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## Eastern Visions, Western Voices: A Sermon on Love in the Valley of Law

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# EASTERN VISIONS, WESTERN VOICES: A SERMON ON LOVE IN THE VALLEY OF LAW

JOHN W. TEETER, JR.<sup>1</sup>

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## I. INTRODUCTION

This is an appeal to *your* generation,<sup>2</sup> the generation struggling to make the prolonged and stressful transition from law student to seasoned attorney. This evolution can be painfully despiriting, and I hope that my little sermon will provide ideas on how to transform a potentially grueling struggle for sustenance into a genuine labor of love. My sources stem from divergent roots, both Eastern—Buddhist with pinches of Hindu—and Western—ranging from Platonic to perhaps the moronic. I make no pretense of being an expert in any philosophical school,<sup>3</sup> and I have no desire to indoctrinate others.<sup>4</sup> To the contrary, I aspire merely for my

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<sup>1</sup>Professor, St. Mary's University School of Law. A.B. 1982, University of Illinois at Chicago Circle; J.D. 1985, Harvard Law School. For Derek Teeter and with a very special welcome to Mark Blount, Juliana Fong, and Madeline Grace ChunTing Blount. Deepest thanks to Eddie Baron, Nancy Cirillo, Garry Stillman, Ruben O. Valadez, Aurelia Vincent, Lei Wang, Ronnie Wood, and my students. They didn't write this sermon, so please don't blame them if it stinks.

<sup>2</sup>Compare Richard Davies Parker, *The Past of Constitutional Theory—and Its Future*, 42 OHIO ST. L.J. 224, 224 (1981) (“This is an appeal to *my* generation.”) (emphasis added).

<sup>3</sup>One testy jurist has railed that “[t]oo many law professors are ivory tower dilettantes” pursuing subjects beyond their scholarly skills. Harry T. Edwards, *The Growing Disjunction Between Legal Education and the Legal Profession*, 91 MICH. L. REV. 34, 36 (1992). Judge Edwards has a point, but for many moons I have rejected “the exclusionary notion that you must be a certifiable expert before daring to present any particular school of thought.” John W. Teeter, Jr., *Into the Thicket: Pursuing Moral and Political Visions in Labor Law*, 46 J. LEGAL EDUC. 252, 261 (1996).

<sup>4</sup>For the curious, I happen to be a Buddhist. A rather profane and surly one, but a Buddhist nonetheless. For my efforts to apply Buddhist concepts to legal pedagogy, see John

reflections on Eastern visions and Western voices to be a catalyst in spawning your own ideas on creating joy and fulfillment in the valley of law.

## II. ENTERING THE VALLEY

Moving from law student to practitioner can be likened to an odyssey both perplexing and potentially fatal. From the geographical challenges (literally finding your way to the courthouse) to the personal pressures (such as confronting opposing counsel), becoming a lawyer in fact as well as in license<sup>5</sup> entails exploring terrain that seems alluring, alarming, and indisputably foreign.

The valley of law can resemble the remote refuge of Nichiren Daishonin, a radical thirteenth-century Buddhist priest who moved into the forbidding Japanese wilderness.<sup>6</sup> Describing a disciple's pilgrimage to this sanctuary, Nichiren wrote:

[Y]our journey . . . is [lengthy] and the lodging along the way must have been wretched . . . . [D]escending into the ravines, you must have felt as though you were entering a pit. The currents in the rivers are as swift as an arrow, and the large stones carried along in them prevent men and horses from crossing. Boats are as perilous as scraps of paper cast in the water. The men one encounters on such a journey are rough woodcutters, and the women are like female mountain demons.<sup>7</sup>

Woodcutters and demons indeed. Your chosen valley can seem blatantly hostile with its logistical obstacles, emotional strains, and personal antagonisms. And yet the valley is also fertile and lush with opportunities for professional development and

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W. Teeter, Jr., *The Daishonin's Path: Applying Nichiren's Buddhist Principles to American Legal Education*, 30 MCGEORGE L. REV. 271 (1999); John W. Teeter, Jr., *Teaching Tips from the Lotus Sutra*, 77 TUL. L. REV. 443 (2002).

<sup>5</sup>As one attorney puts it:

You're not a lawyer when you graduate from law school. You're not even a lawyer after you pass the bar exam and are admitted to the bar. When you can face a client or an opponent - or a judge - without an overwhelming urge to throw up . . . *then* you're a lawyer.

THANE JOSEF MESSINGER, *THE YOUNG LAWYER'S JUNGLE BOOK: A SURVIVAL GUIDE* viii (1996). See also OLIVER WENDELL HOLMES, JR., *The Profession of the Law*, in *THE COMMON LAW & OTHER WRITINGS* 22, 24 (1982) ("Your education begins when what is called your education is over."); GARY A. MUNNEKE, *THE LEGAL CAREER GUIDE: FROM LAW STUDENT TO LAWYER* 27 (4th ed. 2002) ("Many graduates enter law practice only to discover that they are forced to teach themselves how to practice law."); Mark Simenhoff, *Introduction*, in *MY FIRST YEAR AS A LAWYER* xiii (Mark Simenhoff ed., 1994) ("Once a student finishes law school and passes the bar exam, the real education begins: the process of becoming a lawyer.").

<sup>6</sup>Readers interested in the life of Nichiren should consult MASAHARU ANESAKI, *NICHIREN: THE BUDDHIST PROPHET* (1966); NICHIREN SHOSHU INTERNATIONAL CENTER, *THE LIFE OF NICHIREN DAISHONIN* (rev. ed. 1993). The term "Daishonin" is an honorific title meaning "great sage." THE ENGLISH BUDDHIST DICTIONARY COMMITTEE, *THE SOKA GAKKAI DICTIONARY OF BUDDHISM* 105 (2002).

<sup>7</sup>NICHIREN DAISHONIN, *The Teaching That Accords with the Buddha's Mind*, in *THE WRITINGS OF NICHIREN DAISHONIN* 967, 970-71 (Gosho Translation Committee ed. & trans., 1999) [hereinafter *THE WRITINGS*].

emotional growth. My endeavor, therefore, is to provide suggestions that will enable you to thrive, rather than subsist, while you explore this new terrain and learn to make it your home.

### III. DESPAIR IN THE VALLEY: THE PLIGHT OF THE MISERABLE LAWYER

The depiction of attorneys as loathed and miserable vermin has become ubiquitous.<sup>8</sup> As one lawyer relates, “The deterioration of professional courtesy, professional integrity, and professional competence generated by today’s ‘Rambo’ adversary process is causing wide-spread alarm.”<sup>9</sup> In fact, “lawyers exhibit symptoms of distress, well beyond the norm, relating to such key areas as obsessive-compulsiveness, social alienation and isolation, interpersonal sensitivity, anxiety, and depression.”<sup>10</sup> This has led to such bleak assessments as “lawyers are an unhappy lot, leaving the profession in droves, or languishing in jobs they no longer enjoy, [and] refusing to recommend law as a worthwhile calling for their children.”<sup>11</sup> Too many, as the Stoic philosopher Seneca might say, possess “the dullness of a soul that lies torpid amid abandoned hopes.”<sup>12</sup> And, as Roman Emperor and fellow Stoic Marcus Aurelius warned, the earth contains a multitude of “fast-perishing little men who have no knowledge even of their own selves.”<sup>13</sup>

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<sup>8</sup>See, e.g., AMIRAM ELWORK, *STRESS MANAGEMENT FOR LAWYERS* 86 (2d ed. 1997) (asserting that “as a national group, lawyers are more suspicious, cynical, authoritarian, dogmatic, aggressive and Machiavellian than the general population”) (footnote omitted).

<sup>9</sup>GERALD LE VAN, *LAWYERS’ LIVES OUT OF CONTROL* 24 (1992).

<sup>10</sup>Connie J. A. Beck et al., *Lawyer Distress: Alcohol-Related Problems and Other Psychological Concerns Among a Sample of Practicing Lawyers*, 10 J. L. & HEALTH 1, 2-3 (1996). See also DEBORAH L. ARRON, *RUNNING FROM THE LAW: WHY GOOD LAWYERS ARE GETTING OUT OF THE LEGAL PROFESSION* 5 (1991) (“The lawyer’s professional life is filled with dispute, confrontation, and occasionally actual hatred.”); ELWORK, *supra* note 8, at 3, 15-17, 85-89, 114-16 (explaining mental health problems among lawyers). As Dr. Elwork summarizes, “lawyers have unusually high rates of depression, substance abuse and a variety of other mental and physical ailments.” *Id.* at 3 (footnote omitted).

<sup>11</sup>Lawrence J. Fox, *Money Didn’t Buy Happiness*, OR. ST. BAR BULL., Apr. 1997, at 9. See also Ruth Marcus, *Gloom at the Top: Why Young Lawyers Bail Out*, WASH. POST, May 31, 1987, at C1 (“Despite the big bucks, many young lawyers are turning down offers from law firms—or leaving after a few years—because the money isn’t enough to keep them working at a job they hate.”); Nora C. Porter, *Keeping Your Balance: Addressing the Link Between Stress and Professionalism*, PA. LAW., Nov.-Dec. 1997, at 15 (finding that “[s]ome 30,000 attorneys a year are deciding there’s a better life in some other career path or early retirement”).

<sup>12</sup>LUCIUS ANNAEUS SENECA, *On Tranquility of Mind*, in 2 MORAL ESSAYS 203, 217 (John W. Basore trans., 2001) [hereinfter 2 MORAL ESSAYS]. For sound introductions to Seneca’s life and thought, see MARIAM T. GRIFFIN, *SENECA: A PHILOSOPHER IN POLITICS* (1976); ANNA LYDIA MOTTO, *SENECA* (1973). For Stoicism as a philosophy, see THE CAMBRIDGE COMPANION TO THE STOICS (Brad Inwood ed., 2003); A.A. LONG, *STOIC STUDIES* (1996); R.M. WENLEY, *STOICISM AND ITS INFLUENCE* (1924).

<sup>13</sup>MARCUS AURELIUS, *MEDITATIONS* 59 (Maxwell Staniforth trans., 1964). See also FRIEDRICH NIETZSCHE, *THUS SPOKE ZARATHUSTRA* 98 (R.J. Hollingdale trans., 1969) (“For many a man, life is a failure: a poison-worm eats at his heart.”).

The Stoics, of course, could not have foreseen the exact evolution of legal practice into its modern forms. It seems telling, however, that Seneca frequently used law-related imagery in ways that seem so disturbingly applicable two millennia later. In a passage that could describe today's municipal courts, Seneca described:

All these thousands hurrying to the forum at break of day—how base their cases, and how much baser are their advocates! One assails his father's will, which it were more fitting that he respect; another arraigns his mother at the bar; another comes as an informer of the very crime in which he is more openly the culprit; the judge, too, is chosen who will condemn the same deeds that he himself has committed, and the crowd, misled by the fine voice of a pleader, shows favour to a wicked cause.<sup>14</sup>

Indeed, Seneca was quite conversant with the perils of lawyering. His works were replete with warnings, from the admonition that a magistrate's anger will bring him hatred<sup>15</sup> to the cautions that "some by reason of their stubborn pride are not fitted for court"<sup>16</sup> and that "the trickster lawyer deeply resents an indictment being brought against himself."<sup>17</sup> Even the wealthy attorney can find that in winning cases he has lost his soul, for "you will hear many of those who are burdened by great prosperity cry out at times in the midst of their throngs of clients, or their pleadings in court, or their other glorious miseries: 'I have no chance to live.'"<sup>18</sup>

Age, furthermore, is as useless as riches when it comes to providing meaning to the barrister's existence. If anything, the ripeness of the lawyer's years only compounds the totality of his wasted talents:

Shameful is he whose breath leaves him in the midst of a trial when, advanced in years and still courting the applause of an ignorant circle, he is pleading for some litigant who is the veriest stranger; disgraceful is he who, exhausted more quickly by his mode of living than by his labour, collapses in the very midst of his duties . . . . Is it really such pleasure for a man to die in harness?<sup>19</sup>

For many centuries, therefore, it has been clear that the life of the lawyer can be stark, vexatious, and a root cause of spiritual despair. Little, unfortunately, appears to have changed. As Dean Kronman attests, "the profession now stands in danger of losing its soul."<sup>20</sup> Many attorneys believe "that their yearning to be engaged in some

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<sup>14</sup>LUCIUS ANNAEUS SENECA, *On Anger*, in 1 MORAL ESSAYS 167, 181 (John W. Basore trans., 2003) [hereinafter 1 MORAL ESSAYS].

<sup>15</sup>*Id.* at 265.

<sup>16</sup>SENECA, *On Tranquility of Mind*, *supra* note 12, at 235.

<sup>17</sup>SENECA, *On Anger*, *supra* note 14, at 227.

<sup>18</sup>SENECA, *On the Shortness of Life*, in 2 MORAL ESSAYS, *supra* note 12, at 287, 307.

<sup>19</sup>*Id.* at 353.

<sup>20</sup>ANTHONY T. KRONMAN, *THE LOST LAWYER: FAILING IDEALS OF THE LEGAL PROFESSION* 1 (1995).

lifelong endeavor that has value in its own right can no longer be satisfied in their professional work.”<sup>21</sup> “This,” Kronman concludes, “is a catastrophe for lawyers.”<sup>22</sup>

So what now? Perhaps aging professors crouching behind their podiums have little to suggest that will help you, our former students, find material and emotional sustenance in the valley of actual practice.<sup>23</sup> It seems unconscionable, however, for us simply to avert our eyes from the agony of attorneys and concentrate solely on the pedantic purity of our theories.<sup>24</sup> To the contrary, we must continually contemplate spiritual and philosophical insights that might serve you well once you leave our midst. This is where both Eastern visions and Western voices can contribute to whatever strategies professors and lawyers already employ.

#### IV. THRIVING IN THE VALLEY

##### A. *The Stand Alone Spirit*

Entering the valley of law is *spooky*. There is simply no better way to put it. Every partner (or other supervising attorney) appears to be Momus,<sup>25</sup> and “fear is a frequent emotion among lawyers.”<sup>26</sup> Even when anxieties subside, new lawyers can feel pounded by waves of anger, greed, frustration, and other potentially debilitating emotions. The best bet to offset such negativity is to develop a self-contained, stand alone spirit where your sense of worth is separate from and above, to the extent possible, judgments externally imposed.

Marcus Aurelius realized this. As he explained, “All the blessings which you pray to obtain hereafter could be yours today if you did not deny them to yourself.”<sup>27</sup> Does this mean wealth, security, and professional esteem are guaranteed? Absolutely not, for all of those depend in a significant way on the determinations of *external* figures, such as clients, supervising attorneys, and judges. And that was precisely Marcus’s point: We must focus instead on our internal sense of good and resolve to serve it with dedication. “Dig within,” he counseled. “There lies the well-spring of good: ever dig, and it will ever flow.”<sup>28</sup> By ceasing to obsess over your

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<sup>21</sup>*Id.* at 3.

<sup>22</sup>*Id.*

<sup>23</sup>As one professor acknowledges, “I [had] become increasingly bothered by the fact that I was spending my career preparing students for a world that was more and more removed from my daily existence and memory.” Amy B. Cohen, *The Dangers of the Ivory Tower: The Obligation of Law Professors to Engage in the Practice of Law*, 50 LOY. L. REV. 623, 623 (2004).

<sup>24</sup>We must shun, in other words, the example set by Balarāma in Sanskrit legend. Balarāma could not bear to see his pupils destroyed in battle, so instead he went “on a pilgrimage to the sacred waters . . . for ablutions” while the slaughter took place in his absence. THE MAHĀBHĀRATA 114-15 (Chakravarthi V. Narasimhan trans., 1998).

<sup>25</sup>“The god of criticism and mockery.” PLATO, THE REPUBLIC 220 n.I (Desmond Lee trans., 1987).

<sup>26</sup>ELWORK, *supra* note 8, at 85.

<sup>27</sup>MARCUS AURELIUS, *supra* note 13, at 179.

<sup>28</sup>*Id.* at 115. Nichiren placed similar stress on the importance of self-reliance and seeking enlightenment from within. “If you seek enlightenment outside yourself,” he warned, “then

neighbors' judgments,<sup>29</sup> you earn the freedom to "let your own self-approval be the sole aim both of your effort and of your intention."<sup>30</sup> As you develop this independent, self-directing spirit, you will at least partially transcend the neurotic compulsion to please external authorities and uncover "the secret of cheerfulness, of depending on no help from without and needing to crave from no man the boon of tranquility."<sup>31</sup>

This resonates with the insights of other thinkers. Seneca, for one, stated that "the good man . . . despises externals"<sup>32</sup> and "can lose nothing" for he "has everything invested in himself."<sup>33</sup> This is freedom's truest incubator, for "[l]iberty is having a mind that rises superior to injury, that makes itself the only source from which its pleasures spring, that separates itself from all external things in order that man may not have to lead his life in disquietude, fearing everybody's laughter, everybody's tongue."<sup>34</sup> Nichiren likewise cautioned us "not [to] depend on others"<sup>35</sup> and to "[b]e unmoved by greed, by the desire for fame, or by anger."<sup>36</sup> Instead of being at the mercy of externals, Nichiren explained that:

Worthy persons deserve to be called so because they are not carried away by the eight winds: prosperity, decline, disgrace, honor, praise, censure, suffering, and pleasure. They are neither elated by prosperity nor grieved

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your performing even ten thousand [Buddhist] practices and ten thousand good deeds will be in vain." NICHIREN, *On Attaining Buddhahood in this Lifetime*, in THE WRITINGS, *supra* note 7, at 1, 3. This focus may have spiritual stems in the Hindu belief that "it is one's self (*ātman*) which one should see and hear, and on which one should reflect and concentrate. For by seeing and hearing one's self, and by reflecting and concentrating on one's self, one gains the knowledge of this whole world." UPANISADS 29 (Patrick Olivelle trans., 1996).

<sup>29</sup>As Marcus observed, "So much more regard have we for our neighbors' judgement of us than for our own." MARCUS AURELIUS, *supra* note 13, at 180.

<sup>30</sup>*Id.* at 115.

<sup>31</sup>*Id.* at 57.

<sup>32</sup>SENECA, *On Providence*, in 1 MORAL ESSAYS, *supra* note 14, at 3, 43.

<sup>33</sup>SENECA, *On the Firmness of the Wise Man*, in 1 MORAL ESSAYS, *supra* note 14, at 49, 61. As he understood, "all that flows to us from without is a slippery and insecure possession." *Id.* at 63.

<sup>34</sup>*Id.* at 103. This should not be confused with a blind disregard for objective reality and the opportunities and perils presented by our physical environment. "Let reason search into external things at the instigation of the senses," Seneca acknowledged, "for it has no other base from which it may operate, or begin its assault upon truth." SENECA, *On the Happy Life*, in 2 MORAL ESSAYS, *supra* note 12, at 99, 119. The goal is not to be *controlled* by such externals, to let your mind "be the master both of them and of itself." *Id.* See also 2 EPICETUS, THE DISCOURSES AS REPORTED BY ARRIAN, THE MANUAL, AND FRAGMENTS 207 (W.A. Oldfather trans., 1985) (stressing our "[p]ower to deal with external impressions") [hereinafter 2 EPICETUS]. For a splendid analysis of Epictetus, see A. A. LONG, EPICETUS: A STOIC AND SOCRATIC GUIDE TO LIFE (2002).

<sup>35</sup>NICHIREN, *Reply to Yasaburo*, in THE WRITINGS, *supra* note 7, at 827, 829.

<sup>36</sup>NICHIREN, *The Eight Winds*, in THE WRITINGS, *supra* note 7, at 794, 796.

by decline. The heavenly gods will surely protect one who is unbending before the eight winds.<sup>37</sup>

### B. Fighting Fear

An inner-directed spirit has a placid ring to it and may be easy to attain in the abstract. The problem, of course, is that it crumbles under adversity, which, practically by definition, is the lawyer's constant state.<sup>38</sup> Preaching courage can sound banal—especially when it's by tenured professors pontificating in our monasteries<sup>39</sup>—but it seems undeniable that lawyers need inner fortitude to face the daily assaults on their clients, integrity, and self-esteem. In truth, this may be where both Eastern visions and Western voices play their most critical roles, by inspiring you to resist the trepidation that batters your will. Fighting your fear is critical, for, as Nichiren cautioned, “[a] coward cannot have any of his prayers answered.”<sup>40</sup> And, as the Stoics sensed, “The art of living is more like wrestling than dancing,”<sup>41</sup> but new attorneys can fall too readily into the dread of being eternally pinned. In essence, “[t]hey lose the day in expectation of the night, and the night in fear of the dawn.”<sup>42</sup>

Nobody should have to live like that. More specifically, *you* shouldn't have to live like that, which is why you must foster an internal sense of professional valor. This quest for courage does not demand Spartan vigor,<sup>43</sup> but instead revolves around enlightened self-interest and the search for daily joy. Once you master your fears,

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<sup>37</sup>*Id.* at 796. We find essentially the same concept in the Hindu belief that he “who neither rejoices nor sorrows if fortune is good or is ill, his is a serene wisdom.” THE BHAGAVAD GITA 14 (Juan Mascaró trans., 1962).

<sup>38</sup>“Practicing law is an inherently confrontational activity, with winners and losers. Lawyers always seem to be ‘doing battle’ with an opponent.” Simenhoff, *Introduction, in MY FIRST YEAR AS A LAYWER*, *supra* note 5, at xiv.

<sup>39</sup>As the late pedagogical icon Prosser frankly acknowledged, many law professors possess “a weakness of character, a kind of cowardice, which those of us who are least honest with ourselves prefer to regard as a fine distaste for the wretched bickerings of a sordid commercial life.” William L. Prosser, *Lighthouse No Good*, 1 J. LEGAL EDUC. 257, 260 (1948). For my own chipper confession, see John W. Teeter, Jr., *Teaching Tips from the Lotus Sutra*, 77 TUL. L. REV. 443, 453 n.2 (2002) (“I freely admit that I would rather strut safely behind the podium than wrestle seasoned attorneys in corporate combat.”).

<sup>40</sup>NICHIREN, *The Strategy of the Lotus Sutra, in THE WRITINGS*, *supra* note 7, at 1000, 1001.

<sup>41</sup>MARCUS AURELIUS, *supra* note 13, at 115.

<sup>42</sup>SENECA, *On the Shortness of Life*, *supra* note 18, at 341. *See also* ARRON, *supra* note 10, at 9 (stressing “the night terror” that plagues many lawyers). And with biting irony, such dread can even blind us to very real and present dangers, including those we create for ourselves. *See, e.g.*, CORMAC MCCARTHY, NO COUNTRY FOR OLD MEN 198 (2005) (reflecting that “fear of an enemy can often blind men to other hazards, not least the shape which they themselves make in the world.”).

<sup>43</sup>*See, e.g.*, PLUTARCH, ON SPARTA 159 (Richard J. A. Talbert trans., 1988) (extolling Damatria, a rather truculent mama who killed her son for being “a coward and unworthy of her”).



you can achieve tremendous satisfaction in the valley of law—fulfillments ranging from the altruistic bliss of helping those in need to the personal pleasures of loving the intellectual intrigues and challenges of practice. As Seneca understood, “[t]he braver the man is, the happier he is!”<sup>44</sup>

Smoothly said, but how achieved? One key point is to remember the extent to which we need challenges to refine our skills and deepen our appreciation of our talents and character. “Without an adversary, prowess shrivels,”<sup>45</sup> and it is the greatest struggles that carry the largest potential for emotional enrichment.<sup>46</sup> You will soon grasp this in your work. Skillfully leading your client through a stormy deposition, hammering out a complicated settlement agreement, and even handling the proverbial partner with piles are all a damn sight jollier than proofreading interrogatories in the library.

Preparation, naturally, is *imperative*. You must always seek to *anticipate* fresh challenges, to familiarize yourself with them in both a strategic and emotional sense before they actually arise. “Think of everything, expect everything,” Seneca counseled.<sup>47</sup> “When everything seems to you to be peaceful, the forces that will harm you are not non-existent, but inactive. Always believe that there will come some blow to strike you.”<sup>48</sup> Your mental focus, furthermore, should be just as sharp for the seemingly trivial as for the critically complex, for many a lawyer has committed malpractice through slothful inattention to minor details in routine cases. In this sense, you must follow the path of the lion king, who is said “to advance three

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<sup>44</sup>SENECA, *On Tranquility of Mind*, *supra* note 12, at 277. Nietzsche, of course, rode this horse for all it was worth, proclaiming: “[O]ur thrill is the thrill of the infinite, the unmeasured. Like a rider on a steed that flies forward, we drop the reins before the infinite, we modern men, like semi-barbarians—and reach *our* bliss only where we are most—in *danger*.” FRIEDRICH NIETZSCHE, *BEYOND GOOD AND EVIL* 153 (Walter Kaufmann trans., 1966). Jeepers! That’s a bit caffeinated for my taste, but you get the picture.

<sup>45</sup>SENECA, *On Providence*, *supra* note 32, at 9.

<sup>46</sup>“If a great boar appears, the struggle in which you are to engage will be greater; if evil men appear, you will clear the world of evil men.” 2 EPICETUS, *supra* note 34, at 399. And, if need be, “[y]ou will die as a good man, bringing to fulfillment a noble action,” rather than succumbing to such mundane fates as “dyspepsia or dysentery.” *Id.* at 401. See also MARTIN BUBER, *I AND THOU* 56 (2d ed., Ronald Gregor Smith trans., 1958) (reminding us that “[w]here there is danger, the rescuing force grows too”); RICHARD CAUSTON, *THE BUDDHA IN DAILY LIFE* 15 (1995) (relating how the Chinese word for “crisis” contains the character for “opportunity” as well as the one for “danger”). Causton explains how, from a Buddhist perspective, sufferings are “*essential*” because “problems are the very means by which people can develop their full potential as human beings. As Nichiren Daishonin says, ‘Only by defeating a powerful enemy can one prove his real strength.’” *Id.* at 16.

<sup>47</sup>SENECA, *On Anger*, *supra* note 14, at 235. See also JEAN-PAUL SARTRE, *BEING AND NOTHINGNESS* 706 (Hazel E. Barnes trans., 1992) (reminding us that “internal upheavals of the situation because of autonomous changes in the environment are always to be anticipated”).

<sup>48</sup>*Id.* See also John Leonard, *Don Quixote at Eighty*, 50 N.Y. REV. BOOKS 10, 12 (Mar. 13, 2003) (reviewing NORMAN MAILER, *THE SPOOKY ART: SOME THOUGHTS ON WRITING* (2003)) (quoting Murray Kempton’s guidance that “the trick is to anticipate; as often as not, you will act badly any time you are surprised”).

steps, then gather himself to spring, unleashing the same power whether he traps a tiny ant or attacks a fierce animal.”<sup>49</sup>

Another strategy for confronting fear is to recognize that so much of your stress is attributable to confronting novel obstacles in shifting contexts. Change, for most, is stressful, but you can mitigate the anxiety by accepting that our lives are incessantly evolving and that this is normal rather than sinister. As Marcus realized, “We shrink from change; yet is there anything that can come into being without it? What does Nature hold dearer or more proper to herself?”<sup>50</sup>

Change is healthy and inevitable, whether it is your progression from law school to life in the valley or responding to new developments in the midst of a trial.<sup>51</sup> What matters is not the protean nature of your labors but the steadfast abilities and integrity you maintain throughout your journeys. Marcus emphasized that the kaleidoscopic whirl of externals is powerless to unnerve us so long as we focus on the probity and talents in our safekeeping. He therefore advised, “Never let the future disturb you. You will meet it, if you have to, with the same weapons of reason which today arm you against the present.”<sup>52</sup>

Furthermore, it is especially important for the rookie lawyer to appreciate two fundamental facts. First, once you brush aside the cobwebs of anxiety and mystique, much of the lawyering we do is simply not that hard.<sup>53</sup> Many matters I fielded in practice, including some rather grave ones, were no more *analytically* daunting than research projects and class presentations I handled as an undergraduate. In fact, as one partner in a Chicago firm admitted, “there is work floating around the hallways of the most prestigious law firms that could be done by a cadre of trained chimpanzees.”<sup>54</sup>

Second, and more importantly, new lawyers should recognize that your angst is perfectly normal and often temporary. The first year of practice is notoriously stressful,<sup>55</sup> and it is common to be overwhelmed by an exaggerated sense of your

<sup>49</sup>NICHIREN, *Reply to Kyo'o*, in THE WRITINGS, *supra* note 7, at 412, 412.

<sup>50</sup>MARCUS AURELIUS, *supra* note 13, at 108.

<sup>51</sup>Nichiren emphasized that “nothing is permanent and everything changes, and . . . all that is born is destined to die.” NICHIREN, *The Fourteen Slanders*, in THE WRITINGS, *supra* note 7, at 755, 757.

<sup>52</sup>MARCUS AURELIUS, *supra* note 13, at 106.

<sup>53</sup>*See, e.g.*, ERWIN O. SMIGEL, THE WALL STREET LAWYER: PROFESSIONAL ORGANIZATION MAN? 38 (1969) (describing the routine nature of the work performed by many attorneys in private firms).

<sup>54</sup>ARNOLD B. KANTER, KANTER ON HIRING: A LAWYER'S GUIDE TO HIRING 36 (1983). *See also* WILLIAM R. KEATES, PROCEED WITH CAUTION: A DIARY OF THE FIRST YEAR AT ONE OF AMERICA'S LARGEST, MOST PRESTIGIOUS LAW FIRMS vii (1997) (“[M]ost law practices *don't* require novel and creative thinking on a daily basis.”); MESSINGER, *supra* note 5, at 57 (“Most . . . legal work well done is not—I repeat, *not*—a function of intelligence.”).

<sup>55</sup>As one attorney avers, “[y]our first year as a lawyer will be *the* most stressful you will ever face.” MESSINGER, *supra* note 5, at vii. As Messinger adds, “you’ll sit there and wonder when the J.D. Police will burst in to take you away for impersonating a lawyer.” *Id.* at 57. *See also* KEATES, *supra* note 54, at 13 (“I wasn’t prepared for either the work or the psychological stress which made that period the most arduous and demanding year of my life.”); William Dillof, *My First Judicial Conference*, in MY FIRST YEAR AS A LAWYER, *supra*

own ineptitude. Many a new lawyer has shared one embattled associate's delusion that:

- a) Partners never made mistakes.
- b) Other associates rarely made mistakes and when they did, the mistakes invariably related to inconsequential matters.
- c) I made major errors on numerous occasions involving matters of cosmic significance.<sup>56</sup>

Welcome to the club. This wretched sense of helplessness is almost universal.<sup>57</sup> As Mark Simenhoff explains, "thousands of students who graduate each year from law school have been fed heaping portions of theory but often receive almost no hands-on instruction on how to practice law or insight into what it means to be a lawyer."<sup>58</sup> This chasm between abstract knowledge and practical skill, of course, is not confined to law. Reflecting on how formal education is only a limited segment of the maturation and socialization process, Schopenhauer asserted:

[I]n youth, after much reading and learning, we go out into the world in part naive, in part confused, and conduct ourselves in it now with arrogance, now with timidity: our heads are full of concepts which we are now endeavoring to apply, but which we almost always apply wrongly.<sup>59</sup>

And, as Holmes warned in 1886, the valley of law is not a magical kingdom "where brilliant results attend your work, which shall be at once easy and new."<sup>60</sup> One century later, another lawyer sensibly counsels, "In the beginning, *all* are ignorant. Relax. There's a first time for everyone. Sure, you need to learn, and learn well. Just don't let your anxieties run you aground before you've mastered the currents."<sup>61</sup>

It will be tremendously helpful that many of the most critical "lawyering" skills you need are actually talents you developed long before taking the bar or even

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note 5, at 92, 92-93 (recounting the "impotence and humiliation that it seems all novices experience early in their careers").

<sup>56</sup>Alan S. Rosenberg, *Are Your Associates Insecure?*, 51 N.Y. ST. B.J. 103, 103 (1979).

<sup>57</sup>Messinger is on point when he remarks, "If, by the way, you can't see your own incompetence, then you're truly blind." MESSINGER, *supra* note 5, at 154.

<sup>58</sup>Simenhoff, *Introduction*, in *MY FIRST YEAR AS A LAWYER*, *supra* note 5, at xiii.

<sup>59</sup>ARTHUR SCHOPENHAUER, *ESSAYS AND APHORISMS* 230 (R.J. Hollingdale trans., 1970). Similarly, Plato explained that the bare acquisition of tools is no substitute for the finesse and craftsmanship that must be developed over time. As he reasoned, "Merely to pick up the tools of any other trade does not turn a man into a craftsman or games-player: the tool is useful only to the man who knows how to use it and has had enough practice in the use of it." PLATO, *THE REPUBLIC*, *supra* note 25, at 66.

<sup>60</sup>HOLMES, *supra* note 5, at 24.

<sup>61</sup>MESSINGER, *supra* note 5, at ix.

reciting *Hawkins v. McGee*.<sup>62</sup> Fundamental reasoning, horse sense, interpersonal skills, empathy, and storytelling abilities are major components of a lawyer's repertoire yet draw heavily on attributes and techniques developed far from the classes and courts.<sup>63</sup> As Professor López explains, both attorneys and lay persons should "learn to recognize and value and extend their own problem-solving know-how" to "gain confidence" in their ability to resolve legal issues.<sup>64</sup> Furthermore, the steepness of a lawyer's learning curve is as much a comfort as a challenge. With each court appearance, deposition, or negotiation, the foreign and scary shades into a more comfortable daily routine. "What seemed like boulders blocking your path," one lawyer recalls, "look like pebbles once you're past."<sup>65</sup> Perhaps even, as Seneca argued, "[f]amiliarity with exposure to danger will give contempt for danger."<sup>66</sup>

This, however, should not be misconstrued as a recipe for recklessness. Ignorance camouflaged as courage is the melody of malpractice. The objective, rather, is to recognize the stakes involved, acknowledge your worries, and proceed to surmount them.<sup>67</sup> You must also learn to *discriminate* among obstacles, endeavoring to separate mere jitters from truly treacherous dangers.<sup>68</sup> "[F]ew go without fear into

<sup>62</sup>146 A. 641 (N.H. 1929) (the notorious case of the hairy hand).

<sup>63</sup>See, e.g., Simenhoff, *Introduction*, in *MY FIRST YEAR AS A LAWYER*, *supra* note 5, at xii ("[L]earning to be a lawyer often is little more than applying a little common sense.").

<sup>64</sup>GERALD P. LÓPEZ, *REBELLIOUS LAWYERING: ONE CHICANO'S VISION OF PROGRESSIVE LAW PRACTICE* 70-71 (1992). In this spirit, López calls for:

the participation of lawyers in helping everyone (*themselves included*) to see that the skills they have already developed to cope with problems in everyday life can be used to solve less familiar problems - that their stock of stories and storytelling techniques may be extended beyond the world they know best.

*Id.* (emphasis added). Messenger, for instance, invokes this example from early childhood: Hang in there. Don't despair at each of your inevitable setbacks. Think instead back to life's scarier parts - like losing sight of mommy at the store - and realize that the answer is neither to give up in frustration, assuming the world's against you, nor to shriek in panicky terror. Look around. You'll find her.

MESSINGER, *supra* note 5, at 170.

<sup>65</sup>MESSINGER, *supra* note 5, at 170.

<sup>66</sup>SENECA, *On Providence*, *supra* note 32, at 31. See also MESSINGER, *supra* note 5, at 2 (reasoning that self-confidence "is primarily a function of familiarity"). Centuries earlier, Plato made a similar point. "[I]f we want to make an individual proof against all sorts of fears," he opined, "it is by exposing him to fear, in a way sanctioned by the law, that we make him unafraid." PLATO, *THE LAWS* 78 (Trevor J. Saunders trans., 1975).

<sup>67</sup>As even Nietzsche differentiated, "I do not call cold-spirited, mulish, blind, or intoxicated men stout-hearted. He possesses heart who knows fear but *masters* fear; who sees the abyss, but sees it with *pride*." NIETZSCHE, *THUS SPOKE ZARATHUSTRA*, *supra* note 13, at 298. See also PAUL TILLICH, *THE COURAGE TO BE* 36 (1952) (stressing that fear "can be faced, analyzed, attacked, [and] endured").

<sup>68</sup>As Socrates taught, "[K]nowledge of what is and is not to be feared is courage." PLATO, *The Protagoras*, in *PROTAGORAS AND MENO* 27, 98 (W.K.C. Guthrie trans., 1956). See also ELWORTH, *supra* note 8, at 86 (distinguishing fear with "adaptive value" from "dysfunctional" fear that is "unjustifiably strong or chronic"); TILLICH, *supra* note 67, at 36-37 (separating concrete fears, which can be met by courage, from free-floating anxiety, which can render you helpless).

battle,”<sup>69</sup> but you will learn as maturing attorneys to make accurate assessments of potential perils and to calculate sensible solutions.

### C. Overcoming Anger

The valley of law is permeated with the pernicious myth that testicular rage and righteous fury are an advocate’s sword and mace. Such blather is both morally offensive and strategically imbecilic.<sup>70</sup> The angry, moreover, lack even the semblance of machismo, “for their noise is loud and threatening, but within, their heart is very cowardly.”<sup>71</sup> Far from being impressive, wrath is “the most hideous and frenzied of the emotions.”<sup>72</sup>

Anger can be the lawyer’s most demonic adversary, for it destroys reason, corrupts ethics, and impedes the plotting of sound legal maneuvers. To be blunt, it makes you stupid.<sup>73</sup> Seneca understood, for example, that rage should be shunned even in the extremes of armed conflict:

[A]nger embodies nothing useful, nor does it kindle the mind to warlike deeds; for virtue, being self-sufficient, never needs the help of vice. Whenever there is need of violent effort, the mind does not become angry, but it gathers itself together and is aroused or relaxed according to its estimate of its need; just as when engines of war hurl forth their arrows, it is the operator who controls the tension with which they are hurled.<sup>74</sup>

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<sup>69</sup>NICHIREN, *THE FOURTEEN SLANDERS*, *supra* note 51, at 758.

<sup>70</sup>*See, e.g.*, MESSINGER, *supra* note 5, at 123 (warning us not to “screw your client with a thoughtless, steamroller approach to screwing the opposition” and admonishing that “your client’s interests are not best served by unthinking attack-dog tactics”). *See also* Marlon A. Primes, *When Honey is Better than Vinegar*, in *MY FIRST YEAR AS A LAWYER*, *supra* note 5, at 73, 77 (recounting how an attorney’s “kindly handling of an opposing witness” can “pay dividends”); Susan P. Sturm, *From Gladiators to Problem-Solvers: Connecting Conversations about Women, the Academy, and the Legal Profession*, 4 *DUKE J. GENDER L. & POL’Y* 119, 122 (1997) (asserting that “[a] move from gladiator to problem-solver [conceptions of lawyering] may brighten both the future of the legal profession and the future of women and other underrepresented groups in the legal profession”).

<sup>71</sup>SENECA, *On Anger*, *supra* note 14, at 163. The same is true of the conceited. As Nichiren instructed, “[a]n arrogant person will always be overcome with fear when meeting a strong enemy.” NICHIREN, *Letter from Sado*, in *THE WRITINGS*, *supra* note 7, at 301, 302.

<sup>72</sup>SENECA, *On Anger*, *supra* note 14, at 107. For similar reasons, Nichiren concluded that “the heavenly gods will not protect a short-tempered person, however important they may think he or she is.” NICHIREN, *The Three Kinds of Treasure*, in *THE WRITINGS*, *supra* note 7, at 848, 849. *See also* DAISAKU IKEDA, *UNLOCKING THE MYSTERIES OF BIRTH AND DEATH: BUDDHISM IN THE CONTEMPORARY WORLD* 76 (explaining how “[a]nger disturbs the harmonious relationship between the depths of our beings and the surface of our minds, and this disturbance can assume colossal proportions and eventually destroy our lives”).

<sup>73</sup>As Nichiren warned a samurai, “Since you are hot-tempered and behave like a blazing fire, you will certainly be deceived by others.” NICHIREN, *The Hero of the World*, in *THE WRITINGS*, *supra* note 7, at 835, 838.

<sup>74</sup>SENECA, *On Anger*, *supra* note 14, at 129. *See also* WOODY HOCHSWENDER ET AL., *THE BUDDHA IN YOUR MIRROR* 139 (2001) (reasoning that “anger is appropriate” in “real situations of injustice” but stressing that “self-control is the key to influencing change”).

Prowess, patience, and cool determination are a lawyer's truest tools, for even "in the case of gladiators skill is their protection, anger their undoing."<sup>75</sup> For that reason:

Anger . . . is not expedient even in battle or in war; for it is prone to rashness, and while it seeks to bring about danger, does not guard against it. The truest form of wisdom is to make a wide and long inspection, to put self in subjection, and then to move forward slowly and in a set direction.<sup>76</sup>

Very well, but how accomplished? Seneca offered these tips. First, you should recall—with a cringe, perhaps—that powerless anger is “exposed to contempt and does not escape ridicule.”<sup>77</sup> Second, recognize that wrath is simply poor strategy. When propelled by anger, “[a] contest with one’s equal is hazardous, with a superior mad, and with an inferior degrading.”<sup>78</sup> And third, take time to contemplate the roots of your rage. This does not (necessarily) entail turning the other cheek, but instead is simply a matter of being fair to yourself, refusing to let others control your emotions, garnering sufficient perspective to evaluate the nature of the offense, and prudently deciding how best to respond. “The best corrective of anger lies in delay,”<sup>79</sup> Seneca counsels. “Beg this concession from anger at the first, not in order that it may pardon, but in order that it may judge.”<sup>80</sup>

#### *D. Enjoying Your Harvest Without Succumbing to Greed*

You want money. Perhaps even *oodles* of money. Well, there’s nothing inherently wrong with that, for “earthly desires are enlightenment”<sup>81</sup> and we all have material needs. All too easily, however, our appetites can spiral into “the poison of greed,” which “lets loose an *unlimited burst* of earthly desires, thereby draining us of our innate life force.”<sup>82</sup> The Stoics understood this distinction between enjoying and craving wealth. They did not advocate poverty for poverty’s sake or demand a life of unconditional self-denial. Indeed, it is oft-remarked that Seneca amassed a

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<sup>75</sup>SENECA, *On Anger*, *supra* note 14, at 133.

<sup>76</sup>*Id.* at 137.

<sup>77</sup>*Id.* at 189.

<sup>78</sup>*Id.* at 243. In a similar vein, Seneca advises, “The man who has offended you is either stronger or weaker than you: if he is weaker, spare him; if he is stronger, spare yourself.” *Id.* at 269.

<sup>79</sup>*Id.*

<sup>80</sup>*Id.*

<sup>81</sup>NICHIREN, *Earthly Desires Are Enlightenment*, in *THE WRITINGS*, *supra* note 7, at 317, 318. As a Buddhist commentator explains, “earthly desires are one with and inseparable from enlightenment. The reason is that both are the workings, or expression, of life itself, and thus are the same in their source.” *Id.* Furthermore, as Causton adds, “it is impossible to eradicate desires without eradicating life itself, and . . . repressing them only leads to them appearing in other guises as various forms of neurosis . . . . The real challenge, therefore, lies in sublimating our desires and reorienting them towards creative and valuable ends.” CAUSTON, *supra* note 46, at 46.

<sup>82</sup>IKEDA, *supra* note 72, at 76 (emphasis added).

tremendous fortune *con mucho gusto*.<sup>83</sup> Rather than hypocrisy, however, this was a testament to his emotional health, self-esteem, and understanding of Stoic ethics.<sup>84</sup> Seneca reasoned that “[n]ot one penny will a wise man admit within his threshold that makes a dishonest entry; yet he will not repulse or exclude great wealth that is the gift of fortune and the fruit of virtue.”<sup>85</sup>

Epictetus also understood that Stoics do not harbor a congenital distaste for wealth. Instead, they simply refuse to place a quest for riches above the pursuit of an honest life. Epictetus could therefore assert, “If I can get money and at the same time keep myself self-respecting, and faithful, and high-minded, show me the way and I will get it.”<sup>86</sup> It is only *degrading* yourself for wealth or letting it become your *raison d’être* that corrodes the human spirit.<sup>87</sup>

As humans, however, we are propelled by many self-serving motives<sup>88</sup> and you will be sorely tempted to abandon your bearings, become “lost in luxury,” and putrify into the role of “laborious triflers.”<sup>89</sup> The ultimate irony, furthermore, is that even the pelf and trappings of stature seem hollow and sad. As Professor Unger has explained:

The pleasures of luxury offer no chance of personal transformation except by the strange hazards of suggestion and revulsion. Besides, the luxurious pleasure has an unmistakable element of melancholy. As the very model of sensuality without sociability, it passes quickly and leaves a void in its wake. It often reeks with intimations of death and decay.<sup>90</sup>

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<sup>83</sup>For a persuasive analysis of how Seneca’s riches did not undermine his Stoic integrity, see MOTTO, *supra* note 12, at 42-48.

<sup>84</sup>As Motto summarizes, “That Seneca scorned wealth and yet himself was wealthy is true. But he wore the gifts of Fortune gracefully, without being possessed by them. And, significantly, it may be said that this guide of mankind, this preacher of humanitarianism, put his wealth into use, his philosophy into practice.” *Id.* at 48 (citation omitted). Motto also emphasizes that Seneca received his death sentence “with a calm and notable dignity” and “died with philosophical calm and distinction. . . , quite fully the Stoic that he had always striven to become.” *Id.* at 39-40.

<sup>85</sup>SENECA, *On the Happy Life*, *supra* note 34, at 159.

<sup>86</sup>2 EPICTETUS, *supra* note 34, at 501.

<sup>87</sup>*See, e.g.*, PLATO, THE LAWS, *supra* note 66 at 386 (advising that “the man who means to be happy should not seek simply to be wealthy, but to be wealthy in a way consistent with justice and self-control”). *But cf.* FRIEDRICH NIETZSCHE, *Twilight of the Idols*, in TWILIGHT OF THE IDOLS/THE ANTI-CHRIST 31, 117 (R.J. Hollingdale trans., 1990) (asserting that “Plato is boring”) (emphasis added).

<sup>88</sup>*See, e.g.*, 1 EPICTETUS, THE DISCOURSES AS REPORTED BY ARRIAN, THE MANUAL, AND FRAGMENTS 397 (W.A. Oldfather trans., 1985) (asserting the “general rule” that “every living thing is to nothing so devoted as to its own interest”).

<sup>89</sup>SENECA, *On the Shortness of Life*, *supra* note 18, at 327.

<sup>90</sup>ROBERTO MANGABEIRA UNGER, PASSION 138 (1984). *See also* SENECA, *On Tranquility of Mind*, *supra* note 12, at 207 (reflecting on how one can feel the “secret sting” of a sorrowful life even though “luxury has poured around me the wealth of its splendour, and echoed around me on every side”). For a poignant perspective of the melancholy opulence of law firm life, see Wayne Eastman, *Organization Life and Critical Legal Thought: A Psychopolitical Inquiry*

This realization is echoed by a former associate at a lucrative firm, who states:

I soon discovered that no amount of income, prestige, or professional pride can adequately compensate you if you believe your legal career is damaging your personal relationships and ruining your life. The high salary, large expense accounts, and chauffeured sedans . . . sound glamorous, but they quickly become meaningless and, worse, you begin to resent them as representing the very things you feel are wrong with your life.<sup>91</sup>

Perhaps especially for lawyers, there can be a hypnotic release in possessing the priciest toys, the finest intoxicants, and other amusements to dull your sense of despair. But there's the rub. Such mind-numbing escapism should not be essential for attorneys who find genuine love and meaning in their labor.<sup>92</sup> Luxury screens out the sorrow, but only for the night. Every morning the lawyer imprisoned by greed must face anew the same metaphysical malaise and self-loathing that are part of the bargain.

This degrading dependence on wealth, with its mordant failure to heal, resembles an addiction rather than a cure. The healthy attorney is thus not the richest, but the one who internalizes the truth that "your good fortune is not to need good fortune."<sup>93</sup> Even if you cannot fully embrace the belief that "the good man . . . despises externals,"<sup>94</sup> you should refuse to let riches enslave you. Your quest for material rewards must be secondary to, rather than a replacement for, a loving professional and personal life.<sup>95</sup>

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*and Argument*, 19 N.Y.U. REV. L. & SOC. CHANGE 721, 742-44 (1992). There is a lingering woe to Eastman's description of law firm perquisites (such as gourmet meals and box seats) and how they failed to alter the sense that "[i]n general, it didn't feel as though your life was pleasure." *Id.* at 743.

<sup>91</sup>KEATES, *supra* note 54, at 120. *See also* ARRON, *supra* note 10, at 9 ("No amount of money can adequately compensate lawyers for all the time they spend worrying about cases and clients, or for the night terror and anxiety attacks that haunt so many of them.").

<sup>92</sup>In the words of one formerly Porsche-purchasing attorney:

All too often, . . . lawyers purchase expensive items with the substantial income *from* their jobs in an attempt to fill voids created *by* their jobs! These lawyers, believing that they're locked into jobs they hate, feel they deserve to enjoy the fruits of their labor. So they buy luxuries . . . They either don't know, or don't want to know, that their purchases further "tighten the screws," binding them to jobs they can't stand.

KEATES, *supra* note 54, at 126. *See also* SCHOPENHAUER, *supra* note 59, at 170 ("Money is human happiness *in abstracto*; consequently he who is no longer capable of happiness *in concreto* sets his whole heart on money."). *But cf.* FRIEDRICH NIETZSCHE, THE WILL TO POWER 449 (Walter Kaufmann ed., Walter Kaufmann & R.J. Hollingdale trans., 1968) (asserting that Schopenhauer "misunderstood genius, art itself, morality, pagan religion, beauty, knowledge, and more or less everything").

<sup>93</sup>SENECA, *On Providence*, *supra* note 32, at 45.

<sup>94</sup>*Id.* at 43.

<sup>95</sup>For what it matters, I've been content practicing what I preach. The best professional decision I've ever made was taking a massive pay cut to move from a fancy firm in Boston to



*E. The Poison of Perfectionism*

Don't even *think* of aspiring to be the perfect lawyer, for no such creature exists.<sup>96</sup> In fact, striving for perfection is one of the most toxically self-defeating strategies a new lawyer could select. As Dr. Elwork explains:

What makes the goal of achieving perfection so unhealthy is its intolerance of human error. Since perfection does not exist, perfectionists are doomed to be perpetually frustrated. Their fear of mistakes tends to diminish their job satisfaction, makes them defensive and can lead to depression. Paradoxically, eventually this reduces the quality of their work. Thus, perfection is a very costly illusion.<sup>97</sup>

This insight is chorused by those who have toiled in the valley's law firms. As a former law review editor came to realize, "[p]erfection is not always the best, or most realistic, goal . . . especially for beginners."<sup>98</sup> And as another associate/escapee reflects:

I . . . wish I'd given myself greater latitude to make mistakes. As high achievers, law students often put enormous stress on themselves to be perfect, and I was no different. But as a new lawyer, I, of course, made mistakes; that's the inevitable result of inexperience. Rather than expect perfection and be inevitably disappointed, I'd have been better off to let myself be tripped by inexperience—and focus, instead, on reducing mistakes caused by carelessness.<sup>99</sup>

You must, in other words, be an incrementalist, patiently yet doggedly redressing your errors and polishing your craft. "It is enough for me," Seneca reasoned, "if every day I reduce the number of my vices, and blame my mistakes."<sup>100</sup> Furthermore, notwithstanding the stresses of being perpetual works in progress, remember that life cannot continue, at least in any appreciable sense, without continuous evolution, for "when growth stops, the end approaches."<sup>101</sup> "The struggle

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a small university in Oklahoma City that one sublime wordsmith might have deemed "long on Jesus and short on funds." ROBERT PENN WARREN, *ALL THE KING'S MEN* 190 (1946).

<sup>96</sup>See, e.g., MESSINGER, *supra* note 5, at 119 (asserting that "all professionals commit some malpractice").

<sup>97</sup>ELWORK, *supra* note 8, at 153. See also STAN J. KATZ & AIMEE E. LIU, *SUCCESS TRAP* 195 (1990) (explaining that "look[ing] to perfection to supply your sense of success" is "truly a self-defeating arrangement").

<sup>98</sup>MESSINGER, *supra* note 5, at vii, 13.

<sup>99</sup>KEATES, *supra* note 54, at 22.

<sup>100</sup>SENECA, *On the Happy Life*, *supra* note 34, at 145. See also DERRICK BELL, *ETHICAL AMBITION: LIVING A LIFE OF MEANING AND WORTH* 161 (2002) ("Without a willingness to continually critique our own policies, question our own motivations, and admit our own mistakes, it is virtually impossible to maintain programs and practices that are truly ethically related to the real needs of those we wish to serve.").

<sup>101</sup>SENECA, *On Consolation*, in 2 *MORAL ESSAYS*, *supra* note 12, at 3, 85 (observing that "ripe maturity is the sign of impending destruction"). See also ALBERT CAMUS, *THE REBEL*

itself toward the heights,” Camus appreciated, “is enough to fill a man’s heart.”<sup>102</sup> And, as we Buddhists believe, “both good and evil are inherent even in those at the highest stage of enlightenment.”<sup>103</sup>

So don’t retreat from the valley in despair simply because you’re human. As the Hindus exhort, “a man should not abandon his work, even if he cannot achieve it in full perfection; because in all work there may be imperfection, even as in all fire there is smoke.”<sup>104</sup> Your inability to be some mythical Immaculate Esquire does not excuse you from making intensely heartfelt efforts to maximize your prowess, compassion, and integrity as attorneys. For as Epictetus declared:

Because I have no natural gifts, shall I on that account give up my discipline? Far be it from me! Epictetus will not be better than Socrates; but if only I am not worse, that suffices me. For I shall not be a Milo, either, and yet I do not neglect my body; nor a Croesus, and yet I do not neglect my property; nor, in a word, is there any other field in which we give up the appropriate discipline merely from despair of attaining the highest.<sup>105</sup>

#### V. CONCLUSION

That’s it. I’m done. Like the “chicken-hungry preacher getting over the doxology,”<sup>106</sup> I will conclude with a few simple words. You’re smart, resilient, and strong, which makes you more than a match for a profession that is tough and intense. There will always be pressures to succumb to fear, anger, and greed, but you have the internal resources to remain brave, joyous, and caring while tilling your soil in the valley of law. “Life flashes by in but a moment,”<sup>107</sup> so don’t ruin it with a masochistically quixotic pursuit of perfection. Just plow like a yeoman, do your

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249 (Anthony Bower trans., 1956) (“Nothing remains for us . . . but to be reborn or to die.”); BOB DYLAN, *It’s Alright, Ma, I’m Only Bleeding*, in WRITINGS AND DRAWINGS BY BOB DYLAN 171, 171 (1973) (“The hollow horn plays wasted words/Proves to warn/That he not busy being born/Is busy dying.”). For a stunning literary analysis of growth versus stagnation, see PETE DEXTER, TRAIN (2003). Pay particular attention to the divergent destinies of Train, who initially seems pathetic but shows an inspiring capacity to evolve, with Packer, who has undeniable strengths and maturity yet seems locked in one plane of existence. This novel should be a required text for all new lawyers and is a damn fine read to boot.

<sup>102</sup>ALBERT CAMUS, *The Myth of Sisyphus*, in THE MYTH OF SISYPHUS AND OTHER ESSAYS 1, 123 (Justin O’Brien trans., 1955).

<sup>103</sup>NICHIREN, *The Treatment of Illness*, in THE WRITINGS, *supra* note 7, at 1111, 1113.

<sup>104</sup>THE BHAGAVAD GITA, *supra* note 37, at 83.

<sup>105</sup>2 EPICTETUS, *supra* note 34, at 25. See also BELL, *supra* note 100, at 162 (“[I]f your criterion for success is perfection, then the failure of every ethical action is assured.”); ALAN DERSHOWITZ, RIGHTS FROM WRONGS: A SECULAR THEORY OF THE ORIGINS OF RIGHTS 85 (2004) (“Seeking to achieve the perfect is the enemy of trying to prevent the very bad.”).

<sup>106</sup>ROBERT PENN WARREN, *supra* note 95, at 322.

<sup>107</sup>NICHIREN, *On Practicing the Buddha’s Teachings*, in THE WRITINGS, *supra* note 7, at 391, 395.

best, and you too may discover that “the world of action and liability”<sup>108</sup> can be transformed into a realm “[s]weeter than hope in [its] confirmation of late light.”<sup>109</sup>

Just three final thoughts remain. First, strive to find *your* acre in the valley of law, a field where your passion blossoms and your sense of commitment can develop thick and lasting roots.<sup>110</sup> You should thus emulate the young Kierkegaard, who yearned “to find a truth which is true *for me*, to find *the idea for which I can live and die*.”<sup>111</sup> By finding love in your work as a lawyer, you will also learn to love and revive yourself.<sup>112</sup> Second, hold onto your heart while you harvest, never losing sight of the joys that grow from your travails. Like the ivory plant, your growth and fulfillment can be enhanced by thunder.<sup>113</sup> Third, and perhaps above all, remember one physician’s insightful summation:

Man cannot hope to find another Paradise on earth, because paradise is a static concept while human life is a dynamic process. Man could escape danger only by renouncing adventure, by abandoning that which has given to the human condition its unique character and genius among the rest of living things . . . . Man has elected to fight, not necessarily for himself, but for a process of emotional, intellectual, and ethical growth that goes on forever. To grow in the midst of dangers is the fate of the human race, because it is the law of the spirit.<sup>114</sup>

And let it be your spirit as well.  
*Amen.*

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<sup>108</sup>ROBERT PENN WARREN, *BROTHER TO DRAGONS* 132 (1979).

<sup>109</sup>*Id.*

<sup>110</sup>As Dr. Elwork concludes:

One of the characteristics that has been found to distinguish lawyers who don’t feel as much of the strain that comes with the practice of law is a sense of commitment to oneself, work, family and community. Committed lawyers believe in the truth, importance and interest value of their professional and personal activities. They think that what they do on a daily basis is both meaningful and relevant. This inner sense of purpose makes them more immune to external disappointments.

Elwork, *supra* note 8, at 154.

<sup>111</sup>SOREN KIERKEGAARD, *THE JOURNALS OF KIERKEGAARD* 44 (Alexander Dru trans., 1959).

<sup>112</sup>*See, e.g.*, ALBERT CAMUS, *Between Yes and No*, in *LYRICAL AND CRITICAL ESSAYS* 30, 30 (Philip Thody ed. & Ellen Conroy Kennedy trans., 1970) (“And if I loved then in giving myself, I finally became myself, since only love restores us.”).

<sup>113</sup>NICHIREN, *The Hero of the World*, in *THE WRITINGS*, *supra* note 73, at 835 (“[T]he ivory plant is nourished by the sound of thunder.”) (footnote omitted). And as we say in my little tribe, “Suffer what there is to suffer, enjoy what there is to enjoy. Regard both suffering and joy as facts of life, and continue chanting Nam-myoho-enge-kyo, no matter what happens.” NICHIREN, *Happiness in this World*, in *THE WRITINGS*, *supra* note 7, at 681, 681.

<sup>114</sup>RENÉ DUBOS, *MIRAGE OF HEALTH: UTOPIAS, PROGRESS, AND BIOLOGICAL CHANGE* 281-82 (1959).