
BUILDING SUSTAINABLE LAWYERS: THE PSYCHOLOGICAL IMPERATIVE FOR TRANSFORMATIVE LEGAL EDUCATION

Sivadharshan M, SKP Law College, Tiruvannamalai.

ABSTRACT

As discussions on sustainable development continue to reshape legal and corporate governance across the globe, an important question remains largely unanswered: are law schools preparing students with the psychological capacity required to sustain these changes? While contemporary legal education has made considerable progress in equipping students with doctrinal knowledge and technical expertise, far less attention has been given to resilience, ethical judgement, and the cognitive adaptability needed to navigate increasingly complex professional environments. This paper seeks to examine the overlooked relationship between psychological preparedness and sustainable legal practise, arguing that the effectiveness of future legal systems depends as much on the mindset of lawyers as it does on the quality of the laws they enforce. Adopting a doctrinal and conceptual methodology, the study explores how conventional legal pedagogy often neglects the effect of academic pressure, burnout, and emotionally demanding professional cultures, ultimately influencing decision making, ethical responsibility and public trust. It further argues that psychological resilience should be recognised as a core professional competency capable of strengthening critical thinking, responsible corporate governance, and long term public interest advocacy. Rather than treating mental well being as an isolated concern, this paper positions it as an essential element of transformative legal education and a prerequisite for building sustainable legal institutions. The study ultimately proposes a curriculum that integrates resilience building, ethical reflection, and systems thinking alongside traditional legal instructions, with the expectation that such reforms will produce lawyers who are not only technically proficient but also adaptable, socially responsible, and better equipped to advance the objectives of Sustainable Development Goals in an evolving legal landscape.

Keywords: Transformative Legal Education, Psychological Resilience, Sustainable Development Goals(SDG), Sustainable Lawyering, Professional Identity.

Introduction

Sustainable development is often referenced in terms of policies, institutions, and legal reforms. The law is often seen by many as a main instrument for meeting long-term social aspirations, whether the focus is on Climate Governance, Corporate Accountability, Access to Justice or Responsible Leadership. In addition to these primary focuses, however, there is an important question being asked that is not receiving enough attention; who will be responsible for interpreting, applying and upholding these legal frameworks? Ultimately any legal system is only as good as the people working in it, and this will be increasingly important as legal professionals are presented with increasingly complex ethical dilemmas, the evolution of regulations, advancements in technology, and increasing public expectations. Although legal education continues to evolve to meet the demands of a professional legal environment by expanding the number of subject areas studied during the course of study and including multi-disciplinary subjects, legal education still focuses primarily on developing legal knowledge and technical competencies. In doing so, the areas of psychological competency that will be necessary to meet the demands placed on modern practitioners of law are often disregarded.

This issue has been overlooked, leading to challenges for Sustainable Development and legal education. We do not need only lawyers who can interpret or apply legal principles; we also need lawyers who can make good judgements, adapt to uncertainties, manage stressful situations, and behave ethically in difficult situations. So far there has been little published about the influence of Psychological Resilience on the effectiveness and sustainable practice of law, despite extensive discussion about sustainability, governance, and accountability. This article will look at how much current Legal Education really prepares future lawyers to face these challenges and suggest that we should establish Psychological Resilience as a core element of Transformative Legal Education. Ultimately, by examining the links between Legal Education & Professional Welfare; Ethical Decision Making & Behaviour; and Sustainability; this paper aims to further our understanding of what it really means to create lawyers who are better able to benefit from the legal profession and the institutions it serves through Sustainable Development.

Background of the Study

The evolution of legal education has typically had the same goal: to prepare lawyers to interpret laws, settle disputes and protect the rule of law. While law schools historically focused on

providing core legal education only, the demands for law school graduates to be able to work effectively in new areas of law (i.e., corporate governance, environmental regulation or technology law) have caused schools across the country to develop courses in these new developing fields. This development has been most evident in the area of sustainable development where legal professionals are expected to play an increasingly larger role in contributing to the solutions for several emerging global issues beyond their traditional roles (i.e., responsible governance, social justice and environmental protection, and institutional accountability). Therefore, the evolution of legal education has become more than just the transfer of legal knowledge - it has also become a means to equip lawyers of the future to address and solve increasingly complicated social problems that are and continue to, be interconnected.

There has been some progress in addressing issues related to legal education; however, the majority of conversation around legal education continues to focus on the intellectual and technical aspects, while neglecting the personal and psychological aspects of professional development. New lawyers must work in an environment that is characterized by uncertainty, high expectations, ethical challenges, and frequent changes. Thus, while there have been extensive discussions around what lawyers should know, there has been comparatively little discussion about how to develop the qualities in lawyers that will enable them to apply this knowledge in a responsible and sustainable manner through their careers. The increased disconnect between the expectations of lawyers in practice and the priorities of law schools has sparked an ongoing dialogue as to whether law schools are adequately preparing their graduates to not only to practise law effectively, but also to sustain themselves in an increasingly demanding profession.

Statement of the Problem

With the rise of environmental issues, corporate responsibility, ethical governance and social justice, the role of lawyers and the legal profession has expanded dramatically. Lawyers have to deal with decision-making in a rapidly changing world, which requires different skills than have traditionally been taught in law school. Lawyers must have legal facts, analytical skills and technical competence, but they also must develop their psychological abilities to deal successfully with the pressures of their profession and be prepared to make ethical decisions in complex and challenging environments. The emphasis on teaching lawyers practical

knowledge rather than psychological resilience has created a growing body of literature on the impact of stress, burnout, emotional exhaustion, and the difficulty of adapting to the realities of the legal profession, which are all major concerns about the profession in general and about the future of the legal profession in particular. In most cases, these issues are perceived to be individual problems, but they have a much broader impact on the legal profession by impacting the way lawyers and other professionals engage in their duties and make decisions and, eventually, affect the sustainability of the legal profession itself. Many discussions are focused on the need to reform legal education to meet the demands of the profession, but attention to how the development of psychological resilience in law students can effectively prepare them to face the challenges of being a lawyer and the profession as a whole. There continues to be a gap between what law schools prepare law students for and the competencies required for lawyers to engage in the highest ethical and professional manner in an increasingly complex world.

Objectives of the Study

- 1) To study the psychological barriers encountered by law students and legal professionals in today's legal landscape.
- 2) To determine the importance of psychological resilience as a professional skill set that allows lawyers to practise law sustainably
- 3) To assess the correlation between psychological resilience, ethical decisions and the ability to practise effectively
- 4) **To identify ways in which legal education could begin to develop processes focused on resilience to produce viable lawyers.**

Research Questions

- 1) What are the psychological challenges that are commonly faced by law students and legal professionals?
- 2) How does psychological resilience contribute to Sustainable legal practice?
- 3) What is the relationship between psychological resilience and ethical decision making

and Legal field?

- 4) How can legal education be reformed to foster psychological resilience to the future generation law students?

The Sustainability Paradox in Legal Education

Sustainability has similarly transitioned from being an aspiration in policy to becoming a principal interest in governance, business and law (general regulation). The legal profession is expected to provide active support for the long-term and responsible development of climate action, corporate accountability, human rights and institutional development (for example). Legal education is also responding to that expectation by teaching law students subject areas reflecting the priorities mentioned here that are developing areas. Law students today are encouraged to think about sustainable development, ethical governance, social responsibility, and law's overall impact on society.¹ However, with this increasing focus on sustainability there tends to be an unanswered fundamental question: Do law schools show equal concern for the individuals that will follow through with their obligations related to sustainability?

The question reveals the contradiction known as the sustainability paradox in legal education. Students are educated to support sustainable systems and to make responsible decisions; yet, often, academics prioritize performance-based assessment and supremacy over psychological resilience and professional wellness in the educational process. As such, aspiring lawyers are expected to conform to ethical expectations and success while navigating uncertainty and working in high-pressure environments without necessarily having the support needed to sustain their own resilience.² Therefore, the paradox lies in expecting lawyers to maintain legal systems, institutions, and communities while receiving little support from those same systems. It is imperative that the contradiction is recognized because the sustainability of laws and institutions depends upon the human beings who interpret, implement, and defend them over time.

¹UN General Assembly, *Transforming Our World: The 2030 Agenda for Sustainable Development*, GA Res 70/1, UN Doc A/RES/70/1 (Sept. 25, 2015).

² Daisy Hurst Floyd, "Lost Opportunity: Legal Education and the Development of Professional Identity" 30 Hamline Law Review 555 (2007).

Psychological Challenges in Legal Education and Legal Practice

Law has always been respected for its high academic standards and the rigorous thinking required in order to understand it. But despite the fact that these qualities foster professional growth, they also create an atmosphere in which many students will experience pressure and begin to internalise that pressure. Many law students are expected to achieve academic success along with internship experience, moot court experience, research experience, developing a professional network and being prepared for their career. Consequently, success becomes more of a process than an end goal. From this environment, many students develop a connection between their worth as a person and their performance, with mistakes seen as failure rather than opportunities for improvement. These expectations mean that students experience stress, anxiety, perfectionism and feelings of self doubt while maintaining their level of productivity and competitiveness. Moreover, many students will often experience what is referred to as "imposter syndrome" - the perception of not being as smart, competent or capable as everyone else.³ As part of their legal training, many students come to believe that resilience is simply a given and therefore many do not feel comfortable having open discussions regarding their feelings of vulnerability or psychological health. As a result, many students develop a way of living with pressure instead of learning how to cope with it, thus continuing these habits when they begin their professional careers.

Moving from law school to practicing law makes these worries worse. Lawyering tends to happen in places with strict time limits, overworking, high client expectations, ethical dilemmas, and a great deal of accountability. The standard of behaving like a professional means that attorneys should act and look confident and calm no matter what kind of pressure they are under. After being exposed to this type of environment for a long time, people may experience emotional tiredness, burnout, and less satisfaction with their work. What's more, the impact of the psychological stress experienced by attorneys also affects others through their judgment, relationships with other people, ethical decision making, and how they do their job on all levels.⁴ Studies that have looked

³ Jerome M. Organ, David B. Jaffe and Katherine M. Bender, "Suffering in Silence: The Survey of Law Student Well-Being and the Reluctance of Law Students to Seek Help for Substance Use and Mental Health Concerns" 66 *Journal of Legal Education* 116 (2016).

⁴ Patrick R. Krill, Ryan Johnson and Linda Albert, "The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys" 10 *Journal of Addiction Medicine* 46 (2016).

at these aspects in the legal field are showing an increasing level of concern for mental health and general well being, not only as it is experienced by the individual but also as it relates to the structural issues that impact the entire legal profession. Legal professionals must perform in such a way that they can help establish sustainable institutions and maintain a role in promoting responsible governance, which means the psychological conditions impacting how attorneys perform these functions cannot be treated as secondary issues. The sustainability of the legal system depends on the sustainability of the people charged with running it.

Beyond Legal Knowledge: Psychological Competencies for Sustainable Lawyering

Traditionally, the assessment of legal education measured competency in terms of the individual's proficiency at interpreting legal principles, analysing disputes, as well as building persuasive arguments. While these skills continue to be at the core of the profession, the modern realities of practicing law have shown that when viewed alone, they do not always provide the best indication of professional competence. Many lawyers operate under conditions of uncertainty; therefore, they are regularly required to deal with people who are experiencing conflict and/or distress, or to resolve issues that may not be strictly legal in nature. This is why professionalism is determined by how the lawyer reacts under pressure, uses his/her judgment in a variety of situations, and adapts quickly to changes in external environments, rather than simply by what they know. Lastly, as legal issues become more intertwined and increasingly affected by social, economic, and technological changes, the characteristics that enable a lawyer to navigate through complex situations are equally as important a characteristic of professionalism as a lawyer's technical skill.⁵

Of these attributes, critical thinking, systems thinking, cognitive flexibility, and emotional intelligence are some of the most crucial attributes for legal practitioners today. With emotional intelligence, legal practitioners are able to identify and manage emotion in a way that enhances communication, negotiation and professional relationships. Critical thinking encourages legal practitioners to evaluate different points of view rather than just apply the law mechanically. Likewise, systems thinking helps legal practitioners understand how their decisions relate to the larger institution and society making it even more important in achieving sustainable development.

⁵ Daniel Goleman, *Emotional Intelligence: Why It Can Matter More Than IQ* (Bantam Books, New York, 1995).

Cognitive flexibility also enables practitioners to respond effectively to uncertainty and to changing professional expectations. When viewed together, these competencies demonstrate that legal professionalism extends beyond technical capabilities and that sustainable practice requires a broader approach to professional development. The connection to psychological resilience illustrates how these competencies can be successfully put to use in practice.

Psychological Resilience as a Foundation for Sustainable Lawyering

The growing recognition of psychological challenges within legal education and professional practice raises a serious question: why do some individuals navigate these pressure well, while others struggle to maintain their well being at work? The answer is not so much intelligence, academic success or technical knowledge, but rather a number of psychological capacities that enable individuals to adapt, recover from stressful situations and continue to function in spite of resistance. The capacity is most commonly known as psychological resilience. Resilience is not just a personal quality but should be viewed as a professional cognition that can be continually developed and improved through experience. In the legal profession, resilience goes beyond the ability to cope with stress exclusively. Resilience includes the ability to retain ethical corporate grounding while being tested and then calibrated by the situation at hand; the changing circumstances and the needs of those being represented; having the ability to manage issues (previously known and unknown) that could hinder your performance; maintaining commitment to long-term establishing and meeting obligations.⁶ Because attorneys encounter conflict and make crucial decisions under pressure, they encounter heavy workloads and ever evolving legal scenes, they must be psychologically resilient, not just for individual well-being but continued career success. For example, an attorney who has high legal intelligence but does not have psychological resilience may not have the ability to consistently use good judgment, while an attorney with high legal intelligence, who is psychologically resilient, will be able to respond to complicated legal issues with sensitivity to the situation.

⁶ Karen Reivich and Andrew Shatté, *The Resilience Factor: 7 Essential Skills for Overcoming Life's Inevitable Obstacles* (Broadway Books, New York, 2002).

Viewing resilience through the lens of sustainable development and legal education emphasizes the importance of this concept. Sustainable institutions need to employ professionals that can make responsible decisions for the long-term within a framework of uncertainty and competing interests. This can be achieved only partially through the use of technical expertise alone. Resilience allows attorneys to address difficult ethical issues, to deal with professional setbacks without withdrawing from their profession, and continue to be engaged in their work in light of the pressures of practicing law. In addition to these functions, resilience will assist attorneys in several earlier mentioned competencies, such as emotional intelligence, critical thinking, adaptability, and ethical reasoning.⁷ Thus, resilience serves not only as an instrument for individual survival but also as a foundation of sustainable lawyering itself. The Law School produces graduates who can help protect the values of responsible governance, corporate accountability, social justice and institutional integrity. Resilience should be seen as part of the professional formation process as opposed to an accidental characteristic of the individual. Building a sustainable workforce therefore requires shifting from seeing resilience as a response mechanism to being a proactive competency that enables lawyers to better serve both the profession and society during their lifetime.

Comparative Perspectives on Well Being in Legal Education

Psychological concerns for law students and lawyers can be found across different jurisdictions. There has been an increase in acknowledgement by countries around the world that a lawyer's competency cannot be viewed separately from their individual psychological health and resilience over the last 20 years. In the United States, stress, both depression and substance use, have been recognized as contributing factors toward the development of some lawyers' mental health, resulting in many law schools and professional organisations addressing mental health issues as well as how attorneys develop their professional identity. Similarly, legal educators in Australia are raising awareness of how student well-being, academic culture, and long-term effective practice contributes to the development of the lawyer as well as to discussions about resilience, reflective practice, and supportive educational environments.⁸

⁷ Susan Daicoff, *Lawyer, Know Thyself: A Psychological Analysis of Personality Strengths and Weaknesses* (American Psychological Association, Washington D.C., 2004).

⁸ Molly Townes O'Brien, Stephen Tang and Kath Hall, "Changing Our Thinking: Empirical Research on Law Student Wellbeing, Thinking Styles and the Law Curriculum" 21 *Legal Education Review* 149 (2011).

There has been an increase in the number of resources available for legal education to develop personal well-being and professional development through emotional awareness or responsible practice in the UK (particularly through the use of different learning methods). While the methods used by these countries to provide legal education differ in the way they are implemented, they can be seen as part of a growing recognition by many countries that legal education should provide legal practitioners with the mental abilities necessary to meet the challenges presented by the legal profession. These developments demonstrate an important lesson for India, as reforms to legal education continue to occur in India, and there has been a shift in focus to develop resilience and professional well-being along with the ability to perform competently as a lawyer. Therefore, Indian legal education will not only be consistent with developing international trends in legal education, but will contribute toward developing lawyers who are able to engage in legal practice that is ethical, competent and socially responsible.

Sustainable Leadership, Corporate Responsibility, and the Future Lawyer

The conversation around sustainability typically centres on the large organisation and corporate governance systems; however, ultimately, these systems work effectively if the individuals who implement them do so favourably. Lawyers play a key role in this process. As legal advisors, litigators, legislators, compliance officials, and corporate counsels, lawyers frequently make decisions with legal, economic, and societal consequences. Therefore, the concept of sustainable leadership in the legal field is more than just having the technical skill; it also includes being ethically sound, accountable, adaptable, and having professional integrity. As Deborah Rhode states, effective leadership is not about having the power or title; it is about having a sense of accountability, and thus professionals must balance multiple competing interests while remaining committed to contributing to the wider society.⁹ As such, the expectation for legal professionals is to fulfil the role of a leader with respect to sustainability will continue to become more difficult as they experience greater levels of psychological stress or psychological resilience when legal professionals make critical decisions that will be made under pressure, face unknown circumstances, or are faced with complex ethical dilemmas where no solution is defined.

⁹ Deborah L. Rhode, *Lawyers as Leaders* (Oxford University Press, New York, 2013).

Resilience and leadership are fundamentally linked in a time where organisations are expected to conduct business in accordance with sustainable, ethical and accountable governance principles. Lawyers frequently must navigate the conflict between achieving their clients' business objectives, meeting ethical obligations to society and adhering to the long-term interests of the organisation for which they provide services. Resilience can positively affect the ability to continue making principled decisions while under outside pressure and competing demands in these situations. The importance of individual autonomy, dignity and human development as fundamental parts of the decision making process have also been recognised by the Supreme Court of India in *Justice K.S. Puttaswamy v. Union of India*.¹⁰ Though the case was based upon another subject matter, it supported the idea that individuals can flourish as human beings and provided insight into the type of professional development that should be considered when establishing legal education programs. Thus, sustainable leadership actually begins well before a lawyer enters the practice of law; it begins in legal education, where law students develop the values, habits and psychological skills that would contribute to how they will later contribute to the institutions that they will serve.

Transformative Legal Education: The Way Forward

Legal education has to go beyond a model that emphasises technical competence and academic performance if psychological resilience is understood to be a necessary part of sustainable lawyering. It is not necessary to lower academic standards or change the intellectual standards of legal education. But a new understanding of what is required in professional preparation must occur. Today's law schools continue to place a great deal of emphasis on developing analytical reasoning skills, legal research skills, advocacy skills, and skills needed for problem solving; all of these skill areas continue to be essential. However, the requirements for practising law today make it clear that the competencies developed through these skill areas alone will not be sufficient for future lawyers; future lawyers will also need to develop the ability to manage uncertainty, respond positively to failure, make informed ethical choices, and maintain long-term professional effectiveness. A reformed legal education process would include the development of the lawyer's psychology as a core component of their professional development rather than simply as an afterthought to be addressed at the moment difficulties arise.¹¹

¹⁰ Justice K.S. Puttaswamy v. Union of India, (2017) 10 SCC 1.

¹¹ Roy Stuckey, Sophie Sparrow, et.al., Best Practices for Legal Education: A Vision and a Road Map (Clinical Legal Education Association, Columbia, SC, 2007).

This could be achieved by implementing a mix of educational and organisational changes. More emphasis could be placed on ‘learning through reflection’, mentor programs, support from other students, ethics, and scheduled conversations about digitally communicating with each other and living a good life. By engaging with the truth of the legal profession in a supportive manner, students will improve their ability to adapt to change, understand themselves emotionally, and make sound decisions. It is essential that we do not view these reforms as alternatives to academic performance, but rather as complementary to performance. The transformational purpose of education has been established in India for some time; in the case of *Unni Krishnan, J.P. v. State of Andhra Pradesh*, the Supreme Court has identified the importance of education for the individual and society.¹² By understanding this context, legal education must be focused on providing graduates with the skills necessary to practise law as professionals; graduates must be developed into professionals who can maintain ethical, responsible, and socially meaningful legal practice. Legal education needs to move toward these changes to align with global objectives for sustainable development, which are also evolving expectations of the job of a lawyer.

Suggestions and Recommendations

- 1) Law schools need to include structured conversations about resilience, coping strategies,
- 2) and overall well-being into their current models of legal education instead of considering
- 3) them to be added extras outside of the core curriculum.2) More importance needs to be placed on having people assist and encourage each other so
- 4) they can learn together and support one another with respect to their ability to deal with
- 5) stressors associated with both schooling and the future legal career.
- 6) More resources should be put into Clinical Legal Education and experiential learning
- 7) programs that expose students to realistic legal problems and develop their flexibility,

¹² *Unni Krishnan, J.P. v. State of Andhra Pradesh*, (1993) 1 SCC 645.

- 8) emotional intelligence, and ability to make good decisions in the practice of law.
- 9) Legal Education Institutions must create a culture of value where there is commitment to ethical thinking, self-improvement, and long-term professional development, not just being
- 10) good at school and getting paid well after graduation.
- 11) Future changes to the curriculum in law schools must have a broader perspective of the
- 12) definition of competence needed to be an attorney by acknowledging that having Mental Resiliency is a critical element to successful and sustainable practice as an attorney

Conclusion

Most of what is said about sustainable development centres on stronger institutions, effective governance and progressive legal frameworks. Although these are all important components of sustainable development, they only tell part of the story. In order for there to be successful implementation of policies, institutions and legal systems, there needs to be professionals involved in these processes who are making decisions about how these policies, institutions and legal systems operate. Therefore, the success of a legal system cannot be viewed separately from the success of the professionals who work in it.

This paper has shown that there is still a strong focus on developing the intellectual and technical aspects of a lawyer's competencies through legal education but less so on developing the psychological aspect of competencies that are necessary to practise law effectively in long term. The practice of law today requires much more than simply possessing legal knowledge. Lawyers are required to navigate uncertainty, exercise ethical judgement, handle the pressures of a profession and maintain their commitment that they owe to others as a result of working in increasingly complex environments. The expectations described in this paragraph emphasise how important it is for lawyers to develop psychological resilience as a professional competency rather than just a personal characteristic.

The connection between this discussion and its relevance in Indian context is highlighted by the broadening of access to legal education in recent decades by National Law Universities and

other specialised institutions. However, there remains a disproportionate lack of discussion on student mental health, psychological resilience, long-term sustainable professional development relative to academic performance and career outcomes. It is clear that although there are a number of national-level initiatives promoting holistic higher education such as the National Education Policy 2020, these underlying philosophies have not been incorporated into legal education. Because of the changing nature of the expectations placed upon future lawyers, law schools in India must start to regard resilience, ethical maturity and psychological well-being as core elements of their professional formation rather than simply as an addendum.

If we see it this way, the outcome of legal training is not just to graduate students who have high academic achievement; it should also prepare them to be professionals who will have the ability to continue to be involved in practice of Law throughout the course of their career with the strength, flexibility and ethical understanding that will help them succeed in their profession. Since Sustainable Development has as one of its goals the creation of systems that will last, the dialogue about doing it must start from those who will help create and sustain those systems. Hence, when we talk about building Sustainable Legal Systems, we begin with building Sustainable Lawyers.