



# ARE THE EYES A WINDOW TO ONE'S SOUL?

## American Mother – A Story of Grace, Humanity and Radical Empathy in the Law

by John J. Delany, III

### Sometimes yes and sometimes no

Now that was very enlightening. I am sure it makes you want to read on for more inspirational words of wisdom. But really is it possible to peer into one's eyes and see one's:

True intentions,

Their history,

Their deep dark secrets, emotions, values, what makes them tick.

The essence of who they truly are.

What they think, who they are, and what are their core beliefs.

We all have heard that saying before and while there is some truth in the eyes being a window it certainly is

not even close to being an absolute and at times can be very deceiving. There are many instances wherein famous people have stated that they looked into another person's eyes and was able to know their heart and soul.

#### Sometimes No

One memorable example is, George W. Bush who stated that, "I looked the man (Vladimir Putin) in the eye, and I found him to be very straightforward and trustworthy. I was able to get a sense of his soul" after their first meeting in 2001.

Later he stated he not only regretted that statement but regretted his reliance on that instinct. We all accept Putin is a diabolical, evil man under most moral philosophical paradigms, so evil that he could masquerade and deceive others with every glance. I would argue his inner evil self

was there, but perhaps President Bush's view was distorted by what he wanted to see or believed and or what he wanted to believe in others. Our perception of what is true in someone's eyes can be distorted by our own eyes that may be tainted by our own prejudices, biases, and experiences, (even subconsciously) all of which create our personalized spectacles, with limited vision.

#### Sometimes Yes

Over the years looking into the eyes of clients, witnesses, and plaintiff's I have seen into their eyes and into the window of their soul. A true trial attorney has a greater ability/instinct to obtain that more accurate read. Sometimes you see in one's eyes pain, hopelessness, despair, anger, defeat, fear, loss, regret, confusion, or on the flip side you may see love, hope, joy, peace, excitement, determination, conviction, forgiveness, and or

wonder. One's eyes can be revealing but it is only one marker of many to interpret and obtain a true picture.

Probably a better tell of one's inner soul and who a person is are their actions. It reminds me of Fiddler on The Roof, and the back and forth between Tevye and Golde, when they ask each other, "Do You love me." They just did not say, "I love you" or say "look into my eyes can't you see I love you", but rather, listed their actions with each other over 25 years as evidence of their love-very powerful.

"A well done is better than a well said", wrote Benjamin Franklin many years ago.

"Pay less attention to what a man says and more attention to what they do" observed Andrew Carnegie.

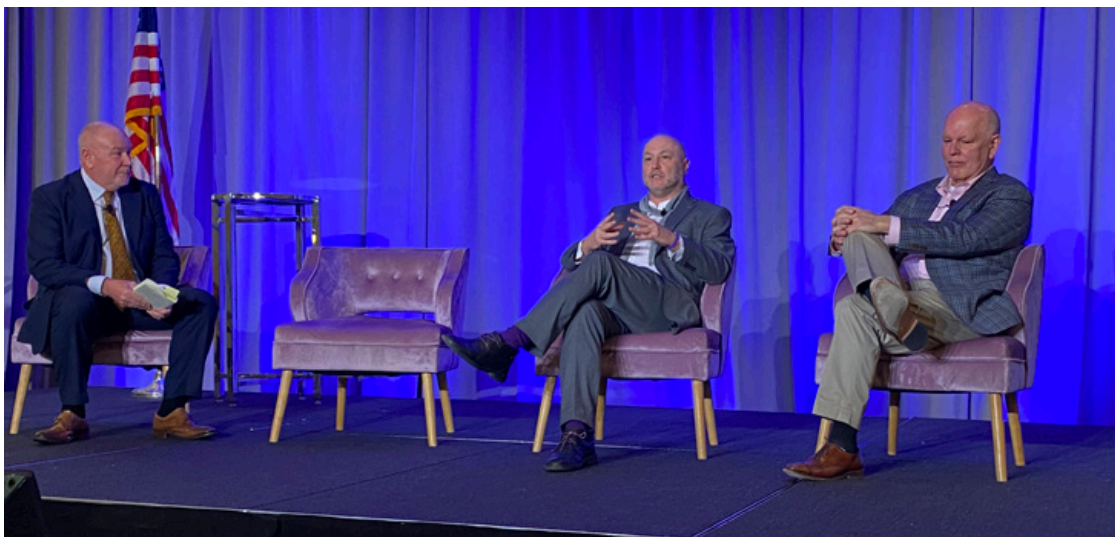
### Radical Empathy

To be an empathic storyteller one needs to have an accurate read on another person so they can try and relate in order to understand the others story. The amazing thing about the Radical Empathy panelists (Diane Foley, Colum McCann, and Dennis Fitpatrick) was that when I finally got to meet each of them and look into their eyes, I was able to see three very amazing people. I saw a "kaleidoscope" of their being and that their actions/ deeds were consistent with their message of the importance of empathetic storytelling. The reveal from within their eyes showed their core beliefs at the heart of their souls and it shined from within in each of their stories. In fact, over dinner

Colum McCann shared with us the technique he employed on getting to know more about the homeless people in New York City's subway system and the importance of staring into their eyes to get a read on them. McCann stated he would travel on the subway or stay in a station and use the lighting of a cigarette with the homeless as an opportunity to stare into their eyes, as an opportunity to engage, and to find out their story.

As trial attorneys we experience

a party of 3 (not the beginning of a joke). They engage, and the storytelling begins, in the true gift of the gab. Each one stares into the others' eyes, and as they speak, a mutual reveal takes place. They know each other. A connection was made and over the course of 8 hours (not all at a bar mind you) Jack, Colum, and Dennis spoke. Others eventually joined in, including Dan, Marc, and their significant others Patti and Holly. The evening was magical and the conversation evolved. As the hours



that when we first meet the entire jury panel and then get to question each juror personally in a very intimate manner. Everyone has a story, and initial appearances may be deceiving, but as you look into their eyes and talk with them you get a better read on who that person is that will decide the fate of your client. The jurors are a collection of their own experiences and we are as our eyes connect with one another.

### The Meet

There were 2 Irishmen in a bar (nothing unusual there), when another comes in and makes it

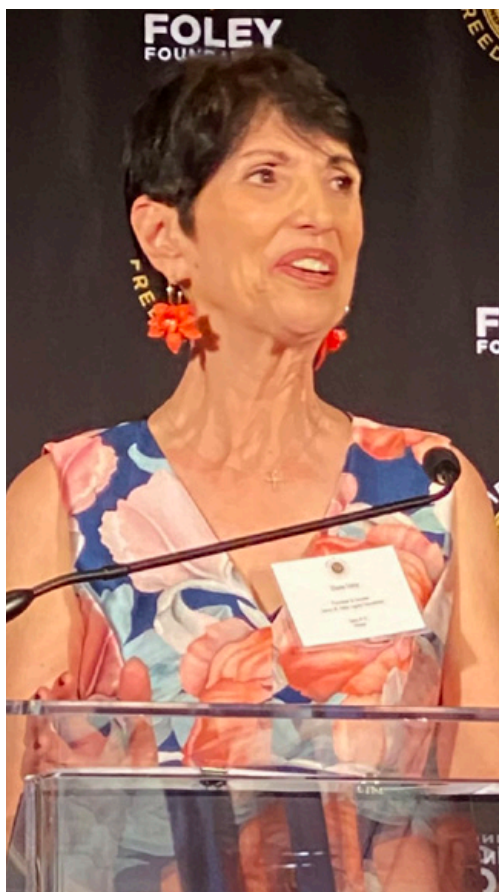
passed a clearer understanding took place as to who I would be speaking with in front of hundreds of my colleagues and dear friends the next day.

Early that day I had the privilege of speaking with Diane Foley and as I spoke to her that day, I felt a connection as well. I was in the presence of someone very special, and somehow, she put me at ease and blew away the cloud of anxiety that surrounded me. My anxiety germinated from fear of my inability to interact with her and talk to her in front of everyone about a

topic so personal, touching, and momentous.

Meeting everyone eye to eye helped me re-structure how our panel discussion should take place the following day. I wanted everyone on the panel to shine, be able to tell their stories in a way that was organic, wherein they could feed off each other. The next day this idea that germinated sprouted. Many times, when I speak in these situations, I have no script, no prepared questions, but rather listen and let the conversation take its own path, with only a slight nudge to keep it on course and on topic. The three panelists exceeded my expectations, and from speaking to many people afterwards, the audience's as well. Peering into the eyes of the audience from my perch I saw the reaction to the Sting song *Empty Chair*. My announcement that James Foley was with us that day as his story would be told and his fingerprints of a memorable life lived wherein he gave voice to others who could not speak; the introductions of the panelists was more about their messages and their accomplishments rather than credentials; and then the opening words of Diane as to why and how did she garner the courage to sit across the table from one of the terrorists responsible for her son's death.

Each person told how they were part of the story and the importance and techniques of being a radical empathetic storyteller. James Foley lived and was present with all of us that day, and his voice lived on, Diane made sure of that. In the end it is about love that never died as we listened to the words of just a Mom. Numerous people told me they did not want the session to



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end and had so many questions for them. Dennis stayed that night and took some of us into the back story of how everything evolved and still is evolving to this day. When I introduced Dennis to the FDCC audience, I described him as the lawyer Warren Zevon sang about when he said "send lawyers, guns and money". That was no joke - he really is!

Weeks after the conference Dennis was able to secure Mr. Glezmann's release from the Taliban (the last American left behind). Since the conference numerous Americans who were being improperly held captive have been released from foreign countries and terrorist groups as a result of the efforts of The Foley Foundation. Also, Rav 4 keeps expanding and their message of the importance of looking at someone eye to eye and hearing

their stories is a way to increase the light in a world that may appear to dark at times. In that regard the Harwell's will see Rav 4's newest outreach into their community of Chattanooga.

I will continue to take the lessons I learned from my co-panelists into my law practice and hopefully my life. I often think of how to be a more empathetic person. Not always easy and not always hard (again a brilliant thought). Remember your eyes may be a window into your soul as you tell your empathetic story to a jury. What will they see and how will you connect?

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