

Yeshiva University, Cardozo School of Law

LARC @ Cardozo Law

Cardozo News 2018

Cardozo News

6-6-2018

U.S. Appeals Judge Tells 2018 Graduates, "It's Not About You"

Benjamin N. Cardozo School of Law

Follow this and additional works at: <https://larc.cardozo.yu.edu/cardozo-news-2018>

Recommended Citation

Benjamin N. Cardozo School of Law, "U.S. Appeals Judge Tells 2018 Graduates, "It's Not About You"" (2018). *Cardozo News 2018*. 9.

<https://larc.cardozo.yu.edu/cardozo-news-2018/9>

This Book is brought to you for free and open access by the Cardozo News at LARC @ Cardozo Law. It has been accepted for inclusion in Cardozo News 2018 by an authorized administrator of LARC @ Cardozo Law. For more information, please contact christine.george@yu.edu, ingrid.mattson@yu.edu.

BRINGING LAW TO LIFE

CARDOZO LAW

BENJAMIN N. CARDOZO SCHOOL OF LAW • YESHIVA UNIVERSITY

U.S. APPEALS JUDGE TELLS 2018 GRADUATES, “IT’S NOT ABOUT YOU”



June 6, 2018

Thank you, Dean Leslie, for that exceedingly gracious introduction, and for the honor of being invited to speak to these exceptional Almost-Lawyers.

It truly is a great privilege to address what I am told is the smartest and most talented Class ever to graduate from Cardozo Law School.

Dean Leslie’s invitation prompted me to think back to my own law school graduation speaker....Honestly, I do not remember a word that was said. So I realized that my task today might be something like when I took my then seven-year old daughter to watch a Supreme Court argument I was doing. When it was over, someone asked her what she thought of it, she said: “It was nice. But it was a lot of Blah Blah Blah.” I hope that “Blah Blah Blah” is not how you remember what I have to say today. But if you remember even that, you will be remembering more than I did.

You know that, at this time of year, all around the Country, graduation speakers are extolling the accomplishments of students and providing

RELATED NEWS

August 16, 2019

[Cardozo Welcomes the J.D. Class of 2022 \(/news/cardozo-welcomes-jd-class-2022\)](#)

Integrity, generosity, grit and joy were the guiding themes of Dean Melanie Leslie’s welcome to the Class of 2022 for their first day of orientation.

July 24, 2019

[Professor Alex Reinert Named Max Freund Professor of Litigation & Advocacy \(/news/professor-alex-reinert-named-max-freund-professor-litigation-advocacy\)](#)

Professor Alexander Reinert has been named the Max Freund Professor of Litigation & Advocacy, the chair formerly held by founding faculty member Arthur Jacobson.

July 8, 2019

[Class of '19 Graduates Elected to Order of the Coif \(/news/class-19-graduates-elected-order-coif\)](#)

Cardozo School of Law is proud to recognize 27 members of the

bullet-pointed lists of advice and wise counsel. I will not do that. Instead, I offer you just four words:

It's Not About You.

Let me repeat:

It's Not About You.

I know what you are thinking: "Who invited her? "Of course it is about us. This is our graduation day. We have worked hard. We paid a lot of tuition. Who else would today be about?"

It's Not About You.

I say that because, today, you are not just graduating from a school. You are becoming lawyers. You will be lawyers in a constitutional democracy in which the Judicial System is the Third Branch of Government of the people, by the people, and for the people. And as lawyers, you will hold the keys to that Branch of the people's government.

Most people cannot effectively access the third branch of government without lawyers.

Without you.

Most people cannot assert their rights or defend themselves in court without lawyers.

Without you.

Many people cannot even understand the justice system, or what the rule of law means without lawyers to explain.

Without you.

Yet no one elected you lawyer. No one appointed you the gatekeeper of the Judicial Branch of government. So today, when you accept your diploma, you must understand the grave responsibility you are assuming. You must appreciate the weighty commission you are accepting. You must always remember that:

It's Not About You.

Class of 2019 who have been elected to membership in the Order of the Coif.

June 11, 2019

[Cardozo Issues Statement on the Military Ban on Transgender Individuals \(/news/cardozo-issues-statement-military-ban-transgender-individuals\)](#)

Inclusion is at the heart of Cardozo Law School's community. The recently imposed government ban on transgender individuals serving in the military poses a problem for all institutions of higher learning committed to non-discriminatory practices.

June 6, 2019

[Cardozo Kicks off "19 at 100" Celebration \(/news/cardozo-kicks-19-100-celebration\)](#)

Cardozo's yearlong "Women's Votes, Women's Voices: The 19th Amendment at 100" event series kicked off on June 4, 2019 – exactly 100 years since the United States Congress granted women the right to vote by passing the 19th amendment on June 4, 1919.

A career in the law is about delivering justice to others.

Look around you: the world is filled with judicial systems that make mockeries of due process; that do the bidding of government leaders and the elites; and that enforce the law like a one-way street against powerless people but never against the powerful.

Not so for you. You are becoming part of not just a judicial process, but of a Justice System. A justice system that is designed to enforce the rule of law fairly and dispassionately against the government as well as the governed. A justice system that has been refined and matured time and again by civil rights movements, and by landmark advancements in fair process and equal protection. A justice system that has moved forward only through lawyers' impassioned, persistent demands that our courts fully live up to the promise of equal justice and individual rights

for the poor as much as for the rich, for the powerless as much as for the powerful, and for the evenhanded administration of justice for people of all races, creeds, ethnicities, national origins, religions, genders, and sexual orientations.

You are entering into a justice system in which justice and the rule of law are not up for negotiation. Justice belongs to no political party. Justice belongs to and is the sole property of the people—every one of them.

I know that, for the last three years, you have read cases. Lots of cases. It becomes easy to think of justice as how courts rule and what opinions decide. But that leaves out the most important part of the equation: Justice only happens when, rather than take matters into their own hands, people choose to trust the judicial system with their most important and urgent problems—with their liberty, their livelihoods, their jobs, their homes, custody of their children, their freedom of religion, conscience, and speech, and even their lives.

The gold standard for a justice system is one in which the poor, the powerless, and the outcast can and do truly trust the judicial system to hear them, to protect them, and to treat them fairly and with dignity.

That justice system cannot be taken for granted. The courts, after all, have no guns, no power of the purse. The endurance of justice and the rule of law depends entirely on the openness, evenhandedness,

and fairness of the judicial process; the zealous advocacy of lawyers working hard for their clients; and the integrity of the rulings courts make.

Justice and the rule of law depend ultimately on trust. And the sacred and solemn duty of a lawyer is to care for people who have problems, to shepherd them through their third branch of government, and, in doing that, to build that trust.

Does that sound like a bunch of lofty rhetoric? Wrong! The task is actually very practical and tangible. Justice happens when people make it happen. It is a hard-work, boots-on-the-ground process.

Justice will happen—or not—in how you handle each client in each case each day. Justice will happen—or not—in how you choose to share your talent with those in desperate need of representation and fair access to justice, in the work you choose, in how you conduct yourself daily, and in how you treat your clients. You need to BE the justice system you want.

One client captured this idea for me: I had the great privilege when I was practicing law to represent a number of Somali individuals, including Bashe Yousuf, in a case in the Supreme Court. Bashe was living in Somalia, when he was swept up in a violent governmental campaign of ethnic eradication. He was summarily arrested, convicted in a show trial, subjected to terrible torture, and detained in solitary confinement for six years. He eventually fled to the United States

and became a citizen here.

Another client was rounded up with numerous other members of his clan. They were driven to a mass execution site. They were all lined up. And shot. But miraculously he did not die. When he regained consciousness, he found himself covered by the dead bodies of the others who had been executed. He eventually crawled out from under those bodies and fled.

As it turns out, the man who directed that rampage also fled to the United States after the Somali government collapsed, and was found living in Virginia, right outside Washington D.C. Now Bashe and the others had seen the very worst that government can be. They had been the victims of a collapsed justice system and rule by force, oppression and abuse. They had no reason to believe in the rule of

law or to trust the judiciary. Yet rather than take matters into their own hands, these individuals who had lost so much and seen such horror trusted our judicial system to vindicate their cause.

The issue before the Supreme Court was whether their case could even go forward. After oral argument, we went outside the Court and down those famous steps. I was still replaying and rearguing the case in my head. But then a reporter asked Bashe how he felt about the case. After all he had suffered and endured, Bashe quietly said: "Whether I win or lose, I am glad that I had my day in court."

So you see, justice is not about whether you win or lose your cases. They are not even your cases; they are your clients' cases.

It's Not About You.

Justice is about your clients and their needs. It is about making the Constitution's promises real one person, one case, one day at a time. Justice does not just happen. You have to fight for it. You have to demand it. Justice happens when you make the judicial process work its very best, when you zealously represent every single client, when you stand up and fight for the outcast, the helpless, the person who has no one but you.

Justice happens when you take the time to look in a client's eyes and learn what it feels like to be on the receiving end of the judicial system; when you take responsibility for your clients' fears, worry, concern, heartache, woundedness, and confusion.

Then you must be their strong voice in court. Then you must tell their story. Then you must ensure the process respects their dignity and their self-worth.

When I think of what it means to be a lawyer, I always remember that image from June 1989, almost thirty years ago: In Tiananmen Square in China, when one man stood in the middle of the road, all alone, and faced down—and—stopped a line of military tanks that was bearing down on protesters.

That is what a lawyer is. You stand in the gap for others. You stand firm. You sometimes stand alone. You insist that your clients be heard and that their rights be vindicated. You demand that justice be done.

I know that, in these times of division, cynicism, and attacks on the institutions of democracy, these words may sound Pollyannaish.

But, as Bryan Stevenson said: "Hopelessness is the enemy of justice." It takes far more courage to practice hopefulness and to live resiliently than to retreat into anger or bitterness. Never underestimate the power of hope.

For I am convinced that what moves the dial of history is the people who refuse to wallow in negativity or to shrink back when times are hard. Progress has always come from people being willing to stand up even though it would be easier to lay low; from people lighting candles rather than cursing the darkness; from people fighting, persevering, and persisting through the tough times.

What has moved the dial of history is people who, in times of adversity, clung to and pressed unceasingly for the vision of what this Nation can be at its best. People who, in dark times and lonely places, made justice break through. People who, in the words of the prophet Amos, have demanded that "Justice roll down like waters, and righteousness like an ever flowing stream."

As Dr. Martin Luther King said: "Darkness cannot drive out darkness. Only light can." I ask you, as you enter the legal profession, to be that light, and to be change agents for justice.

When you feel tired and overwhelmed, when you feel like the problems are too many, and you are stretched too thin. When you do not see how you could possibly make any difference, I ask you, if you remember nothing else that I said, to please remember this story:

There was an old man walking along the beach one morning. A rough storm had passed through

the night before and had left the vast beach littered with thousands of starfish, as far as the eye could see. Then he noticed a little girl walking, pausing, bending down, taking another step, and bending down again. As he got closer, the old man asked the girl what she was doing. She explained that the stranded starfish would die if left on the beach. So she was throwing them back into the water. "But there are so many," the old man said. "There are tens of thousands of them. You cannot save them all or even make any real difference." The little girl bent over, picked up one starfish, threw it back into the ocean, and then turned to the man and said: "I made a difference to

that one.”

That is how you can let your light shine. You don't have to move mountains. You just have to make a difference to that one—one day, one case, one client at a time. Because administering justice and moving our judicial system forward into the coming decades

Is Not About You.

It is about the people you help along the way and, together, the Justice you make happen.

For more than two hundred years, lawyers have labored and struggled to make our Nation live up to the Constitution's promises of due process, liberty, equality, and the rule of law. Lawyers like John Adams who courageously represented a British soldier after the Boston Massacre, Abraham Lincoln, Thurgood Marshall, Ruth Bader Ginsburg, Bryan Stevenson, and the founders of the Innocence Project right here at Cardozo Law School,

Today the torch of justice is being passed to you. Will you accept it? Confident that you will, I offer you my heartiest congratulations on your graduation. And it is my great honor to welcome you to a career not only in law, but in Justice.

Thank you.

SHARE