

“It’s on you”

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Charge to the Class of 2018
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I know, it feels like this ceremony should be over now. But there is one last act: The Dean’s charge to the class. Some last official words before you go on your way. But just a *few* words.

Before I say those words, though, let me repeat what I said at the start of this joyous event: To the family and friends who made our graduates who they are: Thank you for sharing them, and thank you for supporting them. It has been our privilege to teach them, we are proud to call them our own, and we cannot wait to see what they will do with their lives.

To the graduates, my charge is encapsulated in a short, easy-to-remember phrase: **It’s on you.**

I know, I know, this does not sound like the most positive message. This phrase is generally used when there is likely to be a disaster, and someone wants to make very clear who will be to blame when things go south. That is, “You want to bungee-jump off a suspension bridge? You want to run with the bulls? That’s on **you**, man.”

Obviously, I mean it more positively than that. This is a graduation after all!

Let me first get some pesky lawyerly caveats about what I do not mean out of the way, tell you what I do mean, and offer some thoughts about why you are ready for this freedom and responsibility.

“It’s on you” most assuredly does not mean that you can completely control your life. There are some things within your control, of course, but many things are not. I think you already know this. Of the thousands of students who hoped to enroll in Stanford Law School, did you get one of these places by yourself? Even if you believe that all of your success can be credited to you, and only to you, you cannot believe you did anything to control the extraordinary talent—tip-top of the distribution talent—you were born with. No, you did not get here by yourself, and going forward you will not live, grow, suffer, or thrive all by yourself.

Let me also say something painfully obvious, and yet, so easy to forget: You will not control what you will encounter in the world. Let me repeat that: You will not control what you will encounter in the world. I would repeat it again, but I think you get the point. There is a lot of pretty bad stuff out there: earthquakes, hurricanes, fires, economic collapse, disease, crime, death. When we focus on what the world can unexpectedly throw at us, we tend to focus on the bad, but there is also the good: beauty, nature, love, knowledge, art, music, poetry, human connection, fabulous weather, ice cream, and puppies. And, yes A., karaoke. The universe will serve up many difficult things and many wonderful things. You will experience both joy and pain that you had no hand in creating. And yet, to quote Yoda, “experience it, you will.”

Hence when I say “**it’s on you,**” I do not mean to say you are in control of all that happens to you. Closer to the opposite is true. As an adaptive survival strategy, we humans walk around deluded in thinking that we have much more control that we do.

So: What do I mean? I mean that you have to decide **who** you are going to be—what kind of professional and what kind of human being. (That’s not two things by the way; that is one thing.) Your job is to construct a life that has meaning for *you*, and brings joy to *you*. And you have to do this in spite of the fact that you do not control many important things that will affect your life.

This simple and obvious truth is empowering. *You* decide who you are and who you are going to be as a professional and as a human being. Are you going to be Atticus Finch or are you going to be Saul Goodman? (I hope the answer to that is clear, and, by the way, Jimmy McGill is no relation.)

To get more fine-grained, *you* decide how you treat everyone you encounter—your adversaries, your colleagues, your neighbor, your Uber driver, and the person who cleans your office at night. *You* decide what work you do—not, to be sure, on a minute to minute level, but on a macro level of what job you will take, and whether you will stay or leave a job. *You* decide how you will spend your free time, what you think about, care about, and read, whether you will try to have children, who you will try to connect with, and, yes, whether you get a puppy (I do recommend it).

Turning to those many things you do not control, *you* decide how you react to the events and people in your life that bring you joy and meaning, as well as the events and people that disappoint, anger, hurt, or crush you. *You*, in other words, decide everything that is important to constructing a life of meaning and pleasure: how you make the decisions you have available to you, and how you to respond to those people and events you do not control.

This simple and obvious truth is empowering, but it is also terrifying. Bone-chillingly terrifying.

For one, there is no script for these choices except the one you write for yourself. There is no “choosing a life of meaning and joy” class. If there were, I’d enroll in it immediately, preferably taught by one of the many people I have admired in my life. I would do every bit of the homework, including all of the extra credit; I would show up for class, and I would prepare a monster outline and go into the exam in fine form. I feel sure I could get an A in that class! Not to brag or anything—my father hated bragging, and it is father’s day tomorrow—but I am pretty good at getting an A. And so are every one of you. But. That. Is. Not. How. It. Works. You have been in class for this all of your life—you were a student of those who raised you and taught you, and a student of every experience you have had. You have learned from all of that, and there is no one else who can give you a syllabus or a grade you on this. “It’s on you” means you create the syllabus and you give the grade.

Aside from the lack of script except the one you author, “it’s on you” is sometimes going to be very, very hard. Choosing to think and spend your time on the things that have meaning and

bring joy to you—that will be hard. Choosing how to react to others who are toxic or angry, to treat them with dignity and respect and understanding—that will be hard. Choosing how to respond to disappointment, pain, bad luck, and heartbreak—that will be hard. Choosing to see the joy and meaning and pleasure that’s in front of you—sometimes, that can be hard. Choosing to stick to your values in the moments where it is hardest—that will be hard.

I know, this is getting a little down, but, *stay with me*, and I promise we will turn a corner.

Before I turn the corner, let me underscore one last thing about “it’s on you.” It is something that is really easy to forget. You have to think about it and work on it every day, it is something you have to pursue aggressively at the top of your to-do list, lest you let it slip away. You can let it slip away because you can float along busy and distracted by the everyday tasks that fill minutes, days, months, and years—a life; by Facebook and Netflix; by venting and being outraged at the world. Or you can forget because you are trying to please some teacher or status hierarchy you have selected, another person or ladder who might award you an A. One of the big challenges is just to remember, to remember every day: *it’s on you*. To help you, I made this just three words (or four if you go more formal with “It is on you.”) It will be much harder to remember than you think. But try. It’s on you. IOY.

Now here’s the real turn. Let me remind you that you’ve learned some things here that should help you along the way. I know that you have seen some great models of people in your lives who have found meaning and joy. But let me focus on **two** things you learned because you have been in *law school*, training in a certain way, that I think can help as you construct a professional and personal life that has meaning for you. (Of course: IOY.)

You have been given the great gift of being educated into a profession where our most basic obligation is to represent *another*—not ourselves. Important things follow from that basic fact: A lawyer acts in service to another, not herself; a lawyer must be fueled by a curiosity and a desire to understand the perspectives and experiences of her client; and a lawyer must not only understand the client, but she must endeavor to understand the client well enough to represent her perspectives and experiences to others, within the bounds of the law.

Focusing on, being curious about, trying to understand and advocate for another. That is a requirement of legal representation, but it’s just as important as a way to be a human being. Self-absorption, self-involvement, being unable to see the perspective of others, in fact having no curiosity at all about the perspectives or experiences of others—that is a central fact of the human animal, and a central flaw. No doubt this self-involvement promoted the survival of the species. When predators chased our predecessors on the savanna, our predecessors were not supposed to stop and try to understand the perspective of the predator. But we are not being chased by a predator anymore and, even so, from the moment we recognize ourselves in the mirror (between 15-18 months old), **we** are our favorite topic. We are convinced that we are the center of the universe, that the world revolves around us, and that our thoughts, our experiences, our story is central. That is one of our biggest human failings, and the source of much grief,

heartache, and pain for those around us and ourselves. It's no way to live together, whether it be a household, a community, a nation, or a world.

But **you**—you—have a leg up. You have been schooled in a profession that takes as its starting position an obligation to represent others, stepping into their shoes, having curiosity about and an obligation to understand their experiences and perspectives, and advocating for others with that understanding. **Hold tight** to that because that, I think, is a key aspect of creating a life of meaning and joy. (Of course: IOY.)

You have a second gift, one that is related to the first one about a lawyer's obligation to understand and represent another. But it is about the larger institutions within which that obligation sits.

You have been educated in a profession that has at its heart a noble principle: A commitment to structured, peaceful ways of resolving disputes, whether they be in the courtroom, the legislature, or the constitutional convention. This commitment is *for* something, but it is also (emphatically) *against* something: a rejection of and substitute for alternative ways of resolving disputes. A commitment to rule of law is a rejection of force, violence, repression, and the use of other forms of power to resolve disputes. A society that respects law uses it as a check on both the force of the state and the power of individuals and groups. It's not an accident that, as their first act, leaders of military coups dissolve the courts and other legal constraints on the state, nor is it an accident that, in the absence of functioning legal systems or other like forms of dispute resolution, the physically or economically powerful, the brutal, and the clever dominate others by force, violence, and repression.

That commitment to peaceful mechanisms of dispute resolution that is at the heart of a commitment to law is most important when differences between people, or between people and the state, are deepest. It is when those differences are greatest that there is a temptation to turn to force, violence, repression, and the gulag to change society. But nested in a commitment to the rule of law is a commitment to making those dispute resolution mechanisms available to those who want change, including fundamental change. Those who see evil and injustice in the legal and political order must have access to the tools for change. In a system that respects rule of law, advocates for change do not take up machetes, they don't send their enemies to the gulag; they present arguments about what law and justice require within a structured, peaceful system of dispute resolution.

This relates to constructing a life of meaning because of a set of opportunities you have before you. We are in a governance crisis, worldwide. Faith in all institutions, including those institutions that are designed to mediate, channel, and resolve our disputes, is at an all-time low. Our collective commitment to peaceful resolution of deeply-held disputes seems especially fragile. We urgently need people like you to make a difference for us all, and you are ready for it given your education and talent. At this moment, you have an opportunity to make a real and profound difference in the world if that is what you choose to do. (Of course: IOY.)

Let me take this away from the national or global stage. Some of you, I hope, will think about running our country or working in other parts of the world to shore up peaceful ways of resolving disputes. We need you.

But even if that is not your ambition, or not your ambition right now, you are going to have so many opportunities to step up and create opportunities for people to talk to one another, understand one another, and resolve disputes. Think of the city hall meeting where some significant matter is being hotly debated; people are yelling at and interrupting each other; tensions are high and resolution seems hopeless. If the city is lucky, there is a person in the room who can calmly step into the maelstrom. This person can listen to and understand all of those who want to speak; this person can get them to understand one another; this person can even get them to agree on how to resolve their disagreement that does not involve force (in this case, yelling).

Your training has prepared you to be that person. Goodness knows we need you. If that is what you choose—in your family, in your workplace, in your community, in our nation, or in the world—we will all be better for it.

Let me leave you with this. As a student of law, you have been given some gifts that can help you construct a life of meaning and joy. But it's on you. It is your job to construct a life of meaning and joy. Try your best to remember every day that it's on you, and do remember that all of us here know you are up to it.

It starts right now.