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Why I Teach (A Prescription for the Post-Tenure Blues)

R. Michael Cassidy

I have found myself feeling rather down in the dumps lately about my job. Maybe it has something to do with the 184 bluebooks I am slogging through. Or the seeming pettiness (and futility) of certain recurring faculty squabbles.

By all objective measures, this should be a joyous year for me—I received tenure last spring, and just published my first book. I am middle aged, in good health, and ostensibly “at the top of my game” both intellectually and professionally. Yet I feel surprisingly discontented. Why am I correcting bluebooks rather than fighting important legal battles in the courtrooms or boardrooms of America? Like the famous 1969 ballad by singer Peggy Lee, I find myself asking “Is that all there is [to law]?”

I shared my malaise (in hushed whispers) with one of my colleagues at the faculty lunch table. She assured me it was perfectly normal. “Don’t you know that everyone goes through a profound depression right after receiving tenure? It is completely natural.” Her explanation made sense. With job security in an intellectually challenging, fairly well-paying profession (coupled with relatively high social status and a large amount of autonomy), it is unlikely that many of us will ever give up law teaching to do something else. Unless lightning strikes (a plum judicial appointment? a choice position in university administration?) most of us will likely be performing the same job we are doing now for the rest of our careers—give or take a credit here or a sabbatical there. Like many, I have spent my formative years (both as a student and as a practicing lawyer) climbing higher mountains and achieving new goals. Who among us would *not* be slightly depressed, when faced with the growing realization that, at least professionally, we may be near the top of the proverbial mountain—with no place left to hike but *down*?

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We could all be doing something else. Many law faculty were successful practitioners in the private or public sectors before entering the academy. Many have passed up opportunities for appointment to the bench, or elected or appointed government office. Many law professors could be successful in business, or at the helm of non-profit organizations. For that matter, we might earn more money if we opened a Dunkin Donuts franchise, or sat at home and wrote pulp crime novels.

If law professors hope to keep their bearings when confronted with rough seas (and there *will* be rough seas, for all of us), we should remember why we chose this profession in the first place. So in the midst of my bluebook-induced, post-tenure malaise, I decided to make a list of all the reasons I love teaching. I was surprised by how cathartic this simple exercise proved to be. I have vowed to keep the following list on my desktop for the rest of my career, and to open it up whenever I feel demoralized or downright weary. I offer it up to others who may experience similar moments of discouragement—both as a reminder of just why many of us do exactly what we do, and as a model for an exercise we all might engage in.

First and foremost, I teach because I believe it is the highest and most productive use of my talents. For some, choosing a profession is a purely pragmatic (if not economic) calculus; it is important to pursue a career that not only meets a societal demand, but also capitalizes on one's strengths and minimizes one's weaknesses. For me, however, the choice of vocation is not simply instrumental—it also has a religious dimension. I believe that I have been given certain gifts for a reason, even if that reason is not always readily discernable to me. My commitment and devotion to furthering God's will command me to use these gifts in a way that meets the needs of the world. Teaching and research do just that. Being a law professor draws on my intellectual acuity and curiosity, my facility for clear written and oral expression, my knack for explaining complex issues, and my ability to "connect" with other human beings in both group and individual settings. True, I have talents that the academic life does *not* draw upon (e.g., I can manage the work of a complex organization; I can hit a pretty mean golf ball off the first tee, etc.). But I have difficulty imagining a calling that draws on *more* of my strengths than does the academic life, even if teaching and research do not draw on them all.

I teach because I know that through teaching I can make a difference in the world. The impact of my work may be slightly more diffused than if I were practicing law, but nonetheless it is both real and substantial. In fact, the cumulative effect of my work on society may be even more substantial than if I were still litigating cases. I attempt to impart in my teaching a sense of social responsibility; that is, to get my students to appreciate that their moral obligation as lawyer/citizens is to use the power of the law to make the world a fairer and more just place. Not all of them (or perhaps not any of them) will become Supreme Court Justices or United States Senators. But most will become leaders of their law firms, committed government or legal aid attorneys, elected representatives on their community school boards, members of the

boards of directors of charitable organizations, active participants in pro bono activities, and concerned and involved parents. My hope is that in some small but appreciable way my work in the classroom will make each of them a better lawyer in all of these varied pursuits. If I am successful in that endeavor, and if I am able to help students understand that a lawyer's role is not only to enrich himself but also to enrich his community, then I will have indirectly played a role in enriching that same community.

Few of us will ever have the benefit of seeing directly the effect of our work on others, as Richard Dreyfus did in *Mr. Holland's Opus* when all of his former music students came back to play a concert for him when he retired from teaching. But thousands of lawyers striving for justice in this world can create a symphony in their own right. Our role as legal educators is to help our students find and master the instruments necessary to make this beautiful music.

I teach because it allows me enough autonomy and free time to accommodate the many other interests in my life. Few jobs with similar social prestige and income provide one with equivalent amounts of time off during the year, and the freedom to decide exactly how to use this time. Sure, there are demanding "peak periods" in the teaching profession (the "rush" to finish the syllabus at the end of the semester, the dreaded weeks before grades are due, the late nights struggling to meet a publication deadline). But these busy periods are predictable, controllable, and fairly well spaced. In between them are long stretches of time when faculty members truly can be masters of their own domain. Teaching allows me to be involved in law reform and bar association activities, to volunteer to serve on government and non-profit boards, to immerse myself in town politics, to coach my kids' little league teams, to be active in my church, and still to have substantial quality time with my family. In other sectors of the legal profession lawyers either (1) struggle to find time to squeeze in these activities between the demands of clients, or (2) fail to find meaningful time for them at all. Either result can lead to stress, anxiety, and deep personal dissatisfaction.

I teach because it keeps me young. What other profession allows you to work—perennially and almost exclusively—with twenty-five year olds? Law students, by and large, are vibrant, energetic, happy people who come to us at an exciting time in their lives. (Sure, some laziness and cynicism start to seep in during the 3L year, but by then we are ready to send them off packing.) Being surrounded by "twenty-somethings" forces me to stay abreast of popular culture—trends in technology, music, art, fashion, and, yes, ideological perspective. (Last year I bought a pair of clogs. They are without a doubt the most comfortable shoes I have ever put on my feet. I have my students to thank for that. And I recently rented the indie smash hit *Napoleon Dynamite*—only because I wanted to understand certain references to the movie being made by my students. It was the funniest film I have seen in years.) Teaching allows us to delay, if not defy, the aging process in a way that few other professions can. It is a little bit like Oscar Wilde's *The Picture of Dorian Gray*, only in reverse. Professors are constantly staring out from the front of their classrooms at a sea of

faces that remain the same age, year after year. This allows us to successfully maintain the illusion that we too are staying young—although of course we are not. Sure, there is a certain amount of vanity in this illusion, just as there is vanity in a gray-haired, middle-aged man thinking he can pull off black clogs. But harmless illusions are the natural opiate of life.

I teach because the relationships I forge with certain students each year are inspiring and life affirming. I try to make all of my students feel comfortable stopping by my office whenever they want to talk, or are in need of advice or encouragement. Notwithstanding this open invitation, many of my students—probably like yours—prefer to pass through their classes fairly anonymously; they may have a casual conversation with me in the hallway or come by my office when they are searching for a law review topic, but otherwise they choose not to reveal very much of themselves. But a few of them do. They seek me out for job advice, or because they know we share common interests, or simply to follow up on a provocative topic from class. From there, often a natural mentoring relationship develops that may continue for the duration of law school. Each year I form a close personal bond with a handful of such students. I get to know their backgrounds, their interests, and often their families. I go to their weddings, and I celebrate the birth of their children. When students allow themselves to reach out to faculty in this way, the rewards (on both sides) can be extremely gratifying. Students discover a professional mentor and role model with whom they can talk about almost anything—including their professional and personal aspirations, their dreams and doubts, and any difficulties they may be experiencing while in law school. For faculty members, these relationships give meaning to our teaching; they put a personal face on the guidance and instruction we are imparting in and out of the classroom, and they help us appreciate the individual impact of our work.

Because of these close relationships, graduations can be bittersweet moments for law professors. Each commencement day a lump settles in my throat as the names of certain students are read and they walk across the stage to receive their diplomas. Much like a parent, I marvel at the growth of these students, I take pride in their accomplishments, and I feel invested in their dreams. While I am naturally excited to send them off into the world, I also know that I will miss them terribly. Such partings are an inexorable part of the teaching profession. Without them we could not reap the rewards of our work, which is to see our students succeed and flourish in the world beyond law school.

So there is my list of five reasons why I love teaching. Your list undoubtedly will be different. Even if you share some of my motivations, you will certainly identify other factors that sustain you in your work. Before I close, however, let me add a sixth important advantage of this profession. As the law changes, as the legal profession alters the way it delivers legal services, and as new students come to us with diverse needs, backgrounds, and experiences, it will be necessary for us to change both our teaching styles and the content of our courses. The law is not static, and neither is law teaching. A sixth reason I love this job

is that it offers the capacity for change and growth. It might not seem that way when plodding through bluebooks or enduring faculty committee meetings, but each year will offer a slightly new set of challenges. While I will keep this list on my desktop for years to come, I have no doubt that I will also add to it periodically, as I encounter—year by year—presently unappreciated aspects of what I sense is my proper vocation.