

Defense Strategies: Good in Court, Bad in Recovery

By Doreen A. Diego

Why is obtaining treatment and adhering to the fundamental framework and principles that govern mental health and substance abuse programs difficult for most lawyers? What is it that most lawyers struggle with, and why? And how can lawyers better succeed in recovery? The answers to all of these questions involve defense mechanisms.

Before I begin, I would like to make one thing clear. What I am about to discuss is not exclusive to lawyers. Almost any substance abuse or mental health clinician will tell you that every client exhibits forms of defense mechanisms during the treatment process. However, it is my clinical observation that lawyers as a specific population appear more highly skilled and comfortable utilizing these behaviors, thus making the recovery process even more difficult.

Redefining Recovery

Typically, when people hear the word “recovery,” they immediately think “addiction”—and then conclude, of course, that it doesn’t apply to *them*. I would propose that there is a broader definition of “recovery” that can apply to any one of us. William A. Anthony, executive director of the Boston Center for Psychiatric Rehabilitation, describes recovery as a deeply personal and unique process involving the changing of one’s values, attitudes, goals, skills, roles, and feelings. Furthermore, he believes that recovery involves the process of developing new meaning and purpose as the individual strives toward living a much more satisfying, hopeful, and contributing life.

Lawyers may enter the recovery process for any number of reasons. For some it is addiction, for others it may be depression, anxiety, grief and loss, or a recurrent pattern of poor relational functioning with spouses, children,

family, friends, or co-workers. Regardless, lawyers must become more aware of the various defense mechanisms that can operate in and through them, understand why they are formed, and see how they can negatively impact and sabotage the recovery process.

Understanding Defense Mechanisms

Defense mechanisms begin developing in early childhood and typically form to help us emotionally survive in reaction to a specific need or stressor. As children, we have limited cognitive abilities and simplistic views of the world. It is difficult for us to make sense of and file away emotionally disturbing experiences. Consequently, defense mechanisms shield us from distressing life experiences and aid in cognitively processing and compartmentalizing our chaotic life experiences.

For example, a child who grows up in a dysfunctional home may unconsciously engage in *denial* as a means of coping. When she is able to convince herself that nothing is wrong in her family, she can normalize the experience and calm down the intrusive and distressing feelings, thus removing them from the conscious part of her mind.

And what about the child who discovers that *acting out* will relieve his anxiety and allow him to feel emotionally calm once again? At a young age he learns that defiance can divert the dysfunction away from the external problem and onto him, thus allowing him a greater sense of control. He is now able to make sense of the experience internally—by blaming himself as the problem.

Humor is a defense mechanism often seen in the younger siblings of a dysfunctional home. The child unconsciously learns that humor can be an effective coping strategy to divert the emotional chaos away from the problem and onto himself—by being humorous and making others laugh.

As children mature, however, it is expected that they will develop a more sophisticated set of healthy coping strategies that typically replace childhood defenses. For example, you would expect that the child who once employed the primitive defense of *acting out* would eventually mature and become better equipped to cognitively process and efficiently compartmentalize his distressing life experiences, thus no longer needing the defense.

Unfortunately, this is not always the case.

Identifying Defense Mechanisms

According to Timothy J. Sweeney, director of the Recovering Attorneys’ Program at HealthCare Connection in Tampa, Florida, lawyers display an array of defenses as a means of contesting, counteracting, and sabotaging the treatment process. He agrees that lawyers are not the only ones to use defense mechanisms, but he finds they are typically more skilled in their application than non-lawyer patients.

Over the last 15 years he has observed a number of common themes displayed by lawyers who struggle with

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embracing recovery. For example, lawyers will *externalize the focus* away from themselves and onto other patients in the program. They do this to minimize the severity of their illness by rationalizing that others are sicker than themselves. They will also blame their family for their problems or attack the protocol and procedures of the treatment facility. To manipulate the process and avoid dealing with their recovery, lawyers may employ a strategy of *ultra-compliance* with the treatment team staff, using kindness, phony cooperation, and sycophancy disguised as affability; alternatively, they may *create personality conflicts* with staff and patients, requiring (in their minds) termination of treatment.

As a case manager for the California Lawyer Assistance Program, I, too, have observed a common set of behaviors that lawyers employ to resist change. For example, some lawyers are comfortable *intimidating* others, presenting themselves as non-friendly and stoic, with limited verbal disclosure and closed-off nonverbal behavior. These lawyers have learned that intimidation is an effective tool to keep others at a distance—thus allowing themselves to remain in denial.

Intellectualizing is another defense that comes easy for lawyers. It can be quite useful and effective with regard to their professional careers. Unlike lawyers who use intimidation, lawyers who engage in intellectualizing may present as more controlled, polite, and mild-mannered. For example, when a clinician is doing the work of recovery, some lawyers may sidetrack the process by getting intellectually caught up in the logistics of the program, thus diverting the emphasis away from them.

Rationalization can be used for the same purpose. Lawyers may employ an advanced set of cognitive and psychological skills to effectively feed their denial and normalize the uncomfortable experiences surfacing as a result of their illness. They may measure themselves against others in order to prove that they are not that bad off. Or they may convince themselves that if they truly had a problem, they would not be as successful as they are.

Minimizing is a defense mechanism by which lawyers are consciously aware of a painful reality but are unwilling to give it much weight. People who minimize make such statements, as “it’s no big deal,” or “it was just one DUI.”

Victimization is another favorite strategy of lawyers in recovery programs. Being the victim can have a very pow-

erful effect on how people approach you. Unlike the intimidator who uses behaviors to push people away, the victim uses behaviors to pull people closer. They elicit the sympathy and compassion of others, but not in a healthy direction that addresses their recovery.

Conquering Defense Mechanisms

As a lawyer entering the recovery process, how can you begin to overcome these strategies?

Determine your defense. Explore the various forms of defenses and see if any resonate. Although I’ve named just a few, there are hundreds of defense mechanisms operating in each and every one of us. Jerome S. Blackman’s book, *101 Defenses: How the Mind Shields Itself*, is an excellent resource.

Evaluate its effectiveness. Identify at least one dominant defense mechanism that you recognize in yourself and honestly reflect on its consequences. Has the behavior created more good than bad? Or has it caused you to feel internally guilty and troubled? Have others expressed concern about it? Do a critical evaluation of the behavior and see if it’s worth further exploration.

Find the fear. It’s time to critically explore what underlying fear you are preventing by not letting go of the defense. Maybe it’s a fear of conflict. Maybe failure. Maybe a fear of vulnerability—that others will take advantage of you—or a fear of disapproval. Maybe it’s fear of needing to be assertive. Sorting this out won’t be easy. As a start, try looking back into your childhood. Reflect on what was most difficult for you while growing up. You might be surprised at how that still operates in you today.

Convert to a healthy coping mechanism. It’s time to look at replacing defenses with healthy coping strategies. This may be challenging. I recommend considering your local lawyer assistance program as a valuable resource to begin the recovery process. For example, the California Lawyer Assistance Program offers lawyers a dynamic program that is both clinically sound and comprehensive in nature, thus providing a therapeutically safe haven to begin the process. Furthermore, the safety and support offered in our lawyer-only groups assist lawyers in better understanding the challenges specific to their problems. Don’t miss out on what’s available to you. Remember, it’s time to trust, to step out of the box and do something different, to begin anew. **GPSOLO**