ and the keeping of confidences¹⁵—all detailed rules that practitioners know and within whose boundaries they labor each day.

However, even at their best, such rules of conduct can only set minimums,¹⁶ and they can only govern external acts. *Laudato Si*' encourages

10. These are, of course, the well-known Ten Commandments of the Old Testament. They are recorded, with variations, at Exodus 20: 1–17 and Deuteronomy 5: 4–21.

11. See MODEL RULES, *supra* note 7, at Preamble [2]:

As a representative of clients, a lawyer performs various functions. As advisor, a lawyer provides a client with an informed understanding of the client's legal rights and obligations and explains their practical implications. As advocate, a lawyer zealously asserts the client's position under the rules of the adversary system. As negotiator, a lawyer seeks a result advantageous to the client but consistent with requirements of honest dealings with others. As an evaluator, a lawyer acts by examining a client's legal affairs and reporting about them to the client or to others.

12. *Id.*, R. 1.5.

13. *Id.*, R. 1.7 and 1.8.

14. *Id.*, R. 1.15.

15. *Id.*, R. 1.6.

16. See, e.g., Allegretti, *supra* note 6, at 1106–7:

Rules are important, of course, for a variety of reasons. Rules reinforce what lawyers already know but may be tempted to forget – they warn lawyers not to lie or to falsify evidence. They establish ground rules for the trade of lawyering. . . . At their best, rules provide lawyers with practical guidance. . . . They announce the agreed-upon minimums be-

attorneys to move away from viewing obligations to clients as a discrete set of legal rules and, instead, to examine these responsibilities in the broader context of professional stewardship.¹⁷ Thus, when it comes to serving clients, *Laudato Si'* has five lessons to teach.

First, Pope Francis says, “[h]uman beings . . . are creatures of this world, enjoying a right to life and happiness, and endowed with unique dignity.”¹⁸ If these words sound familiar, it may be because they echo the familiar words from the United States’ own founding documents that speak of the human rights to “life, liberty, and pursuit of happiness”¹⁹—rights that flow from the unique dignity of the human person. Too often, the right to life, the protection of human dignity in all ways, and the safeguarding of opportunities for happiness are threatened by failures to recognize the unique dignity of the human person, a dignity that *Laudato Si'* reminds all to cherish. For those whose work involves providing legal protection, the ability to advocate on behalf of and in defense of these rights is a great privilege.

The importance of this privilege is highlighted by the fact that the individuals who often are most in need of assistance are those facing threats to their lives, liberty, happiness, or dignity. To think that those individuals can be the ones seeking help and assistance is a sobering thought on the importance of good lawyers and, also, a call to consider the ways in which legal service can advance these interests directly and indirectly. Thus, Pope Francis highlights the importance of using legal training to advance the dignity of the human person. Depending on the

low which a lawyer cannot fall without incurring sanction. . . . Rules, however, are only part of the moral life. . . . [R]ules provide no guidance for the lawyer who is grappling with questions that the rules themselves ignore—questions such as the ends of lawyering or the lawyers’ moral accountability for her actions.

This distinction between the role of the rules of professional responsibility and the broader dictations of religious views was also discussed in Griffin, *supra* note 6, at 1253:

Religious and theological ethics examine how persons live their entire lives, the kind of persons they become, and the nature of their moral choices. Legal ethics, however, is much more circumscribed. Its core is in codes and rules; it is a technical subject in which one learns, for example, the intricacies of conflicts and of reasonable fees; it is tested on multiple choice exams.

17. See also Skriner, *supra* note 6, at 932 (“[I]t seems that Christian legal ethicists have not made the construction of new rules a principle focus because, like their counterparts in moral theology, they have found that a focus on rules leaves out much of what is important in ethics.”) and *Id.* at 932–33 ([A] number of Christian legal ethicists have looked beyond rules to concepts such as intention, motivation, virtue and vision to offer a fuller account of what it means to be a distinctively Christian lawyer.”).

18. *Laudato Si'*, *supra* note 1, ¶ 43.

19. THE DECLARATION OF INDEPENDENCE, Preamble (U.S. 1776).

nature of an individual attorney's practice, this may entail advocacy for the protection of a client's rights when denied, fighting to enshrine in law rights that lack meaningful legal protection, or ensuring that in the pursuit of justice, clients are treated with the dignity that their sacred humanity demands.

Second, and in a very different vein, *Laudato Si'* addresses the potentially negative impacts of technological advancement on personal relationships, including the relationships attorneys may have with their clients and those clients' woes. In his insightful critique of modern life and human relationships, Pope Francis says:

[W]hen media and the digital world become omnipresent, their influence can stop people from learning how to live wisely, to think deeply and to love generously. . . . [T]he great sages of the past run the risk of going unheard amid the noise and distractions of an information overload. . . . True wisdom, as the fruit of self-examination, dialogue and generous encounter between persons, is not acquired by a mere accumulation of data which eventually leads to overload and confusion, a sort of mental pollution.²⁰

Certainly, this critique is applicable to the legal profession. The law has great sages in the past who considered many of the big questions facing lawyers today—albeit under different circumstances. There are great books, insightful opinions, Biblical texts, and so many other thoughtful analyses of legal questions written by thinkers of old.

Yet, these great sages sometimes go unread and grave issues are skimmed over because it is also no secret that the amount of data, information, and resources available today has increased exponentially in recent years. More unsettling, the speed with which that information has become available is astounding and access to information has exploded. This constant access to information risks making lawyers mere compilers of information and data in the service of their clients, rather than counselors who pursue the slower paced acquisition of wisdom, deep thought and generous, loving encounter with them.

While an increase in available information arguably benefits the legal profession, the increased efficiency that results has the potential to de-personalize the attorney client relationship. Certainly, as more information becomes available, the professional obligation to use it and know it also grows. Yet, Pope Francis reminds lawyers that this is not all that there is, and service to clients requires slowly attained wisdom first.²¹

20. *Laudato Si'*, supra note 1, ¶ 47.

21. MODEL RULES, supra note 7, R. 2.1:

Relatedly, the third lesson from *Laudato Si'* provides an important perspective on the work place in which clients are served. Pope Francis writes, “[w]ork should be the setting for . . . rich personal growth, where many aspects of life enter into play: creativity, planning for the future, developing our talents, living out our values, relating to others, giving glory to God.”²² He goes on to mourn that “[m]any people today sense a profound imbalance which drives them to frenetic activity and makes them feel busy, in a constant hurry which in turn leads them to ride rough-shod over everything around them.”²³

Do attorneys see their work as the setting for the abundant blessings that Pope Francis says should characterize the workplace? If this ideal of the workplace as a setting for such rich blessings is taken seriously, think of how much can be done to transform the workplaces where attorneys serve their clients day in and day out! “Creativity, planning for the future, developing our talents, living out our values, relating to others, giving glory to God.”²⁴ What a beautiful vision of the workplace and what a useful challenge to the legal profession! These words are an invitation to shed some of the constant hurry and to see the offices in which attorneys spend so many waking hours as an opportunity to serve clients in this way.

So many times when attorneys are asked, “How are you?,” the reflexive response is to say, “I’m busy.” Indeed, sometimes for an attorney this may be perceived of as a virtue or a point of pride because, after all, what client seeks out the idle attorney who is least in demand? Yet, Pope Francis’s call is to think about the workplace and about common attitudes toward work and service.²⁵ Maybe, more than that, it is an invitation to slow down just a little bit more. Surely this will be good for attorneys—but it will also be a blessing to the clients they serve.

Fourth, *Laudato Si'* teaches:

In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other considerations such as moral, economic, social and political factors, that may be relevant to the client's situation.

22. *Laudato Si'*, *supra* note 1, ¶ 127.

23. *Id.*, ¶ 225.

24. *Id.*, ¶ 127.

25. For further discussion of religion in the legal workplace see Pearce & Uelmen, *supra* note 6, at 142 (“[I]n the heart of ordinary day-to-day legal practice” the discussion of religion “is a step to be taken not just within one’s heart or the quiet of one’s individual conscience. . . . [T]his is an appropriate topic for open conversation, dialogue and debate in law offices, in judges’ chambers, in legislatures, and even in law schools.”).

[w]e are free to apply our intelligence towards things evolving positively or towards adding new ills, new causes of suffering and real setbacks. This is what makes for the excitement and drama of human history, in which freedom, growth, salvation and love can blossom, or lead towards decadence and mutual destruction.”²⁶

Here, Pope Francis sets out the two possible outcomes of an attorney’s work with clients. Certainly, lawyers pride themselves on their intelligence and training. But, as *Laudato Si* points out, with free will, a lawyer’s intelligence and training can be positively channeled toward clients in ways that can lead to their freedom, their growth, and, in some senses, their salvation and love as well. But, it is also a warning that a lawyer’s intelligence and training can be misused to create new ills, sufferings, setbacks, and decadence. Thus, just as stewardship calls attorneys to take care of the goods and needs of others, it is also a call to be faithful stewards of their own talents to ensure they will be used wisely and well to serve those who need help and assistance.

Particularly for new attorneys, there are important decisions to make about when, where, and how to spend their time, talent, intelligence, and training.²⁷ There are times when these decisions are big ones—what job to take? What client to represent? When to leave one job for another? Yet, more often, those decisions that determine whether work on behalf of another will “evolve things positively” or “add a new ill” are more often made subtly and unnoticed day to day—and not at the big dramatic decision points in life. Thus, because the decisions about who one’s career will serve—and how—are often made subtly and incrementally, Pope Francis invites thoughtful reflection on these decisions.

Finally, and perhaps in a way that encompasses all of the others, Pope Francis says, “[t]he Bible teaches that every man and woman is created out of love and made in God’s image and likeness.”²⁸ This is a tall order when it comes to the ways in which clients should be cared for. In each client an attorney should see the image and likeness of God. How

26. *Laudato Si*’, supra note 1, ¶ 79.

27. These are also questions asked by law students contemplating their future careers—and the teachers who guide them. See generally Lucia A. Silecchia, *Integrating Spiritual Perspectives with the Law School Experience: An Essay and an Invitation*, 37 SAN DIEGO L. REV. 167 (2000); Lucia A. Silecchia, *On “Unease” and “Idealism”’: Reflection on Pope Benedict XVI’s Educating Young People in Justice and Peace and Its Message for Law Teachers*, 27 NOTRE DAME J. LAW, ETHICS & PUBLIC POL’Y 569 (2013), available at <http://scholarship.law.nd.edu/ndjlepp/vol27/iss2/8>; and, Lucia A. Silecchia, *Reflections on the Link Between Faith and Intellect* (Jan. 18, 2001), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1746911. But see Beggs, supra note 6, at 258 (“As a general rule. [sic] Law professors do not consider it their responsibility to teach morality to their students.”).

28. *Laudato Si*’, supra note 1, ¶ 79 (citing *Gen.* 1:26).

often is it so easy to see clients as their files and cases rather than as individuals with intricate, sacred lives? But, the challenge Pope Francis poses to attorneys is to see the clients that they serve with the love in which God created them and in the image of the God who loves them—both when it is easy, as it sometimes is, and when it is challenging.²⁹

III. STEWARDSHIP OF JUSTICE

The challenges of the stewardship a legal professional owes to individual people or clients comprise only half of the stewardship challenge that *Laudato Si'* proposes for attorneys. The other set of responsibilities are those that attorneys bear toward the broader justice system.³⁰ Because the legal profession is famously self-regulating,³¹ and has been granted many privileges of access to and influence in the legal and judicial system, attorneys bear a particular responsibility for the stewardship of justice itself.³²

Certainly, the interest in substantive and procedural justice is an obligation shared by all. In a special way, however, it is entrusted to legal professionals in the bench and bar, in the legislature, and in law schools. Because these broad obligations are rarely enforceable in the form of professional sanction, they are, perhaps, easier to neglect than the more quantifiable obligations to individual clients. Yet, an attorney's neglect of these obligations can have a widespread negative impact that is felt beyond individual clients.

What does *Laudato Si'* have to say with respect to attorneys' obligations to be stewards of justice itself—both with respect to the legal

29. See Allegretti, *supra* note 6, at 1116 (“A different model of lawyer-client relationship emerges if we begin from a religious perspective that views human life as both sacred and social.”) and *Id.* at 1117 (“My client has unconditional value. I am obligated not only to honor my contractual obligations but to revere my client as a human being made in the image and likeness of God.”).

30. MODEL RULES, *supra* note 7, PREAMBLE [6]: As a public citizen, a lawyer should seek improvement of the law, access to the legal system, the administration of justice and the quality of service rendered by the legal profession.” *Id.*, PREAMBLE [7] (“A lawyer should strive to attain the highest level of skill, to improve the law and the legal profession and to exemplify the legal profession's ideals of public service.”).

31. *Id.*, PREAMBLE [10]:

The legal profession is largely self-governing. Although other professions also have been granted powers of self-government, the legal profession is unique in this respect because of the close relationship between the profession and the processes of government and law enforcement. This connection is manifested in the fact that ultimate authority over the legal profession is vested largely in the courts.

32. See Griffin, *supra* note 6, at 1253–54 (“Beyond these codes or rules, legal ethics occasionally examines broader questions of professional responsibility, including the lawyer's role in the profession and the profession's role in society.”).

system and to the way in which that system cares for the weak and vulnerable? To answer this question, there are, again, five lessons to be gleaned from *Laudato Si'*.

First, Pope Francis says, “[i]f we make something our own, it is only to administer it for the good of all.”³³ By self-regulating their profession, attorneys have, quite literally, made the justice system their own. Each in his or her own professional setting has custody of a part of the administration of justice. Because of their mandatory licenses and vigorous training, there are many ways in which attorneys have been granted a virtual monopoly on what happens in the courts and in the administration of government. Therefore, they have undertaken the privilege and challenge to “make [it] our own.” Nevertheless, *Laudato Si'* is a reminder that this monopoly and privilege is to be enjoyed for no reason other than the task of administering it “for the good of all.” This is a humbling perspective from which to view the great privilege of serving as an attorney.

Second, *Laudato Si'* warns, “[o]bstructionist attitudes, even on the part of believers, can range from denial of the problem to indifference, nonchalant resignation or blind confidence in technical solutions. We require a new and universal solidarity.”³⁴ This also is a great challenge to any attorney who seriously considers his or her role as a steward of the justice system—and prefers not to be considered an “obstructionist!”

Not even the most optimistic can deny that any human justice system is imperfect in both the way it operates and in the substance of conclusions it sometimes reaches. Much the same can be said about legal education, diplomacy, or legislation, as even the best efforts fall short of the ideal time and time again. As good and noble as a justice system may be, it is entrusted to human actors. They, alas, possess that fascinatingly frustrating combination of human weakness and free will that, at times, can lead to failure in ways large and small.

Pope Francis outlines some of the possible reasons for those failures. Perhaps, as he suggests, attorneys fail to see the problems and deny them. Perhaps they are indifferent to them, seeing them but not willing to commit to the hard work of creating remedies. Perhaps at times, it is easy to grow discouraged and resigned to these problems. At other times, perhaps, it is tempting to indulge in over-confidence that problems will work themselves out without much effort. Whatever the reasons may be, Pope Francis warns that a new and universal solidarity—a willingness to see problems through the eyes of others—is the only anecdote to the failure to pursue justice as perfectly as humanly possible.

33. *Laudato Si'*, *supra* note 1, ¶ 95.

34. *Id.*, ¶ 14.

Third, *Laudato Si'* warns, “[t]he fragmentation of knowledge proves helpful for concrete applications, and yet it often leads to a loss of appreciation for the whole, for the relationships between things, and for the broader horizon, which then becomes irrelevant.”³⁵ This is an interesting and apt piece of advice for those with stewardship over the justice system. As legal work becomes more complex, it is easy—and, in many ways, wise—to pursue specialization so that complex fragments of knowledge can be known well and deeply. Yet, this is a reminder that it is not merely specialized tasks for which attorneys are responsible, but also for the “whole . . . and for the broader horizon.”

As Pope Francis warns, it is not sufficient for attorneys to be content merely if their own corners of the justice system are working well.³⁶ Instead, he calls attorneys to look around broadly to see whether there is more that can be done to reach out to others—particularly those who are weak, vulnerable, scared, very old, very young, and very ill—and ask whether there is an unmet need outside the attorney’s narrow, comfortable fragment of specialization.

Fourth, *Laudato Si'* warns all—but attorneys in a special way—that “[w]e must regain the conviction that we need one another, that we have a shared responsibility for others and the world, and that being good and decent are worth it. We have had enough of immorality and the mockery of ethics, goodness, faith and honesty. . . .”³⁷ He elaborates on this, stating, “[o]ur lack of response to . . . tragedies involving our brothers and sisters points to the loss of that sense of responsibility for our fellow men and women upon which all civil society is founded.”³⁸ In this, he calls all anew to an idealism which is easy to lose—an idealism that says “being good and decent are worth it.”

Sometimes, idealism does not seem in vogue for attorneys. It can be easy to be discouraged when doing what is right seems inconvenient,

35. *Id.*, ¶ 110.

36. For a parallel point, see Pearce & Uelmen, *supra* note 6, at 140–41:

[C]ommentators generating scholarship in the field of religious lawyering would not be adverse to encouraging a faith-inspired commitment to pro bono services for the poor, or to the greater sense of community and religious commitment that the guilds and associations promote. But these communities and commitments can be marginalized, even privatized, leaving the heart of day-to-day professional life untouched.

Unlike many previous “law and religion” discussions, the religious lawyering movement focuses less on the conceptual relationships and tensions between law and religion and how these play out in a democracy, and more on ways in which religious values and perspectives may provide a completely different structural framework for an approach to professional life.

37. *Id.*, ¶ 229.

38. *Id.*, ¶ 25.

where ethical rules are seen as burdensome, and where honesty is underappreciated if it stands in the way of attaining a sought after goal. Only the most naïve or lucky of attorneys have not seen this dynamic and felt this pressure. Yet, as Pope Francis says, civil society is founded on these underappreciated goods. It is only through pursuit of these goods that attorneys can remain good stewards of the justice system in a way that takes responsibility for their fellow men and women in solidarity with them.

Fifth, and finally, Pope Francis offers a perspective on natural law and the inextricable link between the law of God and the moral law. He says, “[h]uman ecology also implies another profound reality: the relationship between human life and the moral law, which is inscribed in our nature and is necessary for the creation of a more dignified environment.”³⁹ But, “when the culture itself is corrupt and objective truth and universally valid principles are no longer upheld, then laws can only be seen as arbitrary impositions or obstacles to be avoided.”⁴⁰

This is a warning against unjust laws—laws that do not have at their heart what is truly just or right. In this warning, Pope Francis says that laws that are not conformed to justice can be a burden to be avoided rather than a good, noble, and dignified pursuit. Ascertaining the moral law, objective truths, and universally valid principles is not an easy task. It requires both humility and confidence, in equal dose. But, not *knowing* does not mean not *knowable*. Pope Francis urges those who are stewards of justice to dedicate themselves to undertaking the job of reconciling human law and moral law so that law does not become, as it may be, an obstacle to be avoided or a barrier to the just and the good.

Thus, *Laudato Si’* offers ten lessons for lawyers—lessons through which Pope Francis’s teachings on care for creation may be viewed more broadly as lessons about care for the people and the legal system entrusted to attorneys.

There may be times when these challenges seem to be so immense, or when an attorney’s individual role in overcoming them seems to be too small. It is then that Pope Francis says, “[a]ll it takes is one good person to restore hope!”⁴¹ In the legal profession, there certainly are many good people—good people and good lawyers—called to restore hope here in their “common home,” through their common profession.

39. *Id.*, ¶ 155.

40. *Id.*, ¶ 123.

41. Pearce & Uelmen, *supra* note 6, ¶ 71

