

# For Lawyers, the Pursuit of Happiness Involves a Return to the Basics

By Victoria Pyncheon

**“W**e hold these truths to be self-evident, that all men are created equal that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

If you were educated in California's public schools, you read this for the first time in the fifth grade, again in the eighth, one more time in high school civics, and, if you took the sparsely attended jurisprudence course, a final time in law school. Despite this repeated exposure to our nation's most enduring set of principles, I never really understood what the “pursuit of Happiness” meant until my stepson began legal practice earlier this year. He was tired of reading about unhappy lawyers, he said. “Tell me how to be happy practicing law.” So

back to first principles I went. We know that the Founders didn't have weekend spa retreats, golfing getaways or new BMWs in mind when they included in the preamble to the Declaration of Independence the right to pursue happiness. So what did these men of the American Enlightenment mean?

They meant *eudaimonia*, an Aristotelian concept defined not by honor, wealth or power, but by rational activity in accordance with virtue over a complete life. These virtues were those of character — honesty, pride, friendliness and wit — intellect, generosity, and knowledge of those matters that are fundamental and unchanging.

“Happiness, *eudaimonia*, arises from virtuous activity,” I told Adam. “Uh-huh,” he said, with that look young people give even their stepparents. The “I didn't ask for platitudes but was seeking genuine

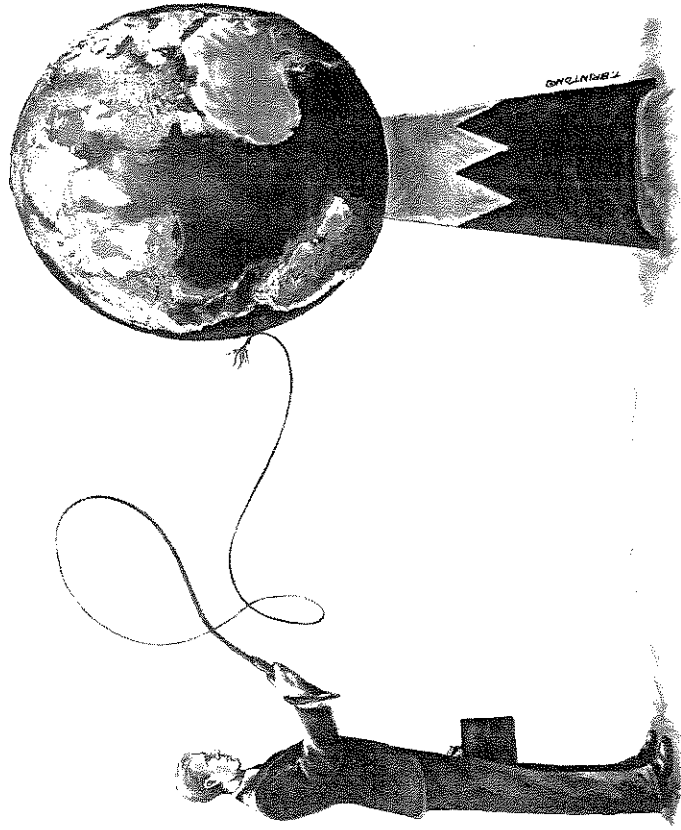
guidance here” look. He didn't have to tell me about burdens of billable hours, the grinding slog of paperwork, the pitched battle of litigation or the often corrosive internal politics that attend the practice of law in every firm. Legal practice could easily consume one's life and often frustrated our attempts to set the gears of justice into motion. It was and always will be enormously stressful. Could it possibly be transformed into something resembling contentment?

The positive answer to this question comes from scientific research about “eustress” or good stress. The term was coined by the neuroimmunologist Hans Selye in the early 1970s. It refers to the happily adaptive response to what some people call “problems” and others deem “challenges.” In response to “challenges” — difficulties or barriers people believe they have the freedom and power to address — the body releases adrenaline and noradrenaline, hormones that heighten our perception, increase our motivation and physical strength and extend our capacity to function, intellectually, physically, emotionally and behaviorally.

This “good stress” acts both as a motivator to creative problem-solving and as its biochemical reward. *Eustress* is the biological example of the Aristotelian concept of value eudaimonia, the pursuit of which our new country guaranteed us.

As the Happy Mind Web site suggests in its post on Eudaimonia and the Pursuit of Happiness: “If we can rediscover the concept of eudaimonia, and adapt it to suit our modern values, perhaps we can find a way to achieve longer-term happiness. A modern concept of eudaimonia, for example, might include the need to take account of the effect of one's actions on the environment, as well as on other people in one's community. It might take the form of political engagement, or artistic creativity, or volunteer work. By focusing on the effect of our actions on those around us and on the world in general, rather than on our own happiness, perhaps we can learn to be eudaimon, and to be happy.”

“OK, OK,” I could hear Adam saying, “but you're digressing again. You said you were going to talk about happy lawyers, not about Thomas Jefferson and some 1970s feel-good immune-biologist.”



If philosophy and social science didn't provide the answers he was looking for, all I had to offer was my own professional experience. So I shared with him the joy I derived from my ability to solve a client's problem through legal research, strategic thinking and effective advocacy and the surprisingly deep satisfaction I felt in procuring a greater degree of justice for my clients than they had ever thought possible.

**D**espite the cold chill of fear and nausea that accompanied me to the 3rd District Court of Appeal during my first few years of practice in Sacramento, I'll never forget the heady sense of accomplishment that followed a formal oral argument before a three-judge panel. I entered the courtroom fearful of passing out at the podium but left feeling just a little bit heroic. Taking and defending my first dozen or so depositions, arbitrating my first dispute and trying my first half-day court case were all rich sources of eustress and eudaimonia. Asking the right questions, obtaining both expected

and unanticipated answers and following the trail of evidence to a beneficial conclusion were not easy to learn. But they were all both worthy challenges that provided their own exciting rewards.

The gentler arts of legal practice were also sources of fulfillment. Advising my first few pro bono clients about their legal rights was immensely gratifying. These were people and nonprofit organizations who never expected the justice system to be put to use in their service. Hearing the relief in their voices at the smallest victory was better compensation than any anticipated year-end bonus. The law did not, after all, serve only the rich. It served my people — and those less fortunate than I had been — as well.

At some point, all of us who till the fields of justice realize that our knowledge of the law and ability to wield it on behalf of others is one of life's great and rare privileges. No one, *no one*, will ever be quite so able to bully us — or anyone we care about — simply by asserting their status or brandishing their economic power again.

If we surrender ourselves to the

lessons the practice of law has to teach us, we are given the opportunity to exercise every strength of character and overcome every weakness of resolve with which we have been simultaneously blessed and burdened.

If my stepson and his fellow new attorneys would permit me to be sentimental for just a moment, this is what I'd tell them: Legal practice is not a job. It's not even a career. It's a calling. You will push yourself harder than you can imagine. In the near term, your victories will be more internal than external, more apprenticeship than accomplishment. With the blank screen of professional life to be filled, however, you could not be better positioned to pursue happiness — rational activity in accordance with virtue over a complete life — than you are at this very moment.

Welcome to the profession! Do well. Do good. Be happy.

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