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Thank you Dean Mutcherson, and May It Please the Graduates of the Rutgers Class of 2019.

It is a great joy to be here on this day.

To the students, family and friends, I have to say, it is an honor to speak to you all. You have worked so hard for this day, and it's a day you'll always remember. To be a small part of it is a real pleasure for me.

Today is commencement. Many people will tell you how this is the start of a new chapter. The first day of the rest of your lives.

But I know that to a lot of you, it seems like the only thing this is the beginning of, is a summer of studying for the bar exam.

By the way, I always thought it was kind of unfair – we professors spend three years telling you what the law should be, and now they give you three months to learn what the law actually is.

But you will pass the Bar. And you will be attorneys. So today **is** the beginning of your long career.

At some schools, the law students graduate along with the undergrads. Here we have a separate ceremony for the Law School, and I think that's better. I'm glad we have our own day for this reason: a law degree is special.

It's special for a lot of reasons. For one, there are so many things you can do with it. You can dominate a courtroom, counsel a boardroom, or inspire a classroom. Attorneys are scholars, teachers, judges, leaders, agents, advisors, and -- for the most noble and successful among us -- reality TV contestants.

I really wish that last one weren't true.

Even though you'll be diverse in your careers, you'll all have this in common: You'll be lawyers. You'll be the ones that we all trust to safeguard our rights. And by representing people, and businesses, and governments, by defending their rights, you're really doing something more. You're defending the idea of America, a tradition that has been woven into the fabric of this country since the Founding. And that is, that we are a nation of laws, not of men. We do justice according to the law, not according to the person.

That principle started out as a uncertain ideal, but it's now the bedrock of our Constitution. That principle is the reason why students from all over the world come to the United States to study law. And that principle is something that only lawyers – only you guys – can defend.

But today this notion is under attack. Professor Ronald Sullivan of Harvard Law School has been viciously savaged for defending Harvey Weinstein, and last week lost his position as Faculty Dean. Jamie Gorelick, a prominent lawyer in my city, has been attacked for representing Jared Kushner. Obviously, if lawyers do something unethical in the course of their representation, they can and should be criticized for it. But the mere fact of representing the unpopular is not itself unethical. Rather, it's the highest calling we have as a profession. When all is said and done, we do not vilify the attorneys who defend our enemies. We defend them and we celebrate their service. That is the ethos of our profession.

Sign me up to take issue with those who would denounce defense attorneys like Ron Sullivan. Because I was once one of them.

I remember, like it was yesterday, sitting in the courtroom on June 29, 2006, when my cocounsel Charlie Swift and I learned that we had won the *Hamdan* case in the Supreme Court. That the gitmo tribunals were coming down. That the Geneva Conventions applied to the War on Terror — which meant the end of ghost prisons and waterboarding, not just at Gitmo, but around the globe. And we went out to a media firestorm.

People asking “what does it mean”? The decision was long – 184 pages. I hadn't had time to digest it, but I knew what it said about our country. A 4th grade educated Yemeni, Salim Hamdan, accused of conspiring with the worst of the worst, Bin Laden's driver, sued the

nation's most powerful man. And he brought his challenge not in some little court, but all the way up to the highest court in the land. And he won. That's something special about America. In other countries, Mr. Hamdan would have been summarily shot. More to the point (his attorney would have been shot). But America is different, special.

It's easy to admire lawyers for defending the rule of law when they advocate a position that we agree with. But it's just as important to respect lawyers for arguing the other side. Even if they represent a client we might not like, or defend a policy we think harmful. Because it's not just people who deserve their day in court. So do ideas. Our rule of law only works if both sides of the issues are presented, and attorneys test their theories against each other. It's the only way to tell who's right. Think about what Rutgers' own Criminal and Youth Justice Clinic did this year: achieving the exoneration of Huwe Burton, an innocent man who was wrongfully convicted of killing his mom in 1989, when he was 16 years old.

In service of this principle, lawyers have to defend unpopular clients. This has been an important, if maligned, part of our history. It goes back to before the Constitution itself, in 1770. One day a large crowd of American colonists was protesting British rule, and they confronted a group of British soldiers. Insults were hurled back and forth, and eventually so were rocks. Tempers flared, and things got out of hand. Before it was over, the soldiers had shot and killed five Americans. The American newspapers called it the Boston Massacre, and just about every patriot in Boston wanted the British soldiers hanged.

Eight of the soldiers were put on trial, and the prosecutors wanted the death penalty. The problem was, they couldn't find a single lawyer in Boston to defend the soldiers. After a lot of searching, they finally found a lawyer who agreed to do it. That lawyer was John Adams, and he took the case to show that Americans had a greater sense of justice than their British rulers. By simply agreeing to defend the soldiers, Adams lost a lot of his friends in Boston. They started rumors that Adams was a secret British loyalist, that he had been bribed by the King. Adams wrote that he could feel 'the contempt of all mankind.'

As the trial went on, Adams became convinced of the soldiers' innocence, that they had acted in self-defense. Unfortunately, he had to argue that in front of a jury that hated his clients. But Adams hoped he could convince the jury to remove their emotional blinders to search for justice. He told them: 'Facts are stubborn things. And whatever may be our wishes, our inclinations, or the dictums of our passions, they cannot alter the state of facts and evidence.'

In the end, the jury acquitted six of the eight British soldiers, and not one of them was put to death. Thanks to John Adams, the most hated men in the city were able to walk into a courtroom, tell their side of the story, and have a jury listen. Americans had shown – far better than they could with any protest – the principles that they were fighting for. And even though Adams had represented British soldiers, who he viewed as the enemy, he said it was one of the best pieces of service he had ever given his country.

Now, that's not to say that defending an unpopular client is easy. And it's certainly not to say that everyone supports a lawyer who takes on that responsibility. On the contrary, the public can be blinded, at least for a while, by hatred. But it says something special about America that, after defending the enemy, John Adams was eventually elected President. It says something special about America that, after defending Gitmo detainees, I could serve at the highest levels of the Justice Department.

When all is said and done, we do not vilify the attorneys who defend our enemies. We celebrate their service.

So if there's one thing I hope you'll take away from this and remember later on, it's this: lawyers are patriots. Now, that isn't meant to be some kind of dramatic statement. Most lawyers aren't heroes -- and, contrary to popular belief, most lawyers aren't villains either. We're nothing more or less than guardians of our founding idea, of a nation under law. But good lawyers dedicate their professional lives to protecting that foundation and enriching that tradition, and so I think the law really is a patriotic calling. That is why I'm so glad to see Rutgers launching a new program, with the State of New Jersey, to provide legal representation to low-income immigrants who are facing deportation. That's the system working.

If I might, I'd like to switch gears now and offer four pieces of advice.

The first is to be yourself. The way you think, the way you act, the faith you have, the way you deal with problems and find solutions, keep in mind that it's gotten you this far. You don't have to be a different person for your boss. And I think you can get in trouble sometimes trying too hard to impress someone. I remember a few years ago, a good friend of mine graduated from law school and decided to start his own practice. The day he opened the practice, I went over there to keep him company since he didn't have any business yet. So we were just kind of lounging around in his office as he was settling in.

After a couple of uneventful hours, there's a knock on the door. My friend jumps out of his chair and whispers to me: 'This is it! This could be my first potential client! Watch this!' Now, he had just bought this big, expensive phone for his desk, with about 100 different features on it, and 4 phone lines – he's the only one in the office, but its got 4 lines.

He picks up the receiver, and he turns toward the door and says 'Come in!' And just as this woman opens the door, my friend starts yelling into the phone: 'I won't settle for less than five hundred thousand dollars! And if you think I'm bluffing, just try me! 'Cause when I go to court, I win!' and he slams down the phone. He says to the woman, 'I'm awfully sorry about that, now what can I do for you?' She said 'I'm from AT&T. I'm here to connect your phone.'

My second piece of advice is simply this: be passionate. You have worked so hard for this law degree. It allows you to go down so many different roads. If you hit a dead end, keep searching until you find the right place to be. Life is short. Find something you love.

My third is to self-consciously steel yourself against envy. We spend a lot of time thinking and reflecting upon the evils of greed. But I want to focus on envy. Here's a true story: A few years ago, I was privileged to be part of a small conversation in Utah with two men.

They could not have been more different. One hailed from near here—New York City. He was a brilliant billionaire who had founded KKR, one of the nation's leading private equity firms. His name was Henry Kravis.

The other was from across the country—California – and was a pastor. The leader of the largest church in America. He was charismatic and savvy. And you would think upon meeting them that one had virtually nothing in common with the other.

And yet, they both – within a few minutes of the other – said exactly the same thing. In an unscripted moment, they each said that letting go of your envy is the most important thing in your development and happiness. And as I look around, two decades out of law school, I think the most telling predictor of who is happy and who isn't is who has got their sense of envy in control.

Many bad decisions come from envy. If you are always trying to measure up to the next person, you never can attain happiness in yourself. There is always someone else who has something you haven't got. Find and push yourself to get what you need, not what others

need. It's not quite the opposite of envy, but think about humility. Humility is what allows you to bond with others who don't have all the things you have. There is no powerful human-connecting emotion.

And my last piece of advice sounds hokey, but it is about family. For almost all of you, your sitting here is the product of your hard work, but also hard work by your mothers, fathers, brothers, sisters, uncles, friends, teachers and others. If we could, I'd like to ask each of you to give a round of applause for these mentors, friends, and family.

A while back, there was an interesting piece about happiness by David Brooks in the NYT describing the Harvard class of 1938. It was a class with JFK and other stars, and a group of scientists studied them throughout their lives. They had everything going for them, and yet many remained profoundly unhappy. Despite wealth, power, fame, and glory. Many were unhappy. Some drank themselves to death. Others committed suicide. The study found that the folks who were happy, truly happy, were ones with family and friends behind them.

I think about that. Because whatever professional accomplishments I may have, nothing comes even close – not even close for a millisecond – to the pride and joy I take in my marriage and my three boys.

Don't listen to the naysayers who tell you that you can have only family or career, and not both. You can absolutely have both. It is preposterous to suggest otherwise, at least in the law.

Now, I tried my best to stay away from a lot of clichés, but there's one that I hope you'll forgive me for using, because I think it's been proven true time and time again. And so it's worth saying: the greatest opportunities come out of the biggest challenges. Now, it certainly may not feel like it at the time. And sitting here now, it's impossible to anticipate what those challenges will be. But be true to yourself, be passionate, steel yourself against envy, and be devoted. And by doing that--and by using what you've learned over the past three years--out of those challenges you will create the opportunities of a lifetime.

Thank you so much for having me, and congratulations!