

John Bingham Hurlbut Award Speech

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June 11, 2016

Good morning! Thank you, Haley and Dana, for that lovely introduction.

The privilege of addressing you today, as the recipient of the Hurlbut Award, is truly the greatest honor of my professional life. For your faith in entrusting me with this charge, I am moved and gratified.

I feel a special bond with the class of 2016. When you walked into your first civil procedure class, on Monday, September 9, 2013, *I* stepped to the podium to teach my first civil procedure class. In those early days, you might have wondered how you'd respond when a professor asked you a question in front of sixty of your peers. I, too, wondered how *I'd* respond when you first asked your incredible questions! Whether or not I had you as students that fall, I shared the excitement and uncertainty that marked this new stage of your lives.

Since that fall, I've had the honor of getting to know many of you. Together, we learned new languages – demystifying the statutory carve-outs to supplemental jurisdiction and unraveling the mysteries of non-mutual offensive collateral estoppel. Together, we explored hard questions – like asking how public institutions could protect liberty and equality in the face of political demands for total security. As much as I enjoyed these rich conversations about law and ideas, what I really relished were the unguarded moments where facades dropped and your real selves

emerged: where you shared your stories. In those refreshing escapes from the relentlessly analytic, I had the privilege of glimpsing the “whole people” that you are.

You told me how your grandfather’s struggles to keep the family farm motivated you to come to law school. You told me how your experiences working in intelligence agencies shaped your thinking on the difficult choices societies make. You told me how legal doctrine sometimes seemed a world apart from your experience of living in public housing or growing up in struggling immigrant communities. You told me how law school was sometimes exhilarating but sometimes painful – and how the places from which you came influenced your sense of place in the rarefied world of Stanford Law School.

You shared these stories amid extraordinary soul-searching in our nation about the role of law. As the bodies of black and brown men and women fell at the hands of the state in cities across America, many of us questioned the legal system that seemed to sanction it. I learned from the painful questions you asked as you organized die-ins and vigils to honor the victims and envision a different future. Likewise, this past year, as presidential candidates stoked fear and xenophobia the likes of which we have not seen in generations, we asked together whether law could resist the escalating drumbeat of exclusionary calls when so often in our history, it has failed to do so. Together, over the past three years, we questioned the chasm between law and justice and explored the means to narrow that gap. It’s been a remarkable three years.

As I thought about my conversations with so many of you over the years, I decided that the most important message I could leave you with was more personal than political. That message is ultimately simple: to take the time to know yourself, to align your life with your vision and

values, and to care for yourself even as you tend to the needs of others. The message is simple, but *living* it might require unlearning some lessons from law school or your prior academic and professional lives.

No one gets to Stanford Law School or to graduation without working hard – exceptionally hard. For many of you, you have climbed the ladder as long as you can remember, one step to the next, one achievement to the next, ever higher. Good grades in high school, good grades in college, success in your jobs, and onwards up the ladder. You learn early in law school what you're supposed to strive for and what it takes to get there: Honors grades and book prizes, Law Review and clerkships, fellowships and leadership titles, associate positions and the partner track, maybe ultimately a U.S. Attorney position, or appointment as a federal judge, or tenure at a leading law school. And there's some truth to the idea that taking such steps may help you realize some worthy goals: to support your family, to find intellectually stimulating work, or to acquire the influence to shape society in the way you think is just. Those are all worthy reasons for seeking prizes and positions – for making the climb.

In fact, sometimes we decline to seek opportunities for the wrong reasons. Some of us suffer from impostor syndrome, that common tendency to doubt one's abilities and question one's place in some elite environment. As a woman of color, I have been there, occasionally failing to take certain steps because I deemed myself unworthy.

So my message today is not to reject the ladder out of hand, but to ask yourself – and decide for yourself – why you are climbing. We often say we climb the ladder to help us achieve some vision of our lives. But often, when climbing becomes habitual, the ladder replaces the vision. When that happens, we no longer know why we are climbing; we just know that someone else

from our class has climbed higher – faster – and we think less of ourselves for not getting there. When we get there, of course, it brings only fleeting satisfaction, because there is always a higher rung, and someone who is already there.

So now is the time to ask: are you defining the ladder you seek to climb, or is the ladder defining you? What is *your* vision for the life you want to lead?

For most people, a vision is not something you determine once and then pursue for a lifetime. Rather, it is something you assess and reassess at every stage of your life. My own vision, for instance, has changed more than once, sometimes in response to external circumstances and other times in response to a change in myself. I entered law school in the fall of 2000 intending to pursue international human rights work, including the empowerment of women in Muslim societies. As the child of Muslim immigrants from India who came here forty-five years ago, I had mostly lived the “American dream” here at home, while seeing incredible inequality and suffering abroad. But on September 11, 2001, days after I transferred to Stanford Law School, my world turned upside-down. Before we could even grieve the lives lost on that terrifying day, my community as a whole became suspect, our loyalty questioned at every juncture. Within months, thousands of South Asian and Middle Eastern immigrants and citizens had been detained around the country or subject to vicious assaults because they were perceived to be Muslim. As our nation united against an enemy that looked like me, my vision turned from the world abroad to my community at home. There were few lawyers in the American Muslim community at the time, and as a second-year law student, *I* began receiving calls for help. There was the woman whose Jordanian immigrant husband had simply disappeared; she feared he had

been swept up in the mass detentions. There were the Pakistani men detained in San Francisco simply for stopping their car near the Bay Bridge. For months, I fielded such calls, connecting individuals to civil rights advocates, organizing know-your-rights workshops for local communities, and learning from Japanese Americans who reached out in solidarity across the span of history.

After I graduated from Stanford, I had a sense of purpose that I could not have imagined when I started law school: protecting my community's increasingly fragile sense of belonging in a country that increasingly feared us. For five years, at the Lawyers' Committee for Civil Rights and the Asian Law Caucus in San Francisco, I advocated on behalf of those facing profiling and discrimination: clients removed from airline flights because their mere presence made others uncomfortable; civic leaders interrogated at U.S. borders about their political and religious beliefs; airport security screeners who lost their jobs to discrimination. At the same time, civil rights work opened my eyes to the struggles of other communities that I had barely appreciated before, including undocumented immigrants, low-wage workers, and those trapped in the criminal justice system. The work was tremendously meaningful but also dispiriting: time and time again, I had to tell my clients that, despite their suffering, the law did not protect them.

Eventually, after five years of civil rights lawyering, I changed course, seeking a different way to contribute to my vision and the ways it had evolved over time. My journey eventually brought me to academia. There, I encountered a separate ladder – the tenure track – with its own ranks and rungs. For junior faculty, the climb is often grueling. But I've come to realize that, when I keep my vision and values at the center of what I do, I worry far less about the climb, because I am no longer absorbed by some extrinsic goal at the height of the ladder. Instead, I am simply

pursuing the things that matter to me: teaching and writing in the pursuit of justice, mentoring the next generation, and raising two lovely daughters of my own.

So I return to my message for you. Too often, we are taught to climb some mythical single ladder of academic and professional success. Too often, we absorb the message that we should judge ourselves against the accomplishments of others. If life or law school has taught you such lessons, *unlearn them now*. Make the space to know yourself and to align your life to your core vision and values. You each have something extraordinary to contribute. Find out what that is, and pursue it with a passion.

Lastly, as you pursue that vision, *take care of yourself*. No vision is worth pursuing that sacrifices your well-being to your work, no matter how noble the cause. If you believe in honoring the dignity of each individual, you must begin by honoring yourself. That means carving out the time to care for yourself. It means nurturing the relationships that sustain you. It means forgiving yourself, even when you fall short of your own high expectations. I know you to be a class of caring, compassionate individuals. You each deserve the care and compassion you so readily extend to others.

So with that I leave you, on this gorgeous California day. Celebrate the years of hard work and accomplishment that brought you to this point. Embrace the full world of possibilities that lies ahead. And as you revel in the joy of this day with those you love, promise yourselves that you will always nourish that joy and love within yourselves. Thank you.