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## Teaching Tips from the Lotus Sutra

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# ESSAY

## Teaching Tips from the *Lotus Sutra*

John W. Teeter, Jr.\*

*This Essay explicates the relevance of the Lotus Sutra to the prosaic world of legal pedagogy. As this sacred Buddhist text reveals, everyone has the potential for unlimited spiritual growth and each of us should aspire to be a bodhisattva, one who assists others on the road to enlightenment. This Essay applies these ancient tenets to the law school classroom, exhorting professors to challenge and befriend their students through the use of “expedient means” inspired by Buddhist thought. The poetic beauty and idealism of the Lotus Sutra transcend denominational differences to inspire the way we conceptualize legal education and the professorial mission.*

I. INTRODUCTION .....	443
II. “THE GREAT WISDOM OF EQUALITY” .....	445
III. “YOU YOURSELVES WILL ATTAIN BUDDHAHOOD” .....	447
IV. “GOOD FRIENDS CAN DO THE BUDDHA’S WORK” .....	449
V. “PREACHING THE LAW WITHOUT FEAR” .....	452
VI. “THE RAIN FALLS EVERYWHERE” .....	455
VII. “THEIR MINDS DELIGHT IN PETTY DOCTRINES” .....	458
VIII. CONCLUSION.....	462

### I. INTRODUCTION

The *Lotus Sutra* is one of the sacred texts of Buddhism.<sup>1</sup> Its origins are shrouded in mystery, but we know that the first Chinese translation had come into existence by 255 CE.<sup>2</sup> For its followers, the *Lotus Sutra’s* doctrines “represent the highest level of truth, the summation of the Buddha’s message, superseding his earlier pronouncements, which had only provisional validity.”<sup>3</sup> Stated differently, the *Lotus Sutra* “integrates all the partial truths of the

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1. THE LOTUS SUTRA (Burton Watson trans., 1993).
2. *Id.* at ix.
3. *Id.* at xvii.

earlier teachings into a perfect whole, and represents the essence and the entirety of the system of Buddhist philosophy.”<sup>4</sup>

The *Lotus Sutra* invites endless levels of interpretation. As the Buddha<sup>5</sup> cautions, of the millions of sutras he has preached, the “*Lotus Sutra* is the most difficult to believe and the most difficult to understand.”<sup>6</sup> At least two of its major teachings, however, are deeply pertinent to legal education. First, there is the joyous emphasis on “the universal accessibility of Buddhahood.”<sup>7</sup> Regardless of our past mistakes or present difficulties, we each have the potential for unlimited spiritual and personal growth.<sup>8</sup> Second, there is the exhortation to be a bodhisattva, a person who performs altruistic acts and seeks to teach others how to find lasting happiness.<sup>9</sup> A bodhisattva, in essence, realizes that her journey toward Buddhahood is inseparable from her efforts to help others attain enlightenment as well.<sup>10</sup>

These fundamental tenets form a timeless call for teachers to empathize with their students and make heartfelt efforts to help them

4. LECTURES ON THE SUTRA 9 (3d ed. 1995). This primacy is emphasized repeatedly in the *Lotus Sutra*. In the chapter on “Peaceful Practices” we are told that “[a]mong the sutras, it holds the highest place.” THE LOTUS SUTRA, *supra* note 1, at 207. Similarly, in the chapter entitled “Former Affairs of the Bodhisattva Medicine King,” we learn that it is “the most profound and greatest of the sutras.” *Id.* at 285.

5. References to “the” Buddha mean Shakyamuni Buddha, the first recorded Buddha. Also known as Siddharta Gautama, he is the founder of Buddhism. His life and teachings are analyzed in DAISAKU IKEDA, THE LIVING BUDDHA (Burton Watson trans., Weatherhill 1976) (1973). In the *Lotus Sutra*, the Buddha may also be understood as “an ever-abiding principle of truth and compassion that exists everywhere and within all beings.” THE LOTUS SUTRA, *supra* note 1, at xix. A Buddha is therefore anyone who has “awakened” to this inner nature and “reached the highest level of enlightenment.” *Id.* at 327.

6. THE LOTUS SUTRA, *supra* note 1, at 164; *see also id.* at 218 (explaining that “the Buddha wisdom is hard to fathom”).

7. *Id.* at xix. Buddhahood or enlightenment may be conceptualized as “a condition of the highest wisdom, vitality and good fortune wherein we can shape our own destiny, find fulfillment in daily activities and come to understand and appreciate our purpose in being alive.” SOKA GAKKAI INT’L U.S.A., SGI-USA STUDY CURRICULUM, THE ENTRANCE-LEVEL TEXT BOOK (1993), *available at* <http://www.sgi-usa.org/buddhism/library/SokaGakkai/Study/Entrance/Text3.htm> (last visited Nov. 3, 2002) [hereinafter SGI-USA STUDY CURRICULUM].

8. *See* SGI-USA STUDY CURRICULUM, *supra* note 7.

9. THE LOTUS SUTRA, *supra* note 1, at xii.

10. *See id.* at xii-iv; *see also* RICHARD CAUSTON, THE BUDDHA IN DAILY LIFE 69 (1995) (“Buddhism teaches that this altruistic concern for the happiness and growth of others is the very way the Bodhisattva, too, becomes happy and fulfilled”); NICHIREN SHOSHU INT’L CTR., FUNDAMENTALS OF BUDDHISM 51 (3d ed. 1993) [hereinafter FUNDAMENTALS OF BUDDHISM] (“A bodhisattva . . . finds that the way to self-perfection lies only in the act of compassion—saving other people from their suffering.”); HUSTON SMITH, THE RELIGIONS OF MAN 137 (1958) (depicting the bodhisattva “as a being who, having brought himself to the brink of Nirvana, voluntarily renounces his prize that he may return to the world to make it accessible to others”).

tap and develop their innate abilities. One clearly need not be a Buddhist to embrace these pedagogical precepts; the *Lotus Sutra* merits professorial attention both for the beauty of its expression and for the way it relates our prosaic classroom efforts to a more universal quest for fulfillment and understanding. It can both inspire and admonish us as teachers, poetically challenging us to bring forth the best from our students and ourselves.

## II. "THE GREAT WISDOM OF EQUALITY"<sup>11</sup>

A lively egalitarian spirit flows through the *Lotus Sutra*, and there is a rich insistency on the need to bridge the spiritual and hierarchical chasms between teacher and taught. As the Buddha relates to one of his followers:

Shariputra, you should know  
that at the start I took a vow,  
hoping to make all persons  
equal to me, without any distinction between us,  
and what I long ago hoped for  
has now been fulfilled.<sup>12</sup>

Such equality extends in all directions; just as the Buddha does not look down on disciples, he refuses to discriminate among them. In "The Parable of the Medicinal Herbs," he states:

I look upon all things  
as being universally equal,  
I have no mind to favor this or that,  
to love one or hate another.  
I am without greed or attachment  
and without limitation or hindrance.  
At all times, for all things  
I preach the Law equally;  
as I would for a single person,  
that same way I do for numerous persons.<sup>13</sup>

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11. THE LOTUS SUTRA, *supra* note 1, at 171.

12. *Id.* at 36. Similarly, we are assured:

The original vow of the Buddhas  
was that the Buddha way, which they themselves practice,  
should be shared universally among living beings  
so that they too may attain this same way.

*Id.* at 41.

13. *Id.* at 103.

This harmony, so splendid in verse, can be garbled in its application. The *Lotus Sutra* does not advocate a standardless, “anything goes” failure to critique doctrines, students, and ourselves. Indeed, as Takanori Endo reminds us, “At times the Buddha brings joy to living beings, at times he admonishes them sternly.”<sup>14</sup> Far from condoning acquiescence in mediocrity, the Buddha’s mission is to dissolve life’s needless and illegitimate hierarchies, including those that can be so dispiriting and malicious in the academic world.<sup>15</sup>

Abuses of professorial power can take numerous forms, and we must be vigilant in examining the ways in which we may blithely demean those within our orbit. Sometimes there is an ethnic angle to our conscious or inadvertent disparagement. As Professor Hunt asserts, “all too many law school professors tend to have low academic expectations for students of color and tend to communicate those expectations to both minority and white students in a myriad of subtle, and not so subtle, ways.”<sup>16</sup> There is also continuing concern over the ways in which sexism may still cloud the academic atmosphere. Susan Sturm, for example, opines that “[m]any law schools operate within a culture that tolerates or condones students’ behavior that actively excludes, harasses, and devalues their female colleagues.”<sup>17</sup> Finally, even if we could sanitize law schools of the remaining residues of racism and sexism, there would still be plenty of plain, old-fashioned *nastiness* to pollute the learning pool. As psychiatrist Alan Stone observes, “many students now perceive their professor as not only authoritarian, but destructively aggressive.”<sup>18</sup>

Law school need not be *Mister Rogers’ Neighborhood*, as I argue below, the classroom should be an intense and demanding arena. There is no call, however, for the toxicity with which some professors

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14. I DAIKAKU IKEDA ET AL., *THE WISDOM OF THE LOTUS SUTRA* 122 (2000).

15. For a classic—and controversial—polemic against such hierarchy, see DUNCAN KENNEDY, *LEGAL EDUCATION AND THE REPRODUCTION OF HIERARCHY: A POLEMIC AGAINST THE SYSTEM* (1983). Kennedy’s critique differs significantly from what I advocate but remains provocative and insightful.

16. Cecil J. Hunt, II, *Guests in Another’s House: An Analysis of Racially Disparate Bar Performance*, 23 FLA. ST. U. L. REV. 721, 771 (1996) (footnote omitted).

17. Susan P. Sturm, *From Gladiators to Problem-Solvers: Connecting Conversations About Women, the Academy, and the Legal Profession*, 4 DUKE J. GENDER L. & POL’Y 119, 130 (1997).

18. Alan A. Stone, *Legal Education on the Couch*, 85 HARV. L. REV. 392, 416 (1971). Similarly, another psychiatrist has observed how law students may perceive the professor as “an enemy who is feared and avoided if possible.” Andrew S. Watson, *The Quest for Professional Competence: Psychological Aspects of Legal Education*, 37 U. CIN. L. REV. 91, 123 (1968). Things are doubtlessly better than they were thirty years ago, but it seems obvious that we still have far to go.

leaven their pedagogy. We should definitely push students but the objective must always be to push them forward rather than down. Both the critiques and concern we offer students should be rooted in a respect for their potential and a sincere desire to see them surpass our accomplishments as lawyers.

### III. "YOU YOURSELVES WILL ATTAIN BUDDHAHOOD"<sup>19</sup>

All participants in the pedagogical journey must share an implicit faith in one another's inherent worth and ability to grow. Otherwise, our efforts at collective transformation are a pious failure or, even worse, a crashing bore. Here the lyric optimism of the *Lotus Sutra* may inspire us as we slog our way through wretched blue books and endure the occasionally jejune classroom efforts of both our students and ourselves.<sup>20</sup> The game *is* worth the candle, for the Buddha promises that "[i]f there are those who hear the Law, / then not a one will fail to attain Buddhahood."<sup>21</sup>

This is true even though our spiritual and intellectual progress may seem childlike in its halting and uncertain steps. The Buddha states:

Even if little boys in play  
should use a piece of grass or wood or a brush,  
or perhaps a fingernail  
to draw an image of the Buddha,  
such persons as these  
bit by bit will pile up merit  
and will become fully endowed with a mind of  
great compassion;  
they all have attained the Buddha way.<sup>22</sup>

Our journey toward enlightenment may seem painfully incremental, yet the *Lotus Sutra* provides relentless inspiration not to abandon even the densest and most difficult students. We are told, for example, how in a previous incarnation the Buddha appeared as a bodhisattva who was called "Never Disparaging" because he earnestly assured everyone he met that they were "certain to attain

19. THE LOTUS SUTRA, *supra* note 1, at 46.

20. As Robert Penn Warren understood, there is a need for "some faith past our consistent failure" in our pilgrimage toward a world "[s]weeter than hope in that confirmation of late light." ROBERT PENN WARREN, *BROTHER TO DRAGONS: A TALE IN VERSE AND VOICES* 130, 132 (1979).

21. THE LOTUS SUTRA, *supra* note 1, at 41; *see also id.* at 106 ("[A]s you gradually advance in practice and learning / you are all certain to attain Buddhahood.").

22. *Id.* at 39.

Buddhahood.”<sup>23</sup> This encouragement was met with “curses and abuse,” but Bodhisattva Never Disparaging persisted and eventually led many “to dwell in the Buddha way.”<sup>24</sup>

As Burton Watson reasons, in the *Lotus Sutra* “even the most depraved of persons can hope for salvation.”<sup>25</sup> This is clearly emphasized in the “Devadatta” chapter. Devadatta was the Buddha’s cousin and tried to murder him and undermine the solidarity of the Buddhist order.<sup>26</sup> He thus represents fundamental evil and was “said to have fallen into hell.”<sup>27</sup> Nonetheless, the Buddha confidently announces that eventually Devadatta “will attain Buddhahood.”<sup>28</sup>

Not only may the most corrupt attain enlightenment; the path is also available for the most powerless and oppressed elements of society. This is demonstrated through the enlightenment of the dragon king’s daughter.<sup>29</sup> She appears before the Buddha, praises his wisdom, and swiftly attains Buddhahood herself.<sup>30</sup>

Her enlightenment is of supreme importance, for it reveals the impermanence of all barriers—including the most rigid social constructs—to Buddhahood. Watson explains:

Earlier Buddhism had asserted that women are gravely hampered in their religious endeavors by “five obstacles,” one of which is the fact that they can never hope to attain Buddhahood. But all such assertions are here in the *Lotus Sutra* unequivocally thrust aside. The child is a dragon, a nonhuman being, she is of the female sex, and she has barely turned eight, yet she reaches the highest goal in the space of a moment. Once again the *Lotus Sutra* reveals that its revolutionary doctrines operate in a realm transcending all petty distinctions of sex or species, instant or eon.<sup>31</sup>

The *Lotus Sutra* may thus be construed as an exhortation to keep the faith and recognize the potential of all students. Regardless of their obstacles and attitudes, we must emulate Bodhisattva Never Disparaging and avoid premature decisions to label them losers.<sup>32</sup> This

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23. *Id.* at 266-67.

24. *Id.* at 266-71.

25. *Id.* at xviii.

26. FUNDAMENTALS OF BUDDHISM, *supra* note 10, at 104.

27. CAUSTON, *supra* note 10, at 265; FUNDAMENTALS OF BUDDHISM, *supra* note 10, at 104.

28. THE LOTUS SUTRA, *supra* note 1, at 184.

29. *Id.* at 187-89.

30. *Id.*

31. *Id.* at xviii-xix. For a description of the five obstacles, see *id.* at 330.

32. This forbearance with problematic students does not require the naiveté of Pollyanna. The late Phillip Areeda was the most shrewd, brilliant, and demanding law

is not to say that we should placidly pass students along regardless of their failings. I agree with Stephen Carter that integrity requires us to give students grades reflective of their actual performance rather than merely symptomatic of grade inflation.<sup>33</sup> Not everyone is necessarily cut out to be a lawyer, and it is almost criminally cruel to let a student squander three years, thousands of dollars, and endless dreams pursuing a career for which he is indisputably ill-suited. Such judgments, however, must be made only with the greatest sobriety following intensive efforts to help the student address the perceived deficiencies. If integrity sometimes requires the issuance of low grades, it equally demands that professors make strenuous efforts to help students develop whatever powers they possess.

#### IV. "GOOD FRIENDS CAN DO THE BUDDHA'S WORK"<sup>34</sup>

Teaching matters. Teachers matter. This basic message must be internalized and acted upon if professors are to be more than cloistered, self-important shams. And when it comes to teaching, each instructor must make a pivotal choice: whether to be the evil monk or the good friend.

The life of the evil monk has its charms. One can earn a tidy living and garner prestige and power without giving the students' welfare a second thought. Moreover, the hallowed frauds of the academy are following a venerable tradition. As the Buddha warned:

In that evil age there will be monks  
with perverse wisdom and hearts that are fawning and crooked  
who will suppose they have attained what they have  
not attained,  
being proud and boastful in heart.  
Or there will be forest-dwelling monks  
wearing clothing of patched rags and living in retirement,  
who will claim they are practicing the true way,  
despising and looking down on all humankind.  
Greedy for profit and support,  
they will preach the Law to white-robed laymen  
and will be respected and revered by the world

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professor I have encountered, yet he accepted it as an article of faith that "[i]f you're patient, . . . you can teach students any subject whatsoever." Stephen Breyer, *In Memoriam: Phillip E. Areeda*, 109 HARV. L. REV. 889, 889 (1996). For an outline of Professor Areeda's pedagogical insights, see Phillip E. Areeda, *The Socratic Method*, Lecture at Puget Sound, Jan. 31, 1990, in 109 HARV. L. REV. 911 (1996).

33. STEPHEN L. CARTER, *INTEGRITY* 79-82 (1996).

34. THE LOTUS SUTRA, *supra* note 1, at 317.



as though they were arhats<sup>35]</sup> who possess the six  
transcendental powers.<sup>36]</sup>

These men with evil in their hearts,  
constantly thinking of worldly affairs,  
will borrow the name of forest-dwelling monks  
and take delight in proclaiming our faults . . . .<sup>37]</sup>

Sound familiar? Most of us have encountered such a monk, perhaps even when we peer into the mirror. The bloated, egotistical law professor is practically a staple of academic culture, and the lure of posttenure indolence has claimed its share of souls. It can be damnably difficult to continue fighting the good fight when no one seems to be keeping score.<sup>38</sup> To avoid succumbing to this state of lassitude or pretentious deceit, one must steadfastly put the students' interests first and make determined efforts to contribute to their intellectual, professional, and personal growth. Students pay for and deserve our probing critique of their analytical efforts, but we must resist the perverse temptation to revel in the domination of neophytes.<sup>39</sup> The Buddha counsels:

[I]f one wishes to preach this sutra, he should abide by these peaceful practices. When he opens his mouth to expound or when he reads the sutra, he should not delight in speaking of the faults of other people or scriptures. He should not display contempt for other teachers of the Law or speak of other people's tastes or shortcomings. . . . Also he should not allow his mind to become filled with resentment or hatred. Because he is good at cultivating this kind of peaceful mind, his listeners will not oppose his ideas.<sup>40</sup>

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35. An arhat may be defined as "one who has completed the discipline required to attain liberation." THE TEACHINGS OF THE COMPASSIONATE BUDDHA 244 (Edwin A. Burt ed., 1995). In the *Lotus Sutra*, we are "urge[d] . . . to reject the goal of arhat and instead strive for the highest level of enlightenment, that of Buddhahood." THE LOTUS SUTRA, *supra* note 1, at 326.

36. These are powers possessed by Buddhas, bohisattvas, and arhats that encompass "the power of being anywhere at will; power of seeing anything anywhere; power of hearing any sound anywhere; power of knowing the thoughts of all other minds; power of knowing past lives; and power of eradicating illusions." THE LOTUS SUTRA, *supra* note 1, at 338.

37. *Id.* at 193-94.

38. See William L. Prosser, *Lighthouse No Good*, 1 J. LEGAL EDUC. 257, 259 (1948) (commenting upon the "many sad and wretched law schools" with tenured dregs "too feeble, useless, and insignificant ever to receive an offer from another school, too satisfied ever to leave, and safe where they are").

39. See *id.* at 262 (describing "the reassurance, the relish, the glee, with which [the professor] demolishes that poor student and reduces him to a condition of palpitating collapse").

40. THE LOTUS SUTRA, *supra* note 1, at 201; see also *id.* at 205 ("Do not cause others to have doubts or regrets / by saying, 'You will never become a Buddha!'").

All of this can be tricky. We must vigorously challenge our students or we will fail to prepare them for the intellectual rigors and psychic stresses of life in the law. Nonetheless, we must always bear in mind just how fragile they can be at this stage in their development and eschew pedagogical tyranny that can crush their inner gems. Professor, do no harm.

In Buddhism, the teacher's highest goal is to help students attain *anuttara-samyak-sambodhi*, the "perfect . . . enlightenment of a Buddha."<sup>41</sup> The concept of the teacher as a friend is central to this quest. The Buddha vows:

If one stays close to the teachers of the Law  
he will speedily gain the bodhisattva way.  
By following and learning from these teachers  
he will see Buddhas as numerous as Ganges sands.<sup>42</sup>

Similarly, Buddha Cloud Thunder Sound Constellation King Flower Wisdom relates:

If good men and good women have planted good roots, and as a result in existence after existence have been able to gain good friends, then these good friends can do the Buddha's work, teaching, benefiting, delighting, and enabling them to enter *anuttara-samyak-sambodhi*. . . [A] good friend is the great cause and condition by which one is guided and led, and which enables one to see the Buddha and to *conceive the desire* for *anuttara-samyak-sambodhi*.<sup>43</sup>

The key phrase here is to help students "conceive the desire" for enlightenment.<sup>44</sup> Buddhahood cannot be mystically transferred from our fingertips, and it is ultimately up to our students to work diligently for their salvation.<sup>45</sup>

Furthermore, there are practical limits to what we can demand of ourselves. Far short of leading my students to nirvana, I would be grateful if I could help them get a handle on why Helen Palsgraf loses.<sup>46</sup>

41. *Id.* at 326.

42. *Id.* at 169.

43. *Id.* at 317 (emphasis added).

44. *Id.*

45. As another sutra declares:

No one saves us but ourselves,  
No one can and no one may;  
We ourselves must tread the Path;  
Buddhas only show the way.

SMITH, *supra* note 10, at 136.

46. See *Palsgraf v. Long Island R.R.*, 162 N.E. 99, 105 (N.Y. 1928).

At the same time, however, it is too easy to slip into a jaded and jeering disavowal of our role as our students' mentors.<sup>47</sup> We can and should be their friends in the sense of investing our emotional and intellectual capital into their development as lawyers. Whether we like it or not, we are their natural role models and frequently their first recourse for counseling on academic, professional, and even emotional quandaries. If we cannot form a lasting spiritual bond with each student, we can at least resolve to be energetic teachers and caring counselors who refrain from treating them like pests.

V. "PREACHING THE LAW WITHOUT FEAR"<sup>48</sup>

As friends, how can we best express our warmth and respect for students? Instead of distributing bonbons, I would recommend teaching them how to fight. It is imperative to help our charges "don the armor of diligence and determine to be firm in intent."<sup>49</sup> Students are preparing for an intensely demanding and stressful profession that will require all the courage they can muster. As one attorney emphasizes, "*Law students cannot imagine the meat grinder that awaits them in the adversary process.*"<sup>50</sup>

If our compassion runs deeper than mere pleasantries, we will help students cultivate the mental toughness and never-say-die spirit that they and their clients will need to survive. We douse our students with banal exhortations to "serve the public interest" yet fail to realize that the development of true goodness is inherently dependent on the possession of steely courage. As Mahatma Gandhi appreciated, "if

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47. See, e.g., Susan B. Apel, *Principle 1: Good Practice Encourages Student-Faculty Contact*, 49 J. LEGAL EDUC. 371, 385 (1999) (observing that "the atmosphere of legal academia is often unsupportive of student-faculty contact and even discourages it").

48. THE LOTUS SUTRA, *supra* note 1, at 239.

49. *Id.* at 218.

50. GERALD LE VAN, LAWYERS' LIVES OUT OF CONTROL: A QUALITY OF LIFE HANDBOOK 24 (1992); see also WILLIAM R. KEATES, PROCEED WITH CAUTION: A DIARY OF THE FIRST YEAR AT ONE OF AMERICA'S LARGEST, MOST PRESTIGIOUS LAW FIRMS 13 (1997) ("I wasn't prepared for either the work or the psychological stress which made that period the most arduous and demanding year of my life."); Connie J.A. Beck et al., *Lawyer Distress: Alcohol-Related Problems and Other Psychological Concerns Among a Sample of Practicing Lawyers*, 10 J.L. & HEALTH 1, 2 (1996) (reporting that "a significant percentage of practicing lawyers are experiencing a variety of significant psychological distress symptoms well beyond that expected of the general population"); DEBORAH L. ARRON, RUNNING FROM THE LAW: WHY GOOD LAWYERS ARE GETTING OUT OF THE LEGAL PROFESSION 9 (1991) (discussing "the night terror and anxiety attacks that haunt so many" attorneys).

you want to follow the vow of Truth in any shape or form, you must be fearless.”<sup>51</sup>

This realization propels the *Lotus Sutra*'s consistent emphasis on the need for inner strength. Bodhisattvas are summoned to “with a fearless heart . . . preach the law,”<sup>52</sup> to “confront the assembly without fear,”<sup>53</sup> and “not [to] harbor doubts or fears.”<sup>54</sup> As Bodhisattva Maitreya relates,<sup>55</sup> we need skill, determination, and valor:

These bodhisattvas  
are firm in will, in no way timid or immature.  
For immeasurable kalpas<sup>56</sup>  
they have been practicing the bodhisattva way.  
They are clever at difficult questions and answers,  
their minds know no fear.  
They have firmly cultivated a persevering mind,  
upright in dignity and virtue.<sup>57</sup>

None of this comes readily, for “the Buddha alone is without fear.”<sup>58</sup> We are assured, however, that those who preach the *Lotus Sutra* can bring forth their Buddha nature and “will be free of anxiety and confusion” on earth.<sup>59</sup> Furthermore, upon death “they will be received into the hands of a thousand Buddhas, who will free them from all fear and keep them from falling into the evil paths of existence.”<sup>60</sup>

In the *Lotus Sutra*, Bodhisattva Perceiver of the World's Sounds travels from land to land to “bestow fearlessness on those who are in fearful, pressing or difficult circumstances.”<sup>61</sup> In the academic world, how can we hope to foster such bravery in our students, especially when most of us are hardly profiles in courage ourselves?<sup>62</sup> There are

51. 6 MAHATMA GANDHI, THE SELECTED WORKS OF MAHATMA GANDHI 138-39 (Shriman Narayan ed., 1968).

52. THE LOTUS SUTRA, *supra* note 1, at 199.

53. *Id.* at 167.

54. *Id.* at 219.

55. Also known as Ajita, it is said that he will appear in this world as a Buddha in some 5670 million years. *Id.* at 334.

56. A kalpa may be conceived as “an unimaginably large unit of time, which equals approximately sixteen million years.” FUNDAMENTALS OF BUDDHISM, *supra* note 10, at 23-24.

57. THE LOTUS SUTRA, *supra* note 1, at 223; *see also id.* at 209 (“He will stroll about without fear / like the lion king.”).

58. *Id.* at 36.

59. *Id.* at 204.

60. *Id.* at 322.

61. *Id.* at 302. For this reason, he is also known as the “Bestower of Fearlessness.” *Id.*

62. I freely admit that I would rather strut safely behind the podium than wrestle seasoned attorneys in corporate combat. As the legendary Prosser candidly remarked, law professors are “fugitives from that battlefield, and there is in us a weakness of character, a

no magic answers, but three strategies will help guide the way. First, not all but many law classes should be exercises in modulated intensity.<sup>63</sup> Most professors should be demanding, rigorously Socratic, and determinedly unwilling to let students slide through their studies. That so many teachers let students skip the reading, cut class, and refuse to participate without even the pretext of a legitimate reason is grievously myopic. Such professorial acquiescence in student sloth is a betrayal of our public trust to train lawyers who are diligent, creative, and respectful of their clients' needs. The most significant victim will probably be the student himself, for our malign neglect can leave him utterly unprepared in practice when the legal jackals move in for the kill.

Second, we should urge students to garner as much practical experience as they can before even taking the bar. Clinical courses, for example, can be invaluable in acquainting students with the triumphs and terrors of real clients, deadlines, and adversaries. Just as important, such programs often constitute "endeavors to foster social justice" and can "create a self-perpetrating culture of lawyering in the public interest."<sup>64</sup> The concept of the barrister as bodhisattva has much to recommend it.

Third, fear should not be the Boo Radley<sup>65</sup> of our emotional family, a feeling so shameful we pretend it doesn't exist. Instead, we should openly discuss fear with our students to demystify it and make it amenable to strategic intervention. Professors should draw on personal experiences, not to bore classes with self-congratulatory war stories, but rather to acquaint them with our moments of pain and how

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kind of cowardice, which those of us who are least honest with ourselves prefer to regard as a fine distaste for the wretched bickerings of a sordid commercial life." Prosser, *supra* note 38, at 260. Prosser's description fits me to a T, but I would exempt from his categorization most clinical professors and those who perform substantial pro bono work.

63. I recognize the value of the occasional course where students may relax and simply reflect on the material with no pressure to perform. Given the demands of practical lawyering, however, I am emphatic that such classes must not be the norm.

64. Jon C. Dubin, *Clinical Design for Social Justice Imperatives*, 51 SMU L. REV. 1461, 1505 (1998). There are other insightful discussions of how clinical programs enhance students' emotional and professional growth. See Steven H. Leleiko, *Love, Professional Responsibility, the Rule of Law, and Clinical Legal Education*, 29 CLEV. ST. L. REV. 641 (1980); Joan L. O'Sullivan et al., *Ethical Decisionmaking and Ethics Instruction in Clinical Law Practice*, 3 CLINICAL L. REV. 109 (1996); Fran Quigley, *Seizing the Disorienting Moment: Adult Learning Theory and the Teaching of Social Justice in Law School Clinics*, 2 CLINICAL L. REV. 37 (1995) (discussing the importance of clinical experience in a student's development of attitudes about social justice).

65. This is a reference to the spooky outcast in HARPER LEE, *TO KILL A MOCKINGBIRD* (1960).

we struggled to navigate the dread.<sup>66</sup> I certainly can share my quota of mortifying moments and semicomical stabs at redemption. As a One L, I once nervously opined in class that an action was illegal because it was against the law. On the morning of my first court appearance, I discovered that I had put my underwear on backwards. On the eve of my thirteenth year as a professor, I dreamed of teaching Torts stark naked. For many of us, the anxiety dissipates but there is always a residue of disquietude. By sharing both our vulnerability and coping mechanisms with students, we humanize the academic and lawyering processes and assure them of their ability to succeed.

#### VI. "THE RAIN FALLS EVERYWHERE"<sup>67</sup>

Discussing our fears and modeling survival strategies will work, however, only if we can kindle the students' interest and establish some degree of trust. We must endeavor to rain on all fields, nourishing and refreshing a multitude of students with widely disparate strengths, interests, and means of perceiving the world. Too often we teach as though standing before a mirror instead of focusing on the comprehension levels and needs of our listeners. At such times, we are no better than "a yak enamored of its tail."<sup>68</sup> "*Forget yourself; think of them,*" Professor Whaley wisely reminds us.<sup>69</sup>

Bodhisattvas understand this need to assure that all receive sustenance. Watson explains:

In order to make his teaching and aid most readily acceptable to all kinds of beings, the bodhisattva is prepared to take on thirty-three different forms, matching his form to that of the being who calls upon him, whether that being be man or woman, exalted or humble, human or nonhuman in nature.<sup>70</sup>

The *Lotus Sutra* relates numerous examples of how such expedient means are used to tutor and enhearten those who have not yet attained enlightenment.<sup>71</sup> In this remarkably diverse world,

66. For the "pedagogical value" of such recollections, see Apel, *supra* note 47, at 384. As Professor Apel explains, such tales make the professor appear less intimidating and facilitate the students' willingness to discuss their own mistakes. *Id.*

67. THE LOTUS SUTRA, *supra* note 1, at 101.

68. *Id.* at 42.

69. Douglas J. Whaley, *Teaching Law: Advice for the New Professor*, 43 OHIO ST. L.J. 125, 131 (1982).

70. THE LOTUS SUTRA, *supra* note 1, at xxii.

71. From the Sanskrit term *upaya kaushalya*, where *upaya* means "approach" and *kaushalya* means "skillful" or "excellent." IKEDA, *supra* note 14, at 117. Watson interprets this concept as "[a] device or temporary means adopted in order to relieve suffering and lead

Buddhas and bohisattvas must become ventriloquists of the spirit, employing different strategies for different students. We are told:

With regard to the Law, the Buddhas  
are able to exercise complete freedom.  
They understand the various desires and joys  
of living beings,  
as well as their aims and abilities,  
and can adjust to what they are capable of,  
employing innumerable similes  
to expound the Law for them.<sup>72</sup>

The burden is thus clearly placed on the teacher to discover how best to communicate effectively with her classes. She cannot simply shrug her shoulders and dismiss the students as hopeless. Instead, professors must carefully appraise their charges, assess their strengths and limitations, and devise strategies that will inspire and inform them.

As the Buddha reveals, he will “cause the Dharma rain to rain on all equally” regardless of people’s power, precepts, demeanor, views, or capacity.<sup>73</sup> The needs of each are fulfilled, for:

The rain falls everywhere,  
coming down on all four sides.  
Its flow and saturation are measureless,  
reaching to every area of the earth,  
to the ravines and valleys of the mountains and streams,  
to the remote and secluded places where grow  
plants, bushes, medicinal herbs,  
trees large and small,  
a hundred grains, rice seedlings,  
sugar cane, grape vines.  
The rain moistens them all,  
none fails to receive its full share.

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beings to enlightenment, often by offering provisional teachings as a means of guiding them to the truth.” THE LOTUS SUTRA, *supra* note 1, at 329; *see also* PETER HARVEY, AN INTRODUCTION TO BUDDHISM: TEACHINGS, HISTORY, AND PRACTICES 92 (1990) (discussing the belief that “the Buddha had adapted the particular contents of his teaching to the temperament and level of understanding of his audience”).

72. THE LOTUS SUTRA, *supra* note 1, at 96. As the Buddha explicates:

Because living beings have different natures, different desires, different actions, and different ways of thinking and making distinctions, and because I want to enable them to put down good roots, I employ a variety of causes and conditions, similes, parables, and phrases and preach different doctrines. This, the Buddha’s work, I have never for a moment neglected.

*Id.* at 266.

73. *Id.* at 103. Here Dharma may be translated as “[t]he Law or body of the Buddhist teachings.” *Id.* at 328.

The parched ground is everywhere watered,  
 herbs and trees alike grow lush.  
 What falls from the cloud  
 is water of a single flavor,  
 but the plants and trees, thickets and groves,  
 each accept the moisture that is appropriate to its portion.<sup>74</sup>

How can we, as law teachers, assure that the rain reaches our students? And in what sense can we follow the bodhisattvas' lead by assuming thirty-three different forms as expedient means of communication? On the institutional level, we can do so by hiring talented, diverse faculties with a wealth of (sometimes competing and conflicting) descriptive and prescriptive visions of law and society. Diversity of ethnicity and gender is critical, and so is diversity of political perspective, modes of teaching, and philosophical bent. By offering a multinatured array of styles and substance on our faculties, we are most likely to assure both doctrinal and spiritual precipitation for our students.

On the individual level, we should emulate the Buddha who, "[t]aking cognizance of [each listener's] basic nature,"<sup>75</sup> then "adjusts to the person's power when preaching."<sup>76</sup> Most thoughtful teachers appreciate how each class has a somewhat different character that must be massaged over the course of the semester. Similarly, different students require different levels and types of individual attention. Some are too proud or shy to ask for help; others can be pried from our hide only with a spatula and firm resolve. And isn't it rare to find the law student who worries just the right amount? They can be either neurotically self-defeating in their intensity or else woeful in their dereliction of effort. There is no generic "reasonable student" but rather a complicated and intriguing mixture of personalities and problems.

The professor must therefore be a jack-of-all-tactics, using a nuanced blend of techniques to motivate, chastise, soothe, and inspire her students. As Whaley appreciates, "how hard [to] push depends on the student and the situation."<sup>77</sup> I confess to playing both the good and the bad cop. In class I am sharp, pushy, and downright caustic with those who exert suboptimal effort. I would rather toughen up students

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74. *Id.* at 101; *see also id.* at 99 ("[I]n accordance with what each is capable of hearing, he preaches the Law for them in an immeasurable variety of ways so that all of them are delighted and are able to gain excellent benefits therefrom.").

75. *Id.* at 32.

76. *Id.* at 100.

77. Whaley, *supra* note 69, at 133.



in class than see them splatter with their clients in practice. Outside of class, I take pride in being highly accessible and in spending many hours counseling students on a myriad of academic, occupational, and confidential matters. I like to think I've made a difference in their lives.<sup>78</sup>

Students need our attention and it makes sense to get to know them.<sup>79</sup> Time is limited, but even pedants must eat and having brown bag lunches with students provides informal and rewarding opportunities for the sharing of ideas and concerns.<sup>80</sup> Developing some kind of relationship will make you a more effective teacher, motivate the students to work harder in your courses, and keep life interesting on both sides of the podium.<sup>81</sup>

#### VII. "THEIR MINDS DELIGHT IN PETTY DOCTRINES"<sup>82</sup>

The *Lotus Sutra's* emphasis on expedient means is a compassionate corollary of the Buddha's determination to speak to people, in the midst of their daily lives, in a relevant and intelligible manner. It is understood—and accepted—that in our *saha* world<sup>83</sup> we preoccupy ourselves with a litany of mundane and thoroughly secular affairs. We are, as the Buddha realized,

[p]eople of small wisdom [who] delight in a small Law,  
unable to believe that they themselves could become Buddhas.<sup>84</sup>

A less compassionate spirit would recoil from our grimy materialism. The Buddha, however, appreciates that "earthly desires are enlightenment"; the prosaic hopes and fears of everyday life are the

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78. For an insightful discussion of the critical role law professors can play in befriending and counseling their students, see Phyllis W. Beck & David Burns, *Anxiety and Depression in Law Students: Cognitive Intervention*, 30 J. LEGAL EDUC. 270 (1979).

79. For ideas on how to do this, see Apel, *supra* note 47, at 382-85.

80. I suppose it would be catty to suggest that such lunches also provide a splendid means to avoid dining with odious colleagues.

81. There are naturally costs to this enhanced accessibility. Professor Byse cautions that "[t]ime spent consulting with students cannot be time spent on research." Clark Byse, *Fifty Years of Legal Education*, 71 IOWA L. REV. 1063, 1071 (1986). It bears noting, however, that Professor Byse developed into an icon of Administrative Law, yet always took the time to counsel students in need. The thirty-three forms in which bodhisattvas appear must include that of the crusty pedagogue. For a description of Byse's phenomenal teaching, see JOEL SELIGMAN, *THE HIGH CITADEL: THE INFLUENCE OF HARVARD LAW SCHOOL* 149-54 (1978).

82. THE LOTUS SUTRA, *supra* note 1, at 135.

83. Our present physical world, with all of the tribulations we must endure. *Id.* at 336.

84. *Id.* at 43.

fuel for attaining Buddhahood.<sup>85</sup> Rather than ignoring our secular needs, the Buddha addresses them as a means of leading us to a higher state of being. As Mahakashyapa<sup>86</sup> explains:

He was like the rich man  
 who knew that his son's ambitions were lowly  
 and who used the power of expedient means  
 to soften and mold his son's mind  
 so that later he could entrust to him  
 all his wealth and treasure.  
 The Buddha is like this,  
 resorting to a rare course of action.  
 Knowing that some have a fondness for the petty,  
 he uses the power of expedient means  
 to mold and temper their minds,  
 and only then teaches them great wisdom.<sup>87</sup>

Applying this philosophy in the classroom is a study in trial and error. The teacher's role is never easy, and the advocacy of expedient means recognizes that people learn in dissimilar ways, at divergent speeds, and with fluctuating magnitudes of frustration for their professors. Furthermore, we often encounter the conundrum of first-year students who fetishize the doctrine and stubbornly resist our efforts at coaxing them toward the theoretical and political labyrinths of the law. This predicament is as old as our profession, but the solution seems elusive for countless professors. The *Lotus Sutra* suggests the appropriate response:

The way followed by the sons of the Buddha,  
 because they are well learned in expedient means,  
 is wonderful beyond conception.  
 They know how most beings delight in a little Law  
 and are fearful of great wisdom.

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85. DAISAKU IKEDA, UNLOCKING THE MYSTERIES OF BIRTH AND DEATH: BUDDHISM IN THE CONTEMPORARY WORLD 7 (1988). This fundamental belief that "earthly desires are enlightenment" can be startling to those who envision Buddhism as an austere practice of self-denial. *Id.* At the risk of over-simplification, this concept encapsulates the idea that we must seek enlightenment in this lifetime, with all of its physical and emotional complications, rather than pining for perfection in some later existence. *See id.* at 7-8. As a consequence, we should focus on channeling our desires into socially beneficial activities rather than quixotically seeking to repress their existence. *See id.* at 8. As a leading Buddhist philosopher explains, "there can be no enlightenment apart from the reality of earthly desires and there can be no nirvana without the concomitant sufferings of birth and death. These pairs of contrasting factors are innate in all our lives." *Id.* at 7.

86. "One of [the Buddha's] ten major disciples . . ." THE LOTUS SUTRA, *supra* note 1, at 333.

87. *Id.* at 94.

Therefore the bodhisattvas  
pose as voice-hearers<sup>[88]</sup> or pratyekabuddhas,<sup>[89]</sup>  
employing countless expedient means  
to convert the different kinds of living beings.<sup>90</sup>

To “delight in a little Law,” and yet be “fearful of great wisdom.” Could anyone better define what it means to be a new law student? The Buddhist response is not to belittle the student or insist that she burn her commercial outlines. To the contrary, the path to wisdom—however defined—should begin with offerings of the “little” law the students crave. Theoretical discourse is fruitless for most students unless it is preceded by a grounding in the doctrine. I think, for example, of the contrasting approaches taken by two professors I had as a first-year law student. Beginning with the first class, one professor (a thoroughly gifted and decent man) proudly announced that it was “Space Torts” and launched into an intensely abstract sociopolitical analysis of the law. This technique was initially fascinating, but after a few classes many of us felt bewildered and perhaps even betrayed. What was the *law*? What would we argue in court? We stormed en masse for *Emanuel's* and sat in resentful silence through most of the semester.

In contrast, my criminal law professor directly responded to our thirst for doctrine. Before class he would fill the blackboards with the day's technical minutiae. We would scribble this into our notes feeling confident that we were getting the basics we somehow needed. Then, when class began, we were eager to join the professor as he transformed his approach into a freewheeling discussion of divergent moral and political visions. He had earned our trust and bolstered our confidence by providing the blackletter law as a point of departure for a journey where we would discover for ourselves how little it actually settled. Armed with the little law, we felt empowered to debate the meanings of wisdom without feeling utterly foolish.<sup>91</sup>

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88. Also known as a *śrāvaka*, “a disciple not yet capable of independent progress.” THE TEACHINGS OF THE COMPASSIONATE BUDDHA, *supra* note 35, at 246.

89. One who has developed “an understanding of the truth [yet] . . . makes no effort to enlighten others.” THE LOTUS SUTRA, *supra* note 1, at 335.

90. *Id.* at 146.

91. The doctrine, so to speak, provides temporary lodging where students can take stock of their resources before scaling the realms of theoretical and practical application. In this sense the blackletter law is analogous to the phantom city, a mythical construct of nirvana where the Buddha's disciples may rest before venturing on the more arduous road to enlightenment. *Id.* at 135-42.

Very well. But once that we have relieved the students' doctrinal despair, how do we go about imparting wisdom? The simple answer is that perhaps we shouldn't even try. We can certainly share our ideas, experiences, and concerns, but beyond that I feel rather modest regarding our role. At least for me, the idea that I could "impart" wisdom seems rather presumptuous; my real mission is to help students bring forth the wisdom they already possess.<sup>92</sup>

Our students are akin to the *Lotus Sutra's* wanderer with a secret jewel portrayed in the chapter on "Prophecy of Enlightenment."<sup>93</sup> In this parable, a man sews a priceless gem in the lining of a friend's coat while the friend is in a drunken slumber.<sup>94</sup> Unaware of the treasure, the friend awakens and roams foreign lands while living in desperate poverty.<sup>95</sup> He does not learn of his actual wealth until the two friends are later reunited by chance.<sup>96</sup>

The analogy is imperfect, for it is not us but rather the students' prior relationships and reflections which endow them with their spiritual and perceptual jewels. The parable remains instructive, however, by reminding us that while students have their own treasures, we must be the ones to help them appreciate their inner resources and unearth their intellectual bullion. They need our challenges, our pressure, our time, and our respect to dig within themselves and appreciate their reasoning, empathic powers, and other lawyerly skills.

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92. For additional musings on this theme, see John W. Teeter, Jr., *Into the Thicket: Pursuing Moral and Political Visions in Labor Law*, 46 J. LEGAL EDUC. 252 (1996). As I explain, "[m]y vision is . . . visionless in the sense that I cannot see what my students must discover for themselves." *Id.* at 260. On a plane far beyond my ken, one might draw parallels with the Socratic conception of the teacher as midwife. As Plato relates, Socrates insisted:

I am so far like the midwife that I cannot myself give birth to wisdom, and the common reproach is true, that, though I question others, I can myself bring nothing to light because there is no wisdom in me. The reason is this. Heaven constrains me to serve as a midwife, but has debarred me from giving birth. So of myself I have no sort of wisdom, nor has any discovery ever been born to me as the child of my soul. Those who frequent my company at first appear, some of them, quite unintelligent, but, as we go further with our discussions, all who are favored by heaven make progress at a rate that seems surprising to others as well as to themselves, although it is clear that they have never learned anything from me. The many admirable truths they bring to birth have been discovered by themselves from within. But the delivery is heaven's work and mine.

PLATO, *Thaetetus*, in THE COLLECTED DIALOGUES OF PLATO 845, 855 (Edith Hamilton & Huntington Cairns eds., 1961).

93. THE LOTUS SUTRA, *supra* note 1, at 150-53.

94. *Id.* at 150, 152.

95. *Id.* at 151-52.

96. *Id.*

In a related manner, Professor López has advocated the concept of “rebellious lawyering” and teaching self-help. López explains:

Such teaching entails the participation of lawyers in helping everyone (themselves included) to see that the skills they have already developed to cope with problems in everyday life can be used to solve less familiar problems—that their stock of stories and storytelling techniques may be extended beyond the world they know best. In particular, if people subordinated by political and social life can learn to recognize and value and extend their own problem-solving know-how, they (and others, not coincidentally) may gain confidence in their ability to handle situations that they would otherwise experience as utterly foreign and unmanageable . . . .<sup>97</sup>

Our mission, therefore, is to provide the antidote to Kingsfield’s venomous sting<sup>98</sup> that students have skulls full of mush and must completely rewire the way they think. Rather than jettison the ideals, talents, and instincts that initially guided them to law school, students should be encouraged to realize that these are what ultimately can bring meaning and success to their careers. Lectures about “thinking like a lawyer” are noxious and contrived unless they emphasize that a lawyer’s gems consist more of her reasoning and spirit than anything she will cram for the bar.

### VIII. CONCLUSION

The *Lotus Sutra* has been cherished through the centuries for its eloquent and compelling assurances that the path to enlightenment is open for all. Each of us has the potential for Buddhahood and we will manifest this potential to the degree that we help others do the same for themselves. We will learn, in other words, only if we are willing to teach. For this reason, scholars such as Tsunesaburo Makiguchi have concluded that “the philosophical core of value-creating education can be found in the Lotus Sutra’s essence.”<sup>99</sup>

Descending from the *Lotus Sutra*’s celestial poetics into the messy details of everyday teaching is no simple feat. We can feel

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97. GERALD P. LÓPEZ, *REBELLIOUS LAWYERING: ONE CHICANO’S VISION OF PROGRESSIVE LAW PRACTICE* 70-71 (1992).

98. *See generally* JOHN JAY OSBORN, *THE PAPER CHASE* (1971) (describing the experiences of a fictional first-year Harvard Law School student, including classes with the now-infamous Professor Kingsfield).

99. IKEDA, *supra* note 14, at 131. For more on this intrepid educational reformer’s pedagogical philosophy, see TSUNESABURO MAKIGUCHI, *EDUCATION FOR CREATIVE LIVING: IDEAS AND PROPOSALS OF TSUNESABURO MAKIGUCHI* (Alfred Birnbaum trans., Dayle M. Bethel ed., 1989).

pulled in competing directions by the injunctions to appreciate our students' innate equality yet recognize their critical differences, to nurture them yet toughen them for battle, and to mentor them yet foster their stand-alone spirit. Perhaps most difficult of all, how do we as teachers maintain a coherent sense of self while transforming into the numerous forms a bodhisattva must assume as an expedient pedagogical tool?

The solutions are left for the professor to discern within the prisms of her own spirituality. One of the *Lotus Sutra's* most sublime and challenging attributes may be the way it refrains from dictating our responses to life's innumerable ethical and practical quagmires. I *think* I have cobbled together insights and stratagems to serve my students, but others may read the *Lotus Sutra* in equally earnest manners and decide upon novelly different techniques. Because the "highest truth can never in the end be expressed in words,"<sup>100</sup> we should revere this sacred tour de force for its inspiration while recognizing that the nuances of exegesis and application must be worked out for ourselves. At some point, we as well as our students must put down our books and delve for enlightenment from within.

The *Lotus Sutra's* pedagogical value should be of no surprise, for the spiritual and the educational both speak to "the same ideal of the complete liberation of the human being."<sup>101</sup> Ultimately, teacher and student alike should echo the Buddha in contemplating:

At all times I think to myself:  
 How can I cause living beings  
 to gain entry into the unsurpassed way  
 and quickly acquire the body of a Buddha?<sup>102</sup>

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100. THE LOTUS SUTRA, *supra* note 1, at xx. In a similar vein, Huston Smith asserts that "words can build up a kind of substitute world that is warmed over when not downright fraudulent." SMITH, *supra* note 10, at 142.

101. IKEDA, *supra* note 14, at 131.

102. THE LOTUS SUTRA, *supra* note 1, at 232.