



# Yale Law School

**Yale Law School  
Dean Gerken Convocation Excerpt  
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Now those two bits of advice are things one would say to a law student every year. But this is an unusual year — we are not living in ordinary times. It is an election year, with a lot on the line. Campuses across the country are having hard conversations about their values in the face of deep-seated disagreement, even discrimination and bigotry, and they are working through all of these issues under an unusually bright spotlight. This Law School has played such an outsized role in training the next generation of lawyers and leaders that the spotlight here is even brighter. You are about to enter a magical place and a glorious profession. But now is a time that requires more self-reflection, maturity, and judgment than in years past.

So I want you to reflect now on your role within this community. You are about to take part in one of the most interesting conversations on the planet. You will be taught by a dazzling faculty, surrounded by caring staff. You will have access to professional resources unmatched by any other law school. And yet the people sitting with you today in this auditorium will matter more than anything else to you. Your peers will form the cornerstone of your education, and you will encounter your classmates again and again for the rest of your career. They will always remember not just what you did here, but who you were.

Communities like this one don't just spring up on their own. They take work to preserve. You are inheriting a set of traditions passed from generation to generation — traditions that are fiercely cherished by the faculty, staff, and

alumni alike. These traditions have preserved this eclectic, deeply intellectual, wildly exciting, and incredibly warm community across the years. These traditions are the reason that this place is so magic.

It is up to you to preserve these traditions, and you will get an earful from all of us, especially our faculty and alumni, if you don't. You have big shoes to fill, as the class ahead of you has worked hard to live up to these traditions during this difficult period.

Excellence and humanity are our touchstones. This is a place where you can luxuriate in ideas and think deeply about the world around you. It's a place where you are meant to have intense conversations and debates that challenge you and make you a better scholar, lawyer, and human being. That is why our tradition is not just to have conversations across divides, but friendships across divides. We disagree and debate and argue constantly, but we always, always show grace to one another.

As a member of this extraordinary place, you need to reflect deeply on what it means to be part of a genuine learning environment. Academic freedom and respectful engagement are the bedrock of any scholarly institution. Debate, disagreement, and the ability to question even treasured beliefs are the lifeblood of our intellectual life.

Right now, unfortunately, we are all stuck in a highly polarized, often toxic political environment that blocks genuine learning. Our entire political culture has marinated in the modern domain of social media, which is sometimes a powerful tool for accountability, but too often involves quick and cutting responses, and calling people out rather than calling them in. Moments of genuine engagement, let alone mutual understanding, can feel almost extinct.

There is only one way to make it through this moment: together. Genuinely together. Now is the time to do everything humanly possible to protect the learning environment that has always been the hallmark of this wondrous place.

The bare minimum needed to preserve a learning environment like this is to ensure that every person — conservative and liberal, proponent and critic, centrist and dissenter — must be able to speak and be heard no matter how wrong you might think they are. I cannot emphasize how seriously we — and by we, I include every single member of our faculty — take this commitment.

Some people would call this commitment “free speech,” but it’s far deeper than that. While the ability to speak freely and the capacity to question everything are essential ingredients for a robust learning environment, they are not nearly enough. Being part of this community requires deep humility on your part. We all speak, but it’s far more important to listen. We expect you to learn how to change someone’s mind, not shame them into silence. And we expect you to learn to change your own mind. To do so, you must engage with others with open hearts and enough intellectual distance from our own interests to see the other side. This experience *should* challenge you, and it should change you. We are all seeking truth, and we cannot find it without a commitment to learn from one another. Push yourself to engage with — embrace, even — all of your peers, not just the ones with whom you agree.

Learning from one another requires trust, mutual respect, and a deep-seated belief in one another’s decency. Disagreement and engagement matter, but so does kindness, generosity, and a willingness to see the best in one another. Approach your peers as if you don’t already know what they think, because you don’t.

A learning community is also one where people are able to get things wrong. We all make mistakes. All of us. I cannot emphasize enough the importance of giving each other the space to make mistakes. There are more than 30,000 people on this campus. Every day, the odds of someone doing or saying something foolish are high. You don’t know each other very well yet, but you will soon be in classes, clubs, and social spaces having animated discussions where you’ll be talking about

impossibly hard questions. Those conversations won't all be perfect, and may spark deep disagreement, even heartache, in the process.

That is exactly when you need to give one another grace — it's what we all need to learn, genuinely learn, from one another. A learning environment requires us to fiercely, fiercely protect one other's privacy rather than unleash outside forces upon one another. It means remembering that there is a human being on the receiving end of whatever message you are sending. Over the years, different communication channels have risen and fallen in this community. But I haven't seen anything involving a screen that comes close to the power of talking to someone face to face, heart to heart. Those direct, one-on-one conversations are what lead to the growth and change inherent in Yale Law School's DNA.

These are the values that have long nurtured this place. People generally don't love institutions, but they love this one. I've spent the last eight months traveling the country as part of our bicentennial celebrations, speaking with alums from every walk of life. What has struck me the most is our alumni's fierce love and respect for one another and for the institution itself. Our secret sauce has always been our commitment to *learn* — not just from the materials in front of us, but from one another.

None of this is easy, and we are asking you to do something that most Americans never do anymore. Campuses are one of the few places in our political universe where people from different points of view are in conversation with one another on a daily basis. Being a student is more challenging today than ever, but it's also more rewarding. I will never tell you not to advocate for the causes that you believe in or the people you care about. That passion is what brought you here and it is what will make a difference in the world. But it is absolutely essential that we preserve and protect our sense of community, that we do the difficult work of being together in a way that allows everyone to reflect, to think hard, and to change their minds. And know that you will forever be remembered and defined not only by *what* you stood for, but by *how* you stood for it.

It's hard to figure out how to preserve a community when the stakes of the argument are so high, so personal, and at times, so painful to work through. But once you leave this place and enter the professional world, you will quickly discover that over the last few minutes, I haven't just been talking about learning. I've been talking about lawyering.

Each and every one of our traditions constitute the foundations of the profession you are entering. Lawyers must find truth through argument, fight tirelessly for what's right, and offer empathy and humanity when the moment calls for it. We always hope that our graduates will live by the profession's best values, now more than ever. And the same forces that put such pressures on the bonds that bind this community also threaten the values that make ours an honorable profession.

Given that lawyers are often stereotyped as hired guns who can argue any position, people don't often use the word "honorable" to describe our profession. But the bedrock commitment of this profession — one that extends beyond clients, beyond courtrooms — is a commitment to protect our democracy and preserve the rule of law. That commitment is written into our profession's very code of conduct. And the failure of lawyers in recent years to live up to those commitments led more than 100 deans for the first time in half a century to take the historic step of speaking together about the importance of these values. In fact, deans from schools across the country — conservative and liberal, flagship schools of blue states and red — have spoken together not once, but twice in the last four years about lawyers' special role in preserving the rule of law.

Perhaps the hardest thing to understand about what it means to be a lawyer is that these two core values of our profession — the ability to argue about everything and yet staunchly believe in something — are deeply connected to one another.

To understand how these two values fit together, you need to know what it means to think like a lawyer. Lawyers are trained to find truth through argument; to hold fast to their values while fiercely questioning them. We can and do argue about

everything. And yet as countries slide into authoritarianism across the globe, you see lawyers laying down their livelihoods — even their lives — to protect the rule of law. And when lawyers fail to live up to these high ideals, it is a source of shame for the entire profession.

So how is it that supposedly faithless lawyers have faith in something? It's simple. Our profession has argued about values for generations. After centuries of laying waste to every argument, we see that some are left standing. These are the claims for which a profession trained to identify every counterargument cannot find a counter. That's what makes rule-of-law values nonpartisan and enduring. It is precisely *because* we work so hard to figure out whether there's an argument on the other side that we don't just equate everything we care about with the rule of law. It takes work — the hard work of lawyering — to understand that.

The hard work of lawyering also requires humility and a relentless willingness to question yourself. You cannot be a lawyer if you equate everything you care about with the rule of law. You cannot be a lawyer unless you can understand — deep in your bones — what's honorable in your opponent's arguments and the weaknesses in your own.

Finally, lawyers are problem-solvers. They don't stand jeering on the sidelines; they get things done, which means they must learn how to reach agreement in communities defined by difference. Lawyers are the rare creatures who can go to war and then go out for drinks with one another.

What we are asking of you is hard, no doubt. We are asking you to be model citizens in a country when too many of its inhabitants, even many of its leaders, do just the opposite. We are asking you to be humble, to set aside your anger, to be generous and kind even when those around you cannot. But make no mistake. That is what it means to be a lawyer. And all of the qualities that make for great law students — empathy, generosity, kindness, and a respect for others — are the qualities that make for great lawyers, and great human beings. That is why we are

an honorable profession. Be honorable in everything you do, during every moment you spend here, and the rest will take care of itself.