

# Social Entrepreneur of the Arts: Interview with Kenneth Schneider BY JOHN H. SILVA

Social entrepreneurs and global leaders with a vested interest in the public good are nothing new to the business community. There is, however, a dearth of attorneys involved in social enterprise. Perhaps because the legal profession is more resistant to change than the business world, the traditions of pro bono legal services continue to differ from true social enterprise. Pro bono services still tend to facilitate existing modes of social action, whereas the social entrepreneur seeks to develop unconventional approaches and solutions.

Kenneth Schneider worked for several of the world's largest international law firms and financial groups before launching his career as a social entrepreneur by creating The Apogee Foundation and Aurience Ltd. to promote excellence in the performing arts from both the non-profit and for-profit perspectives. His progress in doing so shows how social enterprise can provide a means for the legal professional to employ and expand his spectrum of talents in unconventional ways to address social needs and, in doing so, positively impact the lives of people around the globe as well as prevailing views of the legal profession.

The Apogee Foundation is a non-profit organization formed in Russia in 1997 and incorporated as a public charity based in the United States in 2004. Aurience Ltd. is a company formed in the United Kingdom in 2006 to further the same principles in ways that can best be achieved through attracting investment and management on a for-profit basis. In building these institutions to further social goals, Mr.

Schneider blended his background in law, finance, East-West dynamics and the arts to create international entities enabling talented artists around the world to achieve their full potential.

Mr. Schneider is a graduate of The University of Chicago Law School (J.D. 1992).



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**How would you describe the most valuable lessons learned while in law school and in what manner do you**

**believe the lawyers of the future can get the most out of their legal education?**

Given that law now addresses itself to nearly every aspect of human life, the lessons of law school have less to do with the multitudes of rules – very few of which are retained after graduation and most of which change over the course of a lawyer’s career – than with the paradigm of “thinking like a lawyer.” So the most valuable lesson I learned in law school certainly had to do with this mode of thought being inculcated into my life.

We deem mental versatility to be a cardinal good in our culture. However, if we pause to consider the public perception of the costs lawyers impose upon society as compared to the benefits they provide, by-and-large, then we will recognize the need to look objectively at how the lessons underlying this mode of thought are being taught. I remember finding myself “at the top of my class” after the first semester of law school. At the time this seemed to me all about the thrill of mastering a new way of addressing the world and therefore of my own potential in it. But it also meant that I was submitting to a system of having my potential digitized; and that I was being digitized in relation to others as well. I remember actually trying to convince my parents that these numbers were not important, but they were – although not in the way intended. As soon as we were all digitized, the learning environment changed completely. It became based on the greed and fear inspired by these numbers – which

formed the basis of identifying us as “good” or “bad” students and, presumably, potential lawyers. The impact on my enthusiasm and happiness was immediate, but it was only years after I had emerged from this environment that I was able to see the lesson I had learned: that greed and fear are self-centered impulses, and any institution wishing to promote careers based on service to others cannot properly cultivate admissions and promotions processes which are antithetical to these aims.

I likewise eventually came to see the paradox of employing what is referred to as the “Socratic Method” to bring about this goal of “thinking like a lawyer.” Socrates’ method of honing his students’ intellectual powers was based on and directed towards instilling in them a fundamental understanding of themselves and their place in the world – and on eliciting an appreciation of the responsibility they bear for applying such understanding to their own conduct. It was not based on fostering greed and fear in them and then unleashing them on the world to be employed as gladiators dependent on wealth and power to assuage their insecurity. I believe that Socrates would have a few questions for those employing such a method in his name. We should as well. I wish there was a law school curriculum which, in addition to honing students’ mental instruments into weapons for gladiator sports sought to help young people seek these fundamental understandings of themselves and their place in the world. Surely, thinking about our own place in the world and what we can achieve here as professionals with power and responsibility for shaping the relations of others and, thereby, society as a whole must be at the heart of “thinking like a lawyer.” If so, then surely our law schools are the proper place to help young people at the threshold of their careers resolve such fundamental questions about what they are doing and why they are doing it.

It is by maximizing our ability to assist others in achieving their potential that we maximize our value as professionals. This is the challenge for the shapers of society and therefore the project of law. I attribute most of the success I achieved both as a legal professional and as what you term a social entrepreneur to this conviction; and also most of the challenges which I’ve faced. I’ve certainly learned that holding to your principles is not an easy thing to do, but I also have learned the more important and profound lesson that doing so eventually pays off because this compels you to find the place – or to create a place – that will allow you to fulfill your real potential. Your own potential is fundamentally tied to and dependent upon the potential of others, and can only be fulfilled if the people with whom you form relationships are fulfilling theirs in the process. The greatest lesson I learned both in law school and in my career as a lawyer therefore was how to be more than a digital identity, to rise above the greed and fear, and to take responsibility for my power to make this happen.

If you cultivate the ability to hold to such principles, any principles, there is sacrifice involved – but out of that sacrifice grows a far more valuable set of skills than anything inculcated in law school classrooms or the corridors of wealth and power. You learn how to succeed in rising above the agents of corruption rather than learning how to succeed in being controlled by them. You learn that you need to make the most of every talent you have to maximize the potential of everyone around you because this magnifies your own potential through the talents all of them possess. It was when I had learned this lesson that I finally had completed my fundamental legal education and learned to “think like a lawyer.”

**There is a long-standing debate on the designation of law as a science, art or a combination of the two. As a professional with a deep back-**

**ground both in law and in the arts and sciences, what do you believe is the relation between law as an art and/or science?**

Given that I spent my undergraduate career studying music and physics and my graduate career studying law, I’d like to offer you a strong opinion. My college work was focused on showing the deep unity of artistic and scientific approaches to our understanding of the world – because both approaches are unified at the deepest levels of consciousness. If we describe art as the order we give to subjective reality and science as the order we give to objective reality, then I would describe law as a bridge between the two, ideally with one foot planted firmly in each.

While I was in college, a study was conducted at the University of Michigan which suggested that many of the most successful lawyers come from backgrounds in music and engineering, and it was actually these aspects of my background which first led to advice that I go to law school. People are social creatures and form relationships to fulfill their subjective drives and dreams: whatever it is that they value most. We manifest our highest capacity for artistic awareness when we share what we value most with others, and regulating social relationships and optimizing the sharing of value is the province of law. Hence, the practice of law is deeply concerned with the art of being human. Yet it also is meant to operate as the engineering of social relations based on the same principles as any other scientific undertaking: empirical study, rational analysis, theoretical extrapolation, practical experimentation and encyclopedic documentation. Law is thus the science of our arts: the means by which people optimize the sharing of their values.

But we know what happens when greed and fear corrupt the practice of arts and sciences. Every day we see around us and within us the results, as the beauty of cultural diversity is manipulated into the ugliness of repression

and as the ultimate transformative power of the atom is developed into the ultimate destructive power of the bomb. The people who are corrupted by these perversions of art and science are no less harmed by the infection than are the victims against whom they therefore act. They've allowed themselves to become carriers of anti-values – a fate I would not wish on my worst enemy. Because the practice of law can so easily be exploited by and for developing wealth and power, it is particularly susceptible to the forces of corruption. Until lawyers are ready to take responsibility for these fundamental aspects of their significance for the world, and rather than finding ways to help others optimize the sharing of value they are being prepared only to win at the expense of others like gladiators, then the profession can't properly be called an art or a science.

Musicians must find harmony and balance between complex, evolving interrelationships – achieving an optimal potential among disparate elements that works effectively from every point of view. Engineers must find ways to achieve a multiplicity of potentials by bringing to bear every form of knowledge and every available element into a whole that functions in the real world to serve people's real and varying needs. It's therefore not surprising that people who have developed such skills will be likely to succeed in the legal profession. I've found in my own career that, the more I think like an artist and like a scientist, rather than like a gladiator, the easier it has become to optimize the value of any set of relations and thereby the potential of everyone involved in them – and therefore the more valuable I have become to anyone who is involved in or affected by the results. People are generally ready to maximize available value as long as it is clear that this is what you can achieve together – and, when you begin to think in these terms the practice of law can actually begin to seem almost too

easy. As this occurred in my own career, I naturally began to branch out from traditional approaches to legal practice – thinking more like an artist and like a scientist and thereby finding other ways, more needed ways, of thinking like a lawyer. Apogee and Aurience grew directly out of my desire to find ways of using everything I had learned as an artist, scientist and lawyer to maximize my value to the world by helping others to achieve their potential and thereby achieving my own.

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**At what point did you decide it was the proper time and place to halt practicing law full-time and create a non-profit organization? Did historical, political and/or financial trends at the time make it an especially fortuitous time to start The Apogee Foundation, and if so what were the indicators of such trends?**

The major internal and external trends of my life did come together to make such a transition inevitable. The best teacher in my school, someone who inspired me early on to achieve my potential, taught Russian – and, if I were going to achieve my potential in anything academic, it was certain to be this. Also, my ancestors were from the region, so I found myself attuned to East-West dynamics all my life. Because the Soviet system of repressing human

potential seemed unattractive to me, however, this attunement began to evolve into a focus on the Pacific Rim. After college I began to operate in the financial world of the Pacific, forming an investment company, but then I decided to enhance my professional skill sets so that I could play a more significant long term role within the enormous sets of relationships unfolding there.

I decided to put myself through a kind of intellectual boot camp by going to law school at the University of Chicago and, while there, I remember watching the Soviet flag come down over the Kremlin – and, at that moment, all of the possibilities I could only have imagined the rest of my life suddenly were waiting just at the other end of an airport tarmac. While the ink was drying on my sheepskin, I went first to New York to earn my stripes in cross-border transactional work and then to London when the international financial boom went into high gear. By the mid 90's, I had integrated the set of professional skills I felt I needed to put myself into the middle of all the potential unfolding out of the former Soviet Union – right at the point when those skills were most needed. When everyone else was trying to avoid a huge engagement working for the fledgling government of Kazakhstan, I volunteered – and, when others still didn't want to work in Russia, I moved there. When the financial meltdown occurred in 1998 and most Westerners deserted Moscow, I stayed and established a position that would eventually allow me to achieve potentials which frankly I would not have believed if someone had predicted them.

Throughout my schooling I had dreamed of changing the way people are educated – opening their eyes to fundamental understandings of their potential and finding ways to help them achieve it. But I could see from early on that the path to doing this was not an easy one. The same teacher whom I

mentioned earlier, the person who enabled so much of what I was able to achieve in the world through his own vision for human excellence, was let go the year I graduated. He demanded that students achieve their full potential – and unfortunately by then most students already had become greedy and fearful participants in their own digitization rather than focusing on the real value of what they might be able to master or create in the process. At this point I realized that, if I wanted to achieve a different vision for human excellence, I also would need to harness the economic and political resources which could create and sustain an environment where talented people could learn to think like artists and scientists rather than like digits. I began to make compromises, and sacrificed much of what I would have liked to pursue as an artist or scientist in order to figure out how I could enable others to achieve more than the system they were in seemed to allow. But, in the process, I discovered that this actually was achieving my own potential because, by seeing how much I was willing to sacrifice to achieve those ends, I discovered what these fields really meant to me. Rather than authoring, composing, researching and teaching, I went into law and finance, relocated to the heart of the former “Evil Empire” and put my life at risk struggling with the forces which undermined talented people’s destinies there. In doing so, I achieved much more than I could ever have accomplished on my own because, by learning to maximize the potential of people around me, I was actually learning to magnify my own abilities to create value and to be valuable in the world.

A huge turning point came in 1998 when instructors I’d befriended at one of the most famous performing arts training institutions in the former Soviet Union asked me to help an extremely gifted young student who had been thrown out on the street because his parents, both former artists, had lost

their work and couldn’t pay some obscure amount. Apogee already had been taking shape for a year, at that point, and we’d done a great deal for that particular institution -- so we managed to put this kid back in school and to build around him support structures which we’ve since provided to hundreds of gifted students across Eurasia. And here is where the trends came together. I found myself actually having persevered with my vision to the point where I was at the economic and political core of one of the world’s most exalted artistic cultures; and, right at that moment, the foundations of that culture were crumbling with tragic results all around me. Gifted and good people’s dreams were on the verge of

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failing – and I knew that, if I allowed these dreams to fail, then I also would be failing to fulfill my own lifelong dream. Soon after, the administration of this institution was itself thrown out after more than four decades in power; and this young artist went on to perform for full houses in the Bolshoi Theatre, Lincoln Center and Covent Garden. He later was central to developing our Fusion Program, which is designed to help others from similar backgrounds transition to the world stage, and he represents the interests of beneficiaries on the Foundation’s Advisory Council – fulfilling his own potential by helping others to do the same.

When these trends came together and this awareness crystallized, ten years into my legal career, I realized that my potential as a professional could be fulfilled only by enabling the potentials and professions of others to

be fulfilled. This is where whatever skills I’d developed of thinking like an artist and like a scientist merged with all of my experience in the real world into truly “thinking like a lawyer,” and enabled me not only to finally return to my original dreams in life but to achieve them. In large part thanks to the expansion of thinking skills which these achievements required, I began to see new ways to enhance my value to others – and conventional ways of practicing fell away like a chrysalis as these larger goals took flight.

The motto of The Apogee Foundation is: “*achieving the potential of human excellence in the performing arts.*” As lawyers and as people, all of our lives are really a collection of performances – and, if we are pursuing our dreams, these performances are our highest art. For how many digits on a transcript or paycheck would anyone trade their ability to make a dream come true, and for how many digits could they ever buy that dream back again? These are the questions I answered at the point when all of these trends came together in my career – Apogee and Aurience were my answer. If answering these questions were to become a fundamental part of what we teach our lawyers to think, just consider in what esteem the profession would be held by ourselves and those around us. More importantly, just consider how different the world would look.

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