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Happy at Work: How the Science of Positive Psychology Will Revolutionize the Workplace

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Abstract
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Keywords
Happiness, employment, work, law, lawyers, law school, positive psychology, human resources

Disciplines
Business Administration, Management, and Operations | Human Resources Management | Law and Society | Legal Education | Organizational Behavior and Theory

Happy at Work: How the Science of Positive Psychology

Will Revolutionize the Workplace

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A Capstone Project Submitted

In Partial Fulfillment of the Requirements for the Degree of

Master of Applied Positive Psychology

Advisor: Christopher Peterson, PhD

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CAPSTONE ABSTRACT

This capstone is a draft of a proposed book on positive psychology in the workplace, aimed at a popular audience. It contains a detailed table of contents and reference sources, as well as several complete or partially- complete chapters. It also includes an extended section on lawyers that will form the basis of a separate academic article. The book's working title is *Happy at Work: How the Science of Positive Psychology will Revolutionize the Workplace.* Its thesis is that most modern human resources practices are misguided with an overreliance on process and metrics. Humans are treated as capital, and firms focus on their failings and weaknesses rather than their strengths. In a post-crash world such approaches are unsustainable, and positive psychology provides a new way of managing that will revolutionize the workplace. Unlike what many would believe, it is OK to be happy at work; in fact, we *should* be happy at work. High corporate performance requires happy employees, and the book links the science of positive psychology with its practical application to show how any company can increase happiness at work.

PREFACE

"Why is it 95% of our programs and initiatives are focused on the 5% of employees who hate us? Why spend our precious resources and energies on the perpetually dissatisfied few? Why not focus on efforts on those who want to build a better company and believe we can?"

The 500 senior Coca-Cola executives in the big concrete hall sat still and silent, maybe a tad uncomfortable. It was 2001 and this was my first presentation as the newly appointed head of human resources for Coca-Cola Enterprises. After a day of feel-good business recaps and a smattering of newly produced Coke commercials, they were ready for cocktails more than questions. Particularly from me. Only weeks before, I had been pulled without warning from a major operating role and named to the position by a new CEO who believed in the power of optimism and hope. "Put People First" was his mantra, and he wanted a "people person" to revamp the human resources strategy of the company. He decided I fit that description, and although I felt qualified by neither training nor experience to develop the employment practices of a work force of almost 90,000 people, I knew by rediscovering the positive energy of the people behind the Coke brand we would be successful.

My words to the Coca-Cola executives that day were prompted by what I found when I took over the human resources function. The organization was down. We were under legal assault by small groups of hostile employees. Rather than aggressively defending them, our programs and energies were almost entirely focused on an agonized self-examination of what we did to prompt such claims, and how we could devise purportedly foolproof systems to prevent anticipated future grievances. The halls were full of consultants and lawyers and days were consumed by task forces, all focused on what was "wrong" with us and how we could treat it.

Not surprisingly, our disease was metastasizing, and corporate maladies theretofore unknown were being discovered and stern remedies subscribed. Managers and employees forgot about selling Coke and spent their time instead in a variety of "workshops," the corporate equivalent of Mao's re-education camps. Needless to say, morale and sales were depressed.

Quickly, I learned that the vast majority of the employee grievances were brought by a handful of perpetually complaining employees, often sponsored by outside interest groups, and were generally unfounded. I also found that virtually all of our rank and file employees believed the complaints were unfounded and were quite happy with us as an employer. They realized, as a few of us did, that the complainers were not interested in improving the company, like dime store Marxists they wanted to bend it to their will, or destroy it in the process.

Within a week on the job I had fired the consultants and disbanded the task forces. The entire human resources plan was scrapped. I turned over most of my staff. The doom and gloomers were asked to leave because we were embarking on a different course and only believers were invited to come along. From that point forward, all of our energy, plans, and resources were focused on identifying those who wanted to make us better and developing their skills and careers. People of optimism and hope, focused on strength, not weakness. True leaders.

I was fortunate to be imprinted as a child with a positive life philosophy by my Father. He was the most optimistic person I ever met, never down, although life tested him. He lost both parents as a child and was raised by a poor aunt and her alcoholic husband. He was unjustly fired from a corporate position (as a court later determined) when he turned 50 and worked hard to send his children to top private institutions. At 70, while in seemingly perfect health, he was diagnosed with inoperable cancer and died nine months later. At no juncture or test did did he give up, nor lose his sense of humor and belief that the future held great promise. All around him were better for it. All were given strength in their own lives by exposure to the power of his philosophy. I saw in my own personal development, and the lives of everyone he knew, how profound an impact one person who speaks of hope and optimism can have.

A leader in an organization can have the same impact. Seeding the workforce with such individuals makes for a happier organization, and research shows that organizations with positive employee engagement outperform those that do not. A leader need not be the best tactician, know the most about the technical aspects of the job, or be the most gifted boardroom maneuveror to be able to inspire others to perform at their peak. But he or she *must* have a positive core, because only a positive, hopeful leader can inspire great performance in others on a consistent basis. Unfortunately, this is not necessarily a majority view in the American workplace. At Coca-Cola Enterprises, it almost cost me my job.

Although our plan worked, and employee survey results - as well as sales - improved during the five years I was in the job (making me the longest tenured head of HR in the history of CCE), I had made more than a few enemies, as had our CEO. There are powerful corporate institutions invested in negativity, dysfunction and costly cures, and they challenged us at every turn. Why? Because if employees are happy and conflicts are few, the lawyers and the consultants make less money, corporate "task forces" are and special interest groups are disbanded, and the professional grievance handlers are out of work. Challenges to power in the corporate world unleash dark forces, and our experience at CCE was no different. It was during one of the recurring periods of corporate conflict that I first heard of the science of positive psychology.

I had been assigned an executive coach, as had most of the senior executives. During the course of our conversations, the coach, a psychologist himself, told me about Martin Seligman and the work he was doing at the University of Pennsylvania. I looked at Dr. Seligman's web site and realized that his and others' research into positive psychology was directly related to what we were trying to do at CCE. Focus not on the disease, as the medical and corporate establishments do, but on what is *right* and *well* with people and organizations.

Twenty years is a lifetime in corporate America, so at age 50 I took early retirement and started a small human resources consulting firm. It is my belief that the bulk of modern human resources practice and application is nonsense. It is based upon the false notion that humans are capital to be manipulated and measured like machines. But *humans aren't capital.* We are living, breathing things of infinite variability. This is what positive psychology teaches us, and why its application to the workplace has the potential to revolutionize work as we know it. Researchers are busily proving the things the best leaders have always sensed: Organizations filled with happy people perform better. Happy people don't sue companies or form unions. Happy people make work fun for everybody, a calling rather than just a career or a job. Happy people display their strengths every day at work.

Bringing the work of these researchers to the non-academic audience is what *Happy at Work* is about. It is *not* about employee picnics, dogs in the office, or casual Fridays. Nor is *Happy at Work* about work-life balance, whatever that means. Happy at Work is about how humans satisfy many of their deepest emotional and psychological needs through their work, whether it is painting the ceiling of the Sistine Chapel or sweeping a floor clean. Happy at Work is about who we are and how evolution, genetics, and psychology demand that we seek meaning in what we do. And how smart and thriving organizations recognize this critical truth and seek ways to have and develop *authentically happy* employees, in the words of Seligman.

First, a caveat. I go pretty deeply into the scientific literature on each topic. I try to keep it interesting and accessible, but I realize for many of you it will be, in the words of my supportive wife, *boring*. If you really aren't interested in Shusterman's work on somaesthetics or the debate among evolutionists over dyads, skip over these parts. I won't know, nor will I care. Unless I had a particular interest in one of those topics, I would! But some of you do have an interest, or just want to know more. Thus, I feel it is important to provide a review of the major studies in each field.

Why write *Happy at* Work? Undoubtedly some will snicker at the title of this book, even at its very existence, certain that serious businesspeople have no interest in happiness as a topic. There is an implicit understanding in America that work is not supposed to be fun, and one should look for happiness outside the confines of the office or the job site. But this is dead wrong. You *cannot* be happy in life without finding happiness at work. And you *can* be happy at work and *should* be happy at work. It is my fervent wish that this book helps in that regard.

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PART I: POSITIVE PSYCHOLOGY IN THE WORKPLACE

CHAPTER 1: WHY HAPPINESS MATTERS

a. Marty

Martin Seligman is one of the great minds at this convergence of the centuries. A robust sixty-something, Marty has a kind but complicated face, somehow inviting and intimidating at the same time. He insists on being called Marty, not Professor or Doctor Seligman, and gives out his email address freely, but is not a naturally social creature. Forced in the past decade through fame and popular prominence into a public, celebrity-like role, it is likely he has engaged in more small talk during this period than in the previous six decades of his life combined. He readily admits working on this shortcoming, but he will never be called glib. In conversation he will sometimes respond to a comment or a question with something altogether unexpected, a seeming non-sequiter, but you aren't offended. If you know Marty, you realize that somewhere in his mind he is carrying on a dialogue with someone else, and it is more important than responding directly to you. You're just glad to be in on it.

Marty was not always a venerated , iconic figure.

Marty is called the "Father of Positive Psychology." Although some might quibble and bestow this title on Mihalyi Csikszentmihalyi or Maslow, and Chris Peterson of Michigan certainly has his fans, Marty is the popular choice for this mythical title. He coined it in his keynote speech to the American Psychological Association in 1996, when as incoming President he challenged psychology to come out from under the grip of Freudian psychoanalysis and mental illness bias and turn its lens on what it good and right in life. From there, positive psychology was off to the races, and today it is one of the fastest growing and most highly funded areas of psychology.

For the reader unfamiliar with positive psychology a short introduction is necessary. Positive psychology is a broad, inclusive descriptor which encompasses research findings from a variety of scientific disciplines, such as social and organizational psychology,or behavioral economics, which seek to explain how and why humans perform at high levels. It is the "science of positive subjective experience, positive individual traits, and positive institutions" (Seligman & Csikszentmihalyi, 2000, p.5).

Although many researchers in positive psychology have their roots in treating depression and other social maladies, their focus in this new discipline is on the brighter side of life, or what Marty calls the "life above zero." It is an additive discipline, meant not to supplant the traditional subjects of psychology and treatment, but to explore the long-neglected subject of well-being and its attainment.

Finally, two very important points. First, positive psychology is *psychology*, and as such, it is science. Often confused by the public with self-help or New-Age gobbledy-gook, it makes no claim that hasn't been first subjected to the rigor of the scientific method, with its controlled experimentation and peer review processes. Secondly, as Seligman says, positive psychology "makes no brief for positivity." It is not a cult, a movement, or a social endeavor. It is science, at as such, it doesn't take sides. It just follows the research.

b. The research

Since the turn of the Century, when positive psychology as a discipline began attracting increasing funding and attention, research under its umbrella has exploded. Much of its early emphasis was on depression avoidance techniques, and was applied primarily in the public health and education domains. In the last few years attention has shifted increasingly to organizational behavior. According to a recent study, there have been 151 peer-reviewed articles published on positive organizational psychology in organizations since 2001. In 2008, for the first time, empirical studies outnumbered conceptual papers among those published, a trend that may very well continue (Donaldson & Ko, 2009).

1) Findings on improving well-being among workers

2) Linkage of well-being, performance and productivity

CHAPTER 2: YOU CAN LOVE YOUR JOB?

a. The Flora-Bama bartenders

I am sitting on the deck at the Flora-Bama, a ramshackle beach bar straddling the Florida – Alabama state line. Until Hurricane Ivan a few years ago, there was a yellow line down the middle of the bar, the state line. The liquor laws were different in the two states, so when closing time hit the Alabama side you stepped over the line into Florida and kept drinking. There are very few places in the developed World like this, and a tip of the cap is owed Pat and Joe, the owners who have turned down millions from developers for this piece of white sand.

I have a 180 degree view of the warm, clear Gulf; intermittently gray, green or blue depending on the chop on the surface and the movement of the Sun moving back and forth behind some rained-out clouds. The temperature dropped with the storms, and it is nice. It is almost 7, the time of the evening that the early beach drinkers have headed off for a nap, or have been hustled off by a confused wife, not recognizing this guy who did shooters in the middle of the afternoon and hit on teenage girls in small bathing suits. Inside, there is someone on stage, playing and singing solo for free beer and tips. Someone says he wrote two hits for Nashville singers back in the day, and given the prominence of the persons who have played here, on the way up or down, it sounds plausible. At 7 o'clock it is well before the onslaught of the college girls, done up like they are going out on the French, not Redneck, Riviera. University of Alabama girls mostly, the dressed up ones at least, nice girls, praying their fake IDs past muster with the old lady with the gray pony tail in the wooden hut out front by the highway, guarding entrance to this collection of battered shacks like a beach-stranded Peter.

There are only two bartenders at this neap tide between the afternoon and evening drinkers; women, naturally, working on different decks. One is not unattractive, but is, frankly, quite unpleasant. I know her, at least in passing, and she has her moments when she brightens and life seems ok, but usually she adopts the demeanor of someone who is working to pay off a court fine. She does it for the tip money, that's it.

The other bartender is a bit younger, with green eyes that look like the Gulf when the sun hits it right, not good looking by the standards of the beach but not bad either. She is happy to be here and act likes it. She is at The Beach! She works at one of the most iconic places in this corner of the World, and hasn't worn hard shoes or a dress in years. She spends her days and evenings with the breeze at her back. Every customer is a new adventure, part of a human parade, which is not surprising given that visitors from around the World find their way here, like a low-rent version of Rick's Place in Casablanca, and she treats them like that.

So what gives? Same Gulf – same people – same boss – same money. One is happy at work; one is miserable. How do we explain this? To do so, we need to meet somebody, and talk about Flow.

b. Flow

Turn on any sporting event, particularly one which focuses on singularity of performance, and you will hear an announcer prattle on about so-and-so being in the "flow" of the game. Pilots use the term as well, talking about being in flow when they are in tight formation. Flow is a word used so commonly in our society, particularly in televised sports, that it might surprise you to know it was coined less than two decades ago by a Hungarian psychologist named Mihalyi Csikszentmihalyi. Given that a goodly part of his eponymous book on the topic, *Flow,* attacked our fixation with the passive watching of spectator sports, he might be disappointed with its commonplace usage on sports television (Csikszentmihalyi, 1991). But more likely, he would not be surprised.

Along with Seligman, Csikszentmihalyi is one of the giants of positive psychology. A large, slow moving man with a physical stature befitting his prominence, a thick white beard and a serious mien, he looks like Hemingway might had he lived to be 70. He speaks quietly, with a thick accent, and while no one would call him spellbinding, that didn't stop scuffles from breaking out over seats when he spoke at a recent conference.

Czik was the first to identify flow as a measureable psychological state. What is flow? Its being in a zone. One way to think about flow is that is exists when a person is operating at his or her highest capacity, doing something at which they are good and they love. A violinist playing a concerto, a sea captain navigating in a storm, or a secretary typing one hundred words per minute on a word processor. At these times, there is alignment of ability and task, and the work becomes effortless and unconscious (Csikszentmihalyi, 1991).

*detailed discussion of construct of flow

1) Autoletic workers

2) Job structuring

c. Callings, careers, and jobs: They are different

d. How to find flow at work

*Discuss how flow can exist at work

* Research on alignment of strengths with job and task

Jennifer Hogan

December 19, 2009

MAPP 600 Final Paper

Topic 1

Aristotle compares us to archers who need a purpose towards which to aim (Haidt, 2006). Most of my friends work in the public sector, whether government or non-profit. We were drawn into public service to make a difference. In Seligman's revised concept of positive psychology, meaning and engagement are two of the five pillars (2009). Public service provides the opportunity for engagement and meaning through work. Two concepts of positive psychology help to illustrate how critical meaningful work is to flourishing: work as a *calling* and *vital engagement*. These two states and mindsets toward work make the difference between employees who merely punch the clock and those who proactively solve our most complex problems. The public sector needs more of the latter.

In working for New York City government for the past four years, I see these concepts played out each day. I work with colleagues who do their job, but they rarely go that extra mile. On the other hand, I also have colleagues who come to work each day full of energy, ready to battle the bureaucracy, and make a difference. They fight for additional funding, stay late when we get a last minute request from City Hall and come up with new ideas and ways to improve their programs, even if it means more work for them. In other words, they're engaged. They see their jobs as their personal calling.

In government, the endless bureaucratic obstacles and low pay can drive away talented employees. Individuals who have the motivation and talent to innovatively solve problems also have the ability to compete in the job market and need a reason to enter and stay in public service. Government agencies have one competitive advantage that most companies cannot offer—the opportunity to make a difference in the world.

Much in the same spirit as President Kennedy's call to serve in 1961, President Obama's election inspired a new generation. The United States Peace Corps, one of President Kennedy's legacies, saw its applications increase by 175% around the time of President Obama's inauguration (Stanton & Berryman, 2009). Other service-oriented programs are seeing huge increases in applications, such as Teach for America and AmeriCorps (Stanton & Berryman, 2009). Some of this may be driven by the economic recession, but whether driven by a renewed interest in public service, the downturn in the economy or some combination of these factors, government can access this interest to bring in a new generation of talented public servants.

The public sector needs engaged employees who see their work as a calling. Wrzesniewski et al. (1997) provide research on three orientations toward work and the underlying motivation to each orientation, including: *Job* (financial rewards), *Career* (advancement and prestige), and *Calling* (meaning, purpose and fulfillment in making a positive impact on others). Based on their sample, respondents across various occupations identified their work across the three orientations in almost in equal thirds, which included various occupations ranging from physicians to medical technicians (Wrzesniewski et al., 1997). Even within a sample of the same occupation of Administrative Assistant, this same pattern emerged. Individuals with a calling orientation tend to have higher life and job satisfaction and, to the benefit of their employer, miss fewer days of work (Wrzesniewski et al., 1997).

Nakamura and Csikszentmihalyi describe the state of *vital engagement* which involves meaning and optimal experience or *flow* (2003). Similar to the concept of a calling, vital engagement occurs when there is a strong connection between the individual and their work (or leisure for some). Flow results when "psychic energy flows effortlessly" (Csikszentmihalyi, 1990, p. 39). Our attention serves as the resource to focus our consciousness to achieve goals. How we choose to invest this finite resource determines how we will live our lives.

Csikszentmihalyi warns that there are no easy routes, citing the example of the yogi's serious and consuming training to exercise control over the mind (1990). Typical leisure outlets, such as watching television, do little to contribute to our well-being. It is more often through consuming activities that may be intense or even painful in the moment, such as yoga or rock climbing, that we experience flow. And Csikszentmihalyi found that participants were in flow 54% of the time while working and only 18% of the time during leisure activities (1990, p. 158). Whether experienced through work or leisure, flow strengthens our self, by creating joy, building skills, and strengthening our self-confidence (Csikszentmihalyi, 1990).

Vital engagement builds on the experience of flow over time to develop a deeper and meaningful relationship to work that is experienced as a calling (Nakamura & Csikszentmihalyi, 2003). Individuals who experience vital engagement are absorbed by their work, but the work has an intrinsic enjoyment which prevents burnout. And the meaning experienced by individuals who are engaged in a particular field, such as education, can grow and build over time through the interaction with colleagues and communities of support resulting in a positive upward spiral (Fredrickson, 2009).

Anyone may view their work as a calling and we need individuals in all forms of service to believe that their work makes a positive impact. Our schools not only need engaged teachers and principals, but also custodians and cafeteria workers. Our local city and state agencies need talented employees at all levels to deliver effective services, even while budgets are being cut. To encourage more of a calling orientation, managers can support existing employers in finding meaning through the connection between their day to day work and the impact that it has in helping others. Government and service-oriented organizations have the potential to offer employees a sense of purpose and must capitalize on this.

Currently, in New York City government, each day the budget situation grows worse. Just last week our office faced a mid-year budget cut to one of our programs, which funds 425 staff to provide substance abuse services to almost 500 schools through New York City. A colleague, Marion, the manager in charge of this particular program, and I were charged with putting together a plan for implementing the mid-year budget cut. Some staff would have gotten bogged down in the hopelessness of the situation, but Marion stepped up to the plate, helped me come up with a plan and made a trip to Albany to meet with state legislatures in order to explain the dire impact of these cuts and fight against future cuts. We were able to convince our budget office to allow us to use summer funding in advance to allow us to avoid layoffs until the end of the school year, which avoids disruptive layoffs in the spring that the budget office assumed unavoidable. While this will still be painful in the summer, this is a more humane way to approach the problem and gives staff more time to job search.

As we have to implement budget cuts and layoffs, we need vitally engaged employees like Marion who are engaged and determined to continue services despite fewer resources and staff. We need individuals who see their work as a calling, with the resiliency and strength to stay positive and continue to try to make a difference.

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1) The Harvard tool

There are many ways to find jobs that match your strengths, and as such, increase the chances you can find flow at work. Let me mention just one of them. I call it the Harvard tool, ostensibly because it is from a book by a Harvard professor, but really because I knew it would get your attention.

Tal Ben-Shahar is called one of the most popular lecturers in the history of Harvard University. He teaches an undergraduate course in positive psychology that began in 2002 with six students, and in recent semesters has attracted thousands. He suggests that finding a flow-producing job can be accomplished by asking yourself a three-part question: What things in life give you *meaning*, *pleasure*, and allow you to use your *strengths*? Write them down, or graph them on a chart if you like. Look for overlap and trends to emerge. Do some of the words or terms show up more than once? And if you described what you do for a living, are there any matches between what your job involves and what is on the list? (Ben-Shahar, 2007).

Using this tool, I sat down one slow day with the happy bartender at the Flora-Bama. I pulled out three sheets of paper and asked for her responses in these three areas. She said that the *meaning* in her life comes from helping other people and experiencing new things. The *pleasure* in her life comes making new friends, hanging out at the beach, and partying. She described her *strengths* as compassion, listening, and relating to others. We didn't need to run the responses through a super-computer to see that a job working at a beachside roadhouse in a popular tourist location was the perfect petri dish for her to find flow in her job (at least at this stage of her young life). No wonder she was so obviously happy at work.

I don't suggest that you quit your job today and run down to Perdido Key. But this exercise is simple, and worth trying. Happiness at work comes when we can use our strengths every day at work and experience flow. Now, it is time to understand more about strengths.

CHAPTER 3: STRENGTHS

a. Why strengths matter more than weakness

* Include extremely flattering introductory description of Chris Peterson to introduce concept of strengths!!

b. Research findings

1) Gallup and other survey data

2) Empirical findings

c. VIA project

d. Alignment at work

But even if you find the job that is perfectly aligned with your strengths, a true calling, that doesn't mean you will be happy at work, or more productive. A lot – maybe everything – depends on how you talk to yourself.

CHAPTER 4: OPTIMISM

a. Realistic optimism

b. Optimists outperform pessimists: The research

c. The Role of Explanatory Style

Explanatory style is how we talk to ourselves. It is that voice in our head, what researcher Karen Reivitch calls our internal radio station, turned on 24-7 (Lecture, Univ. of Penn., Feb. 27th, 2009). Everyone's internal voice is different, but for our purposes they tend to fall into one of two broad categories, the optimistic voice and the pessimistic voice. The optimist talks to himself in terms of his power to influence events; the pessimist talks to himself in terms of personal helplessness. I have never met, nor analyzed, Tiger Woods, but I am quite confident that when he misses a putt on the golf course he does not tell himself as stands over the next one that he “cannot make this putt, the greens are too bumpy, I have forgotten how to play golf and will never remember how.”Yes, I doubt that

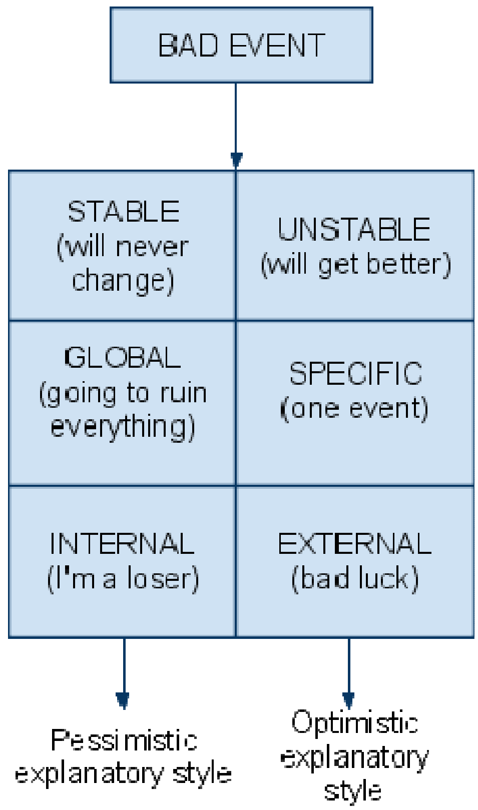
1) Learned helplessness

Unlike Tiger Woods, many people live their lives with their internal station tuned to the disaster channel. Why is this and what can we do about it?

As with many things is positive psychology, we turn first to the work of Seligman to examine the role of explanatory style in the context of “learned helplessness.” In the late 60s and early 70s, when animal experimentation was still widespread and acceptable in scientific research, Seligman and others conducted research on dogs which exposed the animals to a period of uncontrollable shocks. After some time, they gave the dogs the ability to resist the shocks, but the dogs didn’t; they continued to allow themselves to be shocked. The dogs had *learned to be helpless* (Seligman & Maier, 1967).

Subsequent research on humans (involving not shocks but a series of uncontrollable negative events) reproduced similar effects. It also showed that learned helplessness increased feelings of self-doubt and sadness in the subjects, thereby linking helplessness to the onset of depression (Peterson, Maier, & Seligman, 1993). Peterson argues that the negative consequences of a passivity in the face of future events; the person’s belief that no action will influence the (presumed) negative outcome (Peterson, et. al, p. 246).

Inducement of learned helplessness is not universal, of course. Individuals who are not passive, and develop contingencies to influence future events in the wake of bad ones tend not to suffer the same mental and physical distress from the events (Peterson, et al., 1993). This can be attributed to one’s explanatory style, according to researchers. Three decades ago researchers applied *attributional causation theory* to learned helplessness to show the importance of explanatory style. Attributional causation is Reivitch's internal radio station, which analyzes events in our lives and speculates what they portend for the future. The findings of the researchers (Abramson, Seligman, & Teasdale, 1978) can best be shown in the chart below:



(Bowling, 2009)

Are we condemned by birth to be either a pessimist or optimist? Of course not. Certainly, much of our personality is dictated by genetics, but as mentioned throughout this book positive psychology has much to show us about how we influence our thinking.

d. Optimism can be learned

CHAPTER 5: THE REAL "SECRET:" THE POWER OF 3-1 POSITIVE EMOTIONS

a. There *is* crying in baseball: The importance of emotions at work

b. Emotions Broaden and Build

c. Gratitude, Love, and Compassion

d. 3-1 positive feedback

PART II: POSITIVE LEADERSHIP

CHAPTER 6. THE MOST IMPORTANT PERSON IN THE WORLD

a. The Role of the Supervisor

The one person in the world with the most power over your day-to-day happiness is your boss. Your spouse, your wayward child, or even your Mother have tremendous influence, and certainly are more important in the long run, but I am convinced that on a daily basis your mood and feelings are impacted more by your workplace supervisor than anyone else.

While I am unaware of any empirical study comparing the relative importance of family members and supervisors, the role of leadership behavior on well-being at work is well established. Studies show its effectiveness across organizations as diverse as financial businesses (Barling, Weber & Kelloway, 1996), sports teams (Charbonneau, Barling & Kelloway, 2001) and the military (Bass, 1998). (as cited in Sivanathan, Arnold, Turner & Barling, 2004).

Studies also show the destructiveness of poor leadership. People don't leave companies, they flee supervisors. I have interviewed literally hundreds of people over the years that left their jobs for another. While in some instances it truly was about money or a better opportunity, more often it was to escape a dysfunctional supervisory relationship.

*discuss difference between positive effect and negative effect with citations on how negative leadership can be highly destructive in organizations

b. The "Heart of Darkness Syndrome"

Bad is more powerful than good. This is the unfortunate conclusion Man has reached after pondering the issue for thousands of years. Bad is also more interesting than Good, as John Milton showed us (Lucifer has all the fun in *Paradise Lost*), and a quick scroll through any entertainment magazine will demonstrate what gets attention and sells copies. And Bad not only has the upper hand in Hell and Hollywood, it does in business organizations as well.

Joseph Conrad wrote a book at the turn of the Twentieth Century called *Heart of Darkness (*Conrad, 1902). Thirty.years ago it was adapted in a screenplay by John Milius (who also wrote the underrated *Red Dawn)* and set as a Vietnam War movie, *APOCALYPSE NOW* (Coppola, 1979). Heart of Darkness concerns an organizational leader - Kurtz - who is dispatched to a far-flung location to take command. The combination of power and his remoteness from mediating influences quickly turns him into a despot. Literally, he becomes a king, and rules with increasing evilness. The heart of darkness of the title refers not only to the primitive jungle setting of the book, but to Kurtz' heart; a heart which, to a certain degree, beats within all of our souls.(Eventually, the home office hears reports of his behavior, and sends a person to 'terminate" him "with extreme prejudice,' in Milius' words.)

* Discuss Zimbardo's Stanford prison study and the Lucifer Effect

* Discuss similarities with history of Coke, with power decentralized around the World

c. Positive Leadership research

All is not darkness, of course. Good leaders abound, and in recent years scholars have focused their attention on these individuals and the impact they have on organizations.

Kim Cameron is a professor at the University of Michigan School of business, and a founder of their Center of Positive Organizational Scholarship. A kindly man with a warm, youthful face, he writes and researches on positive leadership, and has added immeasurably to our understanding of the topic. It is his conclusion, and those who work with him at Michigan like Jane Dutton, that organizations which achieve exceptional levels of success – his term is "positive deviance" – are those peppered with positive leaders.

Cameron defines positive leadership as having three components: 1) A focus on extraordinary results; 2) an affirmation bias, by which he means focus on strengths, not weaknesses, and 3) a focus on meaning, or what is good and virtuous in individuals and life (Cameron, 2008).

* Review University of Michigan's work on positive leadership

CHAPTER 7: POSITIVE INTERVENTIONS: HOW TO LEAD WITHOUT SCREWING THINGS UP

a. You can make your employees (and yourself!) happy

Managers do stuff. Even when they shouldn't, rare is the supervisor of people who doesn't get up in the morning and feel the need to, well, *supervise.* Unfortunately, much of what the average manager does is not productive at all. Managers intervene in others' life in a bothersome and sometimes destructive manner, usually without knowing it. Think about it: do you do your best work with your boss breathing down your neck, or when he is out of town?

Imagine, then, if bosses intervened in your life in a way that produced positive emotions? That you looked forward to her phone calls, not avoided them. How productive might you be? And how productive might a company be whose supervisory ranks were trained to produce positive emotions when they interacted with their employees?

This is where positive psychology can provide answers.

*Intervention is a word familiar to clinical psychologists.

* Positive psychology uses the language of interventions also and they can be translated into the language of business

b. Positive Interventions are serious things: The research

A "random act of kindness" may be kind, and it is certainly random, but it is not a positive intervention as defined by science. *Positive interventions are serious things.* The leader, looking to find ways to motivate his employees, can and should use deliberate positive interventions on a regular basis, but just engaging with employees and doing something positive is not enough; to take advantage of the research, and ensure maximum effectiveness, an intervention should be carefully designed and implemented.

From my reading of the research literature I have developed a hypothesis that a positive intervention (PI) must contain the following five elements to be of maximum effectiveness:

1. A PI must be *emotionally intelligent*. Emotional intelligence is at the foundation of any intervention, whether it be self-directed or directed at others. Emotional intelligence is defined as the capacity to use our emotion and reason in concert with one another, to shape our thoughts and behaviors in a manner appropriate to the situation. It also involves the ability to identify and shape it in others (Salovy, Caruso, & Mayer, 2004).

*Dave was a plant manager in South Texas. Several of his key direct reports – mostly serious, forty-something career Coke from South Texas – worshiped him. Two, recently hired from outside the company, a woman and a person of foreign birth, were in constant conflict. I asked him (tell South Texas story)

Administering a PI without an acute understanding of the social and emotional context that it is to be used is an act of emotional idiocy, not intelligence. Telling a Mother who has just lost a child to "think positively and everything will be ok" is hurtful and insensitive. Breaking up a bar fight by telling everyone to “stop and breathe deeply” will get you beaten up. A successful PI begins with a reasoned assessment of the context the intervention will be performed and emotional state of the subject.

2. It must be *mindful.* A PI requires one’s full attention. As hard as it is in modern society, with stock tickers on every TV and the sirens of the search engines calling us 24-7, we can never develop the mental skills to shape our behaviors without training our mind to focus (Brown & Ryan, 2004).

Mindfulness at its most basic means paying attention. It can be developed through deliberate training, which has proven effective in teaching subjects how to increase their attention spans (Kabat-Zinn, 1990). But a PI can take place without formal mindfulness training, as long as the persons involved in it are allowed total focus. Many of the studies in this field stress the importance of PIs being conducted in specific and calming places, such as outdoors amidst natural beauty, or in a favorite place listening to fine music (See, e.g., (Fredrickson, 2008).

*It can be as simple as paying attention. Tell David Van Houten story.

3. It must be *repeatable*. Most PIs are designed to change or shape actions, behaviors, or thought patterns to achieve better outcomes. But a PI is hard work! It requires a level of self-regulation that is depleting of the mind and body. Explain – would wear me out to be serious in a meeting. The more ingrained the behavior, the more depleting the exercise. Fortunately, it has been demonstrated that practice can ameliorate the effect of the depletion (Baumeister, Gaillot, DeWall, Oaten,). To meet the definition of a PI, therefore, it must be capable of being practiced.

* Tell story from Coke

Practice also builds a person's level of self-efficacy. Self-efficacy is a belief – not a trait – that a person can summon particular skills in addressing challenging situations. These skills can be developed over time through practice. They can be built most powerfully through actions, but when that is impossible visualization is an effective tool. The nervous public speaker can practice standing on a stage and summoning memories of an effectively-delivered talk in his past. In the mind, seeing is believing (Maddux, 2002).

4. A PI must be *owned* by its subject. The subject of a PI must be motivated to improve something about her to engage in it successfully; she must *own* the intervention. Research has shown that the type of motivational orientation that guides behavior is closely correlated with whether the outcome of that behavior is successful. Although there many things that motivate us to do something, the most powerful is when it is autonomously motivated (Brown & Ryan, 2004). The desire to engage in and benefit from a PI must come from within.

Closely related to motivation is the role of choice. James Pawelski, director of the Positive Psychology program at Penn, compares the self to a democracy, which requires one's consciousness to engage in a form of legislative deliberation to arrive at decisions that spur real behavioral change (Pawelski, 2003). "Electing" to change through the PI process is necessary to its *ownership.*

* Tell story

5. It must have a *goal.* A PI must have a specific outcome in mind. While we will spend more time on goals in the next chapter, suffice it to say that well-being is enhanced by realistic self-evaluation of one's progress toward goals designed to enhance well-being (Maddux, 2002). It is impossible to measure your progress without knowing where you are going.

c. Design the perfect positive intervention

* catalogue interventions that work

* discuss and suggest ways to use them at work

* give examples of companies that do

CHAPTER 8: GOALS AND MOTIVATION

a. Goals can make us happy

"What, I paid twenty bucks for a book about new stuff and he's going to talk about goals and motivation?" you may be asking yourself about now. "Gimme a break. I've got a bookshelf full of that stuff." Bear with me, dear reader, for just a moment. We all know that setting goals and measuring progress against them is part of every manager's took kit. We also know that finding ways to keep yourself and those around you motivated is critical. But did you know that goals can make you *happy?*

During my years in human resources I was sent a copy of what had to be every book published during that time on management, leadership, human resources or talent development. First, please let this serve as a blanket thank you note to those who sent me the books; I imagine I will find myself doing the same sometime soon. I must admit I never had much time to do more than skim the books, but I did make a point to keep them all in my personal library. In preparing *Happy at Work*, I have been flipping through these tomes, and am impressed – even intimidated - by their technical aptitude and thoroughness. These authors have forgotten more than I ever hope to know about goal setting, measurements, and tracking system, but one thing completely absent in their work is how any of these things make people happy.

During my business career, I certainly had goals set for me, particularly when I ran operating units, and every manager I knew – to some extent – set goals and monitored progress against them. Indeed, in the consumer products business the importance of the "forecast," our rolling estimate of monthly, quarterly, and yearly sales and profit figures grew exponentially along with computing power. Like the Titans of Greek mythology, soon the primacy of our forecast goals blotted out the everything else on the horizon. Never once, however, did I or anyone else link goals to employee morale and well-being.

b. The role of Hope

Before discussing the theory behind how goals make people happy, we need to understand the construct of *hope* as academics do. Hopes and goals are not siblings, but they are second cousins at least, and when understood in conjunction with one another provide us a roadmap for application in business.

Hope theory is based upon the idea that depressed or otherwise clinical persons can improve their mental state by identifying a goal and focusing on how to achieve it. The difficulty of the goal, or its overall merit in a relative sense, is not important – the theory is that merely by taking action the person is taking steps toward getting better. This is not a new idea; the construct of hope as a motivating factor has been studied as long as the science of psychology has existed, and it is a process that is common to all psychotherapeutic interventions (Lopez, et. al, 2004). Hope has also been a subject of writers and philosophers for centuries. In his *Essay on Man,* 18th Century English poet Alexander Pope immortalized in lyric this essential feature of being human: “hope springs eternal in the human breast” (Pope, 1744/1903).

Modern hope theorists require two elements to be present in its application in addition to the setting of a goal. The first is that the person must establish the *pathways* to achieve the goal, the specific strategies that will be employed. Second is that the person must find ways to involve the mind as an *agency* of motivation. In other words, upon setting a goal a person must establish the physical ways she plans to accomplish it and the mental “tricks” she will use to stay motivated (See Lopez, et. al, 2004).

*Story of struggling business division in Phoenix

c. Goal Theory

Hope theory provides a solid foundation for addressing the needs of person drowning in negative emotions. However, it is insufficient as a stand-alone for healthy individuals and organizations, because the processes used to address *negative* emotions are not necessarily the same as those that help enhance *positive* emotions. While they might bear surface similarity, they differ in technique and application, and there is little evidence hope therapy is effective in helping otherwise healthy people flourish (Compton, 2005). This is where goals, as we understand them, become so important.

The critical distinction positive psychology makes between hopes and goals is in the level of *difficulty* of the goal selected. Goal theory postulates that the more difficult the goal, the greater the achievement. Additionally, the higher the *specificity* of the goal the more likely it is to engender superior performance (Locke, 1996). While managers have understood this, at least intuitively, for years, what is not so readily understood is how they make us happy.

As discussed earlier, research on hope theory has been based upon persons functioning at lower levels of well-being, not individuals seeking to flourish. Conversely, research in goal theory, with its roots in industrial and organizational psychology, has measured the ability of healthy persons to use goals to achieve higher levels of performance (See Locke & Latham, 1990). It has not traditionally focused on efforts to improve subjective well-being, although it should be noted that research has shown that *writing* about goals has proven effective in enhancing mood (King, 2001). This is a subject ripe for further study.

Despite this lack of research it is my hypothesis that goal theory is highly applicable in business organizations and settings. Certain elements of hope theory can and should be included, such as the use of pathways and agency techniques, but applying hope theory alone is insufficient - it sets the bar too low. Assigning a functioning person a simple task that he successfully completes will do little to move his well-being from zero to five. Because this is the purpose of business applications, goal theory with its disciplined framework and demanding requirements (Locke identifies divides goal theory into fourteen categories, which might be a little *too* disciplined and demanding) is a more appropriate vehicle.

*Develop ways goal theory can be applied as a means in and of itself, give examples

d. Intrinsic vs. Extrinsic Motivation

Goals motivate behavior, of course, we all know that. But to have a deeper understanding of *how* they work it is necessary to understand where the construct of motivation fits in the field of psychology. Motivation is a term we in business use all the time, as do coaches of sports teams, teachers, and parents. You might not be surprised at this point to learn than psychologists are somewhat suspicious of the concept of motivation, at least self-motivation (known as intrinsic motivation to psychologists.) This is because it is difficult to measure, and thus, suspect. Historically, motivational psychologists preferred to rely upon a behavioralist (the belief all action is in response to outside stimuli) rationale and look to external causes as its source. With the cognitive revolution (the belief that mental processes influences behavior), the role of consciousness was rehabilitated among psychologists, and goal theory fit neatly within cognitive psychology's broad reach (Locke & Latham, 1993).

e. How to set positive goals

*explain how this works in practical setting; stories of goal setting at Coke

CHAPTER 9: PERFORMANCE REVIEWS: IT'S ABOUT THE STRENGTHS, STUPID!

a. A paradox

Why do we humans spend most of our lives criticizing ourselves and those we love? Where did Man get the notion that the most effective direction of his consciousness and will is to fight the very things that make him flourish? How can the Torquemandic haranguing of a performance review beseeching a prudent and modest accountant to "loosen up" improve anything? Why make the playful boy sit still? The brilliant screen comedian to gravitate toward bad drama? (think Michael Keaton, Steve Martin).

The world will be a happier place when we embrace and celebrate our strengths. Research show that we do little to improve weakness by focusing on it, yet leave a lot of potential happiness on the table by not using our strengths (Seligman, 2002). Research also shows that when we use our strengths in new and different ways we significantly improve our well-being (Peterson & Seligman, 2004).

Who was the last person you yelled at? Really tore apart with criticism. Your neighbor? A guy at the grocery store? Someone sitting next to you on an airplane? Unless you are a pretty strange and scary person, I think not. More likely, the last encounter you had that fits within this definition was a child, a spouse, or someone who works for you, persons – presumably – closer and more important to you than any other. Do you treat your employees like this? Worse than you would a stranger? If so, try this.

Stace Rudd, like Kim Cameron whom you met earlier, is a graduate of Brigham Young University, and was practicing positive psychology before it had been identified as such. The HR manager for Coke in Seattle, he encouraged managers to *"catch people doing something right"* when they were inspecting the troops and the marketplace, rather than looking for problems. I stole a similar idea from an old-timer in Florida when I took over the bottler in Jacksonville, and would leave my business card on supermarket store shelves where only a merchandiser doing an exceptionally thorough job would find it. Like the wizened vet who taught me the trick, the finder of the card would exchange it for lunch on me, and for a little effort and a few dollars we had a highly engaged employee, as did Stace in the Pacific Northwest.

b. Why modern human resources practice sucks

Stace was atypical of most of the human resources people and processes I have met in my life. More were like those I discuss in the following article. This article, penned several years ago while I was still at CCE, was accepted for publication in a business magazine but languished in a dispute between the publisher and my employer over whether I – and the company – would be allowed to remain anonymous. Since neither is in the picture now, here goes, a bit dated but still an accurate reflection of what I think about the state of the practice.

A Hippocratic Oath for HR: First, Do No Harm

Prentiss Burch, Jr.

The title of a recent magazine article making the rounds in the executive suite is "Why We Hate HR." The author's thesis is not subtle: " The human-resources trade long ago proved itself, at best, a necessary evil – and at worst, a dark bureaucratic force that blindly enforces nonsensical rules, resists creativity, and impeded constructive change." Gee, really makes you feel good about your chosen profession, doesn't it?

But he has a point. Too often well-intentioned human resources people create programs which have nothing to do with the business and become a wasteful, paper pushing exercise. Think about it – what is the first thing a newly minted HR exec in a company typically does? Flees to the last refuge of the HR mediocrities, the performance review system. He or she immediately creates, or borrows from a former employer or consultant, some sort of performance/talent management system and jams it through the organization. The CEO, clueless as to what to expect out of HR, enthusiastically embraces it (and the promptly forgets all about it).Never mind if it is irrelevant to the business strategy of the firm. Never mind if it uses language and terminology totally foreign to the firm's culture. Never mind if it consumes time and resources and spits out results never acted upon and quickly forgotten. That executive has created something that he can brag about at the next SPHR meeting and stick on his resume. Might even get a raise from the uninformed CEO – hey, HR finally "did something." Even if the system didn't create value, it destroyed it.

I saw some quantitative research recently that confirmed what many of us had always suspected. Performance management systems in most companies are worse than a waste of time, they destroy enterprise value and chase off your best people. (The author referenced above is kinder and describes performance reviews as merely "worthless"). The data, focusing on personal development plans, showed that there is absolutely no correlation between the simple presence or absence of a plan and the personal growth of the individual. The data did demonstrate a direct correlation between a bad plan (defined as not sufficiently customized, achievable, credible, and committed to by management) and a decline in employee potential. Although the study did not analyze other performance management processes, like performance reviews, I am confident the results would be similar.

It is more than soft costs that poor performance management systems inflict upon a company, there are plenty of hard dollars as well. I used to litigate employment law cases for a living. I represented numerous Fortune 500 firms. Many times past performance evaluations for a terminated executive became a key piece of evidence at trial. In every instance, and I mean EVERY, they were used against the company. "Feel good" reviews, as most are, purportedly showed the poor plaintiff was an exemplary employee caught up in the evil machinations of the employer. Honest (negative) reviews showed a conspiratorial effort to "paper" a file so the bad `ol company could get rid of the saintly worker. Sound familiar to those of you in employee relations? How many millions of settlement dollars are paid out annually as a direct result of what is contained in the performance review files of corporate America?

What about the administrative costs? I was asked to speak to a group of human resource managers at a well-known global company not too long ago. They were very proud of their performance management system – lots of charts and boxes of different colors with lines snaking between them. Looked like the wiring of an airliner's flight deck. Apparently (I was so confused I quit trying to figure out how it worked) it linked individual assessment back to compensation, with the notion of lowering overall payroll costs by limiting increases for those not performing at a certain level. Made sense. I asked them how many (of three thousand) had the system recommended no annual increase. Three. I AM NOT MAKING THIS UP, and this is a company you all know. We did some quick calculations, and estimated the organization had spent approximately 100,000 management hours around the world to save $18,500 in payroll costs (not sure what ever happened to the poor threesome). You do the math on the ROI.

This might be an extreme example, but examine your own systems. If you aren't in a forced ranking environment, which has its own problems, I submit the return you are getting on performance management is a negative one, perhaps shockingly so.

I have longed believe we need our own version of the Hippocratic Oath for HR: "First, Do No Harm." Many, if not most, of the efforts we as a discipline are inflicting upon corporate America are doing more harm than good. No wonder they hate HR.

But there are solutions. In the best companies, with properly calibrated performance management systems, HR is a positive difference maker, a game breaker. When we get it right, and this is key – when the corporation "goes all in" in support of our efforts – there are few levers more powerful than performance management to drive enterprise value and motivate your best people. In the next issue, we will discuss some game breaking HR strategies that are in place in the best companies and how they might work for you.

Prentiss Burch, Jr., is the nom de plume of a Fortune 100 chief human resources officer, who prefers to remain anonymous, at least while he is paying *tuition for three children. If any of you ever figure out who he is, please keep it to yourself, but recognize that the views expressed are his and his alone.* (Bowling, 2006).

c. The Strengths --based performance review

CHAPTER 10: KEEP 'EM LAUGHING: THE CRITICAL IMPORTANCE OF HUMOR

a. Different forms of humor

b. Philosophical view of humor

c. Empirical research

d. "Tune the group:" Using humor at work

CHAPTER 11: CULTURE, VIRTUE AND ETHICS

a. One bad apple really does spoil the whole bunch

b. Aristotle and virtue in the Western canon

c. Ethics and culture

d. Danger of outside leadership hires

trengths alignment and flow

If ther

e is a magic bullet, this might be it. Drawing from Seligman and Peterson's work on character strengths and Csikszentmihalyi on flow, I contend we can go a long way to improve the subjective well-being of the legal community by aligning the personalities and strengths of individual lawyers with career choices**.** A major problem with law is that is makes little effort to

aPART III: LAWYERS AND THEIR ELUSIVE PURSUIT OF HAPPINESS: DOES POSITIVE PSYCHOLOGY OFFER ANY ANSWERS?

CHAPTER 12: THE EVIDENTIARY CASE

Optimistic, happy people outperform their counterparts on almost every measure of job success, with the notable exception of one group: lawyers. Taken as a group, research to date suggests that pessimists perform better in both law school and private practice. This paradox presents researchers in positive psychology, who seek answers to what makes humans thrive, what do we do about the lawyers?

First, we are most certainly *not* going to kill them. Being one, and possessing an inherited trait of self-preservation, I am not in favor of that at all. (Of course, neither was Shakespeare; the speaker of the infamous lines “First, we’ll kill the lawyers,” was Dick the Butcher. Dick was plotting to overthrow the government, and knew he would be unsuccessful as long as the rule of law prevailed.) But lawyers are troubled. There is considerable data indicating that lawyers suffer from greater rates of depression and anxiety than other professions, which come along with the usual social maladies of alcoholism and breakdowns (Benjamin, Darling, & Sales, 2000). There is also considerable evidence of high career dissatisfaction among lawyers (See, e.g. Hirsch, 1993). This seems unfathomable given the high levels of education, affluence, and respect lawyers enjoy (or will enjoy), factors which predict happiness in most other domains (Myers & Diener, 1995).

In Part III of this book, I will examine the data on lawyer maladies and the literature surrounding it, pointing out holes in the collective wisdom where they exist. I then will review the reasons that have been offered to explain this, along with some of my own. I will address the question many lawyers and law professors might ask – so what? Finally, I will review the ways positive psychology might have answers to these questions.

1. Depression and Social Disorders among lawyers and law students

The "pursuit of happiness" is a phrase written by a lawyer (Thomas Jefferson) but somehow its pursuit has proved futile for many members of the legal profession and those aspiring to its ranks. It has been documented in many places that lawyers, as a whole, suffer from higher rates of depression than other professions or job classifications (see, e.g., Seligman, 2005.) Law students have also been shown to suffer emotional distress exceeding that of medical students, comparable populations in that both are highly selective and competitive professional disciplines (Dammeyer & Nunez, 2007). One study show that although persons entering law school are as emotionally healthy prior to entering law school (only 4% showed symptoms of depression) that figures rose to 20% during the first year. By the third year 40% of the students in the study had shown statistically significant levels of depression (Benjamin, Kazniak, Sales & Shanfield, 1986).

In addition to mental and emotional problems, numerous studies over the years have shown high levels of career dissatisfaction among lawyers. The American Bar Association, in 1984 and then again in 1990, conducted longitudinal studies involving random sampling of lawyers in all aspects of practice. The study showed that the numbers of lawyers reporting high levels of professional satisfaction decreased from 40% to 29% from 1984 to 1990 (Hirsch, 1993). A California on-line survey of members of the California Bar showed lawyers to be "profoundly pessimistic" about the practice of law (Patrick, 1995). The North Carolina Bar reported that almost half its members did not plan to retire as attorneys (NC Bar Ass'n, 1991). The University of Michigan has surveyed its recent graduates for years and found lawyers' happiness on a steady decline (see Lempert, Chambers, & Adams).

b. Dissenting voices: Is the evidence sufficient?

While there is plenty of evidence of lawyer distress, is it enough to indict the mental and emotional health of an entire profession? Most of the evidence, as lawyers say, is either circumstantial or hearsay. Outside of health statistics and the popular imagination, there is very little empirical evidence of lawyer happiness. As such, the small amount of research that has been conducted carries inordinate weight in the literature, particularly when the most prominent study was led by Marty Seligman.

Marty himself is a bit wary of the sweeping general conclusions layman make citing his study of a class of law students at the University of Virginia in 1991. "Far more research is needed, of course, as I pointed out in the original article. No one to date has done the controlled longitudinal study of lawyer happiness that is necessary to form more definitive conclusions" (Seligman, Verkuil, & Kang, 2003, p. 52).

This doesn't stop commentators and pundits galore, me included, from citing this study in support of a blanket assertion of general lawyer unhappiness. However, there are a few dissenting voices.

*discuss Gottfredson study in 2008 Journal of Legal Education

* discuss Hull in Vanderbilt Law Journal article "Cross-examining the myth of lawyer's misery"

2. Lawyers are Unhappy? So What?

Law is a profession, a proud and jealous mistress. Its practitioners commit themselves to lives devoted to the interests of others, and subscribe to an ethical code among the most rigorous in society. While well compensated, the practicing lawyer leaves to others the life changing riches dangled by business and entrepreneurial careers, although most surely have the brains and self-regulation to pursue such careers with equal or greater chances of success. Happiness was never a promise.

Indeed, many member of the Bar scorn the notion of happiness among lawyers, and view the ills associated with the profession as collateral damage to be contained, not prevented or fretted about. Certainly this is true of many law professors and administrators (see, e.g., Sullivan, Colby, Wegner, Bond, & Shulman, 2007). It is also true of many law firm leaders. Happy Ray Perkins (that is his real name, and interestingly enough is an accurate reflection of his personality) is the General Counsel of a division of General Electric, and a brilliant lawyer. He describes how the managing partner of his first firm disdained the notion that law schools should prepare students in practical areas of law practice, focus on softer skills like negotiating and teamwork, or worry about their emotional well-being. “I want students trained in the law, that is all. We'll do the rest." (Perkins, H.R., personal communication, March 30, 2009).

Although no managing partner of a major law firm would say so on record for this article, many are skeptical about whether lawyer happiness is anyone's concern other than the individual's. Without articulating it directly, they seem somewhat proud of their willingness to forsake happiness or emotional comfort in their choice of career, a sort of modern-day embodiment of the Spartan citizen-leader.

Finally, even if there was consensus that lawyer well-being was among the highest goals of the profession, it might be impossible to achieve. The very structure of the American legal system may immunize it from reforms designed to improve happiness. Positive psychology instructs that avoidance of zero-sum situations is a recipe for improving well-being; however, the

American system is a winner take-all model. Martin Seligman acknowledges this: "If we accept that the adversary model embraces important social values, displacing it may not be in our interest. If so, some degree of lawyer unhappiness may be unavoidable if we are to achieve societal goals" (Seligman, et. al, 2003, p. 51).

CHAPTER 13: WHAT CAUSES LAWYER UNHAPPINESS?

a. Law school

1) Does law school induce learned helplessness?

Think, for a moment, about the entering class of those law schools commonly considered the nation’s elite. Among these ten to twelve institutions there are perhaps 3-4000 students entering each year, the best and brightest from the world undergraduate’s colleges. On any national ranking of peers they each would be in the top 2-3% percent in ability as demonstrated by undergraduate grades and test scores. Virtually all have the ability to become fine, mentally well-adjusted lawyers. The only study measuring attitudes of entering law school found them to be quite average in disposition. To this observer, a combination of personal observance over a number of years, as well as common sense, suggests that rather than being depressive upon entering an elite law school, these individuals tend to be quite happy at their perceived good fortune.

But something happens once they walk into the hallowed halls of Cambridge, Palo Alto, New Haven, Durham, and Ann Arbor. After a relatively short period of time, if we are to believe the researchers and commentators, they are beaten-down rubble. How did life’s lottery winners end up in this psychological state?

One answer, possible the most comprehensive, is that the first year model of law school instruction is instrumental in inducing learned helplessness in students, at least those with any ic predisposition toward it. As discussed in Chapter 4, learned helplessness is how a certain amount of negative and consistent feedback creates feelings of powerlessness and helplessness in its recipients. In turn, this can lead to depression.

Unlike the dogs in the learned helplessness trials first-year law students aren't subjected to electric shocks, but they might as well be. It starts on the first day of classes, when the students begin to understand that they will quickly be ranked from top to bottom in their respective class based upon anonymous testing. Nothing they do from a cooperative or interpersonal standpoint will affect that harsh reality. It has been repeated so often as to become a cliché how a famous professor will tell the assemblage to "look to the left of you, look to the right. One of you won't be here next year." The possibility of failure and the fact there is nothing one can do about it other than study hard and hope for the best is presented for the first time in these young persons' lives. This ruthless ranking system is cited by numerous commentators as a chief culprit behind the problems with law students (see, e.g., Beck, Sales, & Benjamin, 1996; Krieger, 2004).

*Develop point here that the while many students are trained to work in teams as undergraduates (need research support for that) they are stripped of that emotional support and engagement in the first year model. Gottfredson article.

2). Socrates, misapplied

Another factor in law student distress is the bastardization of the Socratic Method by some law professors. Most law professors are quite fine people, but there are certainly a number of misanthropes among their midst, and the absolute power they have over law students' lives bring out some of their worst tendencies (see Zimbardo, 2007).

For those of you unfamiliar with it, the Socratic Method is the preferred pedagogical method in first year law instruction. It is modeled upon the manner in which the famous Greek philosopher would engage his pupils in a series of questions, each building upon the answer to the previous one, to seek the truth behind a statement or an idea. Somewhere along the line, apparently in the early Twentieth Century, this benign methodology morphed into an instrument to bully, harass, and embarrass law students. (Perhaps this was based on certain professors' dangerously shallow understanding of Socrates from the *Apology,* where he embarrassed his tormentors through ruthless interrogation. But the Socrates we know from Plato's *The Republic* was a humorous and playful man, and the fact that he spent his days as an impoverished teacher indicates he was caring about those in his charge.) Lawrence Krieger, possibly the leading researcher on the dysfunction among law students, doesn't mention abuse of the Socratic method directly but argues that the culture of law school, and the performance anxiety of responding to a professor's grilling, as the cause of the high rates of reported depression, substance abuse, and anxiety (Krieger, 2004).

*Discuss argument of Mertz in "The Language of Law School"

3). The Paradox of Choice

Barry Schwartz is a small, wiry man with quick movements and quick wit. A professor at Swarthmore, he is one of the foremost social psychologists in the country. His research over recent years has focused on the counter-intuitive notion that too **much** freedom of choice is a bad thing; it creates a variety of mental and emotional issues, as well as practical ones. At its extreme, it can lead to clinical depression and virtual paralysis. (Schwartz, 2004).

An underlying principle behind Schwartz' work everything suffers by comparison: it is how we frame something, or adjust our mental lens, determines how satisfied we are with a choice. A perfectly fine new automobile might fill its owner with pride until he sees the Mercedes drives by. The sizzling steak cooked at home tastes great until you think about the ones at Bones or Chops, two iconic Atlanta steakhouses. Michigan and Duke are wonderful schools unless you had your heart set on Harvard.

And that is a problem at all but a tiny handful of our elite law schools, those which furnish the biggest law firms and most prestigious judicial clerkships with their incoming hires. All of these schools recruit nationally and internationally. Acceptance rates are quite small. Even the top and most desirable applicants apply to many schools given that the odds of acceptance at any one school are small. However, I have yet to meet a law school aspirant who did not have a "first" choice, or even a detailed ranking of preference. It is inevitable, given this dynamic, that most first year law students walk through the doors of some of the world's finest institutions somewhat disappointed in being there.

On the face of it, this is absurd. The difference in the quality of education in these schools is small, if any, and almost impossible to quantify (despite the highly flawed efforts of the U.S. News and World Report). Yet thousands of law students start their law careers with the sting of disappointment and perceived failure.

There is no empirical data on the impact of law school choice on students but it is difficult to imagine its effects do not have some relationship to the data on suffering among first year law students. Anecdotally, it certainly rings true to anyone who has children applying to colleges or works with law students, as do I on both counts. It also has face validity to professional administrators. "The problem with a school like Emory, which is a bit down the list among elite law schools, is that we are a second, third, or even fourth choice of many of our entering students," said Gregory Riggs, Associate Dean of the Emory Law School. "Instead of being delighted at starting a career in a fine school, on a beautiful campus in the middle of a big city, some are tormented by what they might be missing in Cambridge or New Haven" (Riggs, G., personal correspondence, June 20, 2009).

A possible explanation for the this phenomenon can be explained if we understand the difference in *maximizers* and *satisfiers.* Based upon the work of Herbert Simon decades ago (Simon, 1957), Schwartz simplifies it for us, defining a maximizer as one who will "seek and accept only the best" (Schwartz, 2004, p. 78). If choice is difficult for most people, it imposes unique hardship on these personality types. Everything must be analyzed and compared. Second-guessing is rampant. Picking out a bottle of wine becomes a major event. A satisfier, on the other hand, is someone who sets basic criteria for a choice and then makes it, not worrying whether a potentially better alternative could be discovered with more research and cognitive hand-wringing.

Schwartz, along with other researchers, developed a tool to measure whether and to what extent a person is a maximizer. After testing thousands of subjects, they concluded that maximizers pay a hefty price for their perfectionism, finding correlations between this trait and: a) lower scores on measures of life satisfaction; b) lower positive affect; and c) increased incidence of depression (Schwartz, Ward, Monterosso, Lyubomirsky, White & Lehman, 2002).

No study to date has measured law students as to where they fall on Schwartz' scale, although I think most observers would be surprised not to find a high level of decision perfectionism resident within the soul of the law student. Even if they didn't bring these traits with them onto campus, the very nature of legal education teaches us to analyze every choice and option presented us. Although more research is needed, I am convinced that Schwartz' theories explain at least some of the documented issues facing law students.

4). Intrinsic vs. extrinsic motivation

In his work, Lawrence Krieger focuses on the lack of intrinsic motivation among law students as a casual factor in law student distress. *Discuss Krieger and Sheldon longitudinal study here

5). The Money Chase

Perhaps it is just the money. This is the conclusion of at least one observer, Patrick Shiltz of Notre Dame: "Students are after the money, plain and simple" (Schiltz, 1999, p. 86). This greed, he hypothesizes, drives law students into law firms; business models which are built upon, in his words, exploitive tendencies. Discussing the summer hiatus of a law student to intern in a law firm and going to a hypothetical firm event at the senior partner's house, his writing drips with class envy " You drive up to the senior partner's home in your rusted Escort and park at a long line of Mercedes . . . the barbeque will bear absolutely no relationship to what your Father used to do on a Weber grill in your driveway" (Schiltz, 1999, p.92).

*Discuss my interview data with educators on the deleterious effect of dangling 160K starting salaries in front of law students.

b. Law firms

While many of the casual factors affecting law students are present in law practice as well, it should be noted that positive and negative emotions are not spread equally throughout the practice of law.

There are varied careers available to a lawyer, and there is evidence many lawyers work in areas of great meaning and are quite happy (Delgado & Stefanic, 2008; Hull, 1999). An informal, on-line survey I conducted recently among Duke Law school graduates indicated that approximately half of these lawyers were quite happy with their professional lives, although many of these were in not in traditional law firms. And this is important; it is at the highest economic unit of the profession – the large corporate law firm - where unhappiness is most pronounced (Huang & Swedloff, 2008).Law firms are the economic engine of the profession; its where it's most well-compensated and highly-trained practitioners reside. Law firms are also where most graduates of top law schools end up; thus, that is where our focus will be.

1). Hourly billing model

Talk to any big firm lawyer and the hourly billing model is cited as the primary cause of their dissatisfaction with the profession.

*Review of research and commentary on problems with the billing model (psychological, not economic)

2). Autonomy and decision latitude

* Discuss Seligman et. al in Deakin Law Review and their argument and others' responses

3). Negative emotions: The win-lose game of the law

*Discuss Seligman et. al's argument from the UVA study here and follow up research

4) The "Rodney Dangerfield syndrome:" public perceptions

CHAPTER 14: HOW POSITIVE PSYCHOLOGY CAN HELP

a. Yes, there are happy lawyers

b. Teams and engagement

* Gottfredson article; my experiments at Duke Law

c. Learned optimism training

* Seligman's suggestion

d. Sscertain and align personal traits with areas of practice. Despite the fact there is great cultural and stylistic variance between the three major areas of law study/practice – litigation, transactional, and advisory - individual practitioners end up in the various areas almost at random. Law school offers little specialization in the curricula and little guidance to its charges. Beginning lawyers in a multi-department law firm are assigned according to work load, not desire or personal attributes. As a result, lawyers often wake up a few years into their careers and find themselves in jobs they hate. No wonder unhappiness seems epidemic to the profession! The good news is that positive psychology shows us that persons in any field can gain more happiness from their work, and I will offer two modest proposals that if implemented, should help ameliorate lawyer distress.

1) In law firms

As noted above, much of the angst of the profession in concentrated in the large law firm. Most of the methods those firms have used to address these issues – economic and "life-style," have had little effect (Haung, et. al, 2008; Seligman, et. al, 2005) I propose a different approach. Law firms should align work assignments for new lawyers – which oftentimes become lifetime career specialties - with their individually measured strengths.

Law practice in a firm can be broadly separated into three areas, litigation, transactions, and advisory, as discussed above. Based upon my informal research, which is admittedly well short of what is needed, the strengths that seem to allow flourishing in one area are very different than in the others. Litigators, for example, tend to show signature strengths of high *social intelligence* and *courage.* Transactional attorneys score high on *teamwork* and *self-regulation.* The signature strengths of advisory attorneys tend toward *love of learning, prudence, and perspective.*

Law firms typically select their permanent hires from summer internship programs. I propose that law firms measure the strengths of all summer associates and to the extent possible assign them to practice areas based upon those strengths upon work commencement. The empirical basis of this proposal resides in the work of Seligman and Peterson in their classification of values and character strengths. This classification, a foundational work in positive psychology, was created after researchers identified six broad virtues common to all cultures, then suggesting that those abstract virtues there are twenty-four specific and identifiable character strengths (Peterson & Seligman, 2004). From their work, a free and easily accessible internet tool – the VIA - has been made available, from which I propose firms use to measure summer associate character strengths.

But why will aligning strengths with work assignments make lawyers happier? What are the mental processes at work that make alignment of strength and work so satisfying? As discussed in Chapter 2, the alignment of strengths allows workers to enter flow states more often, and as positive psychology has shown us, when flow happens, we are happy at work. Believe it or not, even lawyers can experience flow!

2). In law schools

Csikszentmihalyi and Peterson's work on flow and strengths and how they interrelate can be applied to legal training as well as legal practice. Ideally, law school curriculum should be aligned more along the lines of medical school and other professional schools where students are allowed to build concentrations in certain areas, ones that presumably are aligned with their strengths and interests. Applying such a model to law school, and using the tools of positive psychology, a school can inventory the character strengths of each entering student through the VIA, advise and counsel them as to areas of study and practice, and encourage them to "major" in the appropriate sub-discipline. As is can in the law firm, this alignment of strength with academic study might do much to alleviate the emotional distress of law students.

Inasmuch as this is not the current model in any elite law school of which I am aware, my proposal would need to be tested on a smaller scale; a class-by-class approach with willing professors. Fortunately, I know one – *me*. I plan to test this hypothesis in a class I am teaching next year on law and positive psychology at Duke Law School. It is a full credit, seminar course. As a seminar course I have great flexibility to assign work and evaluate the students on whatever basis I see fit, as opposed to the exam-based model used in the regular course work.

My plan is to assign the class a group project of a paper. They will be graded according to their individual contribution as well as the quality of the overall product. I will divide the class into three groups, and assign students to each according to a VIA they will take prior to the first class. I anticipate while there will be some similarity, there will be enough diversity in top 5 strengths we will be able to sort the class into one of three groups. The first group will be the *idea* people; those charged with the creative framework, style, and voice of the paper. Persons assigned to this group might rate highly in curiosity, creativity and open-mindedness. The second will be the researchers, those doing the heavy lifting from an intellectual and analytical standpoint. Those scoring highly in self-regulation and love of learning will be assigned here. Finally, there will be drafters of the final product, the persons exhibiting high levels of teamwork, modesty, and persistence.

If my hypothesis is correct the class should produce a good paper, but more importantly is whether they will be happier during the process. I will measure this by employing the tools discussed in Part IV of this book. But frankly, I will be very surprised if they don't enjoy this project more than any of their other courses this year (a question I will ask). By assigning a student to a task for which she is psychologically suited, the assignment should offer the opportunity for moments of flow, that very necessary component of happiness in work. Imagine that – law school, at least in one small place, might be *fun!*

PART IV. PSYCHOLOGICAL TESTING

CHAPTER 15. HIRE AND PROMOTE POSITIVE PEOPLE

a. With a grain of salt, testing is a great tool

By now, I hope you agree with me that performance can be enhanced, conflict reduced, and engagement expanded, if we do a better job understanding more about the people we hire or promote into supervisory positions. However, how do you go about that in a systematic and credible way, and in a way that avoids inconsistency and individual bias? An increasing number of companies are approaching this through psychological testing. While I was skeptical of these efforts while at Coke, in retrospect I missed the boat by not exploring them further. I won't make that mistake again, because taken with a grain of salt, testing can be a great tool.

Millions of people take one of a variety of personality tests every year. From the 800 pound gorilla of the industry, Myers-Briggs, to the growing franchise of Gallup's strength finder 2.0, to the more academic VIA strengths inventory pioneered at Penn's Positive Psychology Center, our personalities are being sliced and diced in as many ways as a researcher can conceive. Every measurement has its strengths and it limitations, though, and organizations need to be very careful in how they apply the results. No employment decision should rest upon the outcome of a psychological test alone. As a general principal, though, it is better to make some attempt to understand what makes a person tick than to ignore it.

b. Current usage in American industry

1) Pre-hire

2) Leadership selection

c. Traits, character strengths and personalities: the different testing methodologies

d. Cautionary issues

1) Legal concerns

*Brief review of legal standards; recent Supreme Court decision

*Discrimination concerns

2) Ethical concerns

*What about depressed people? Don't they have a right to careers?

e. The problem with typology

Exacerbating the ethical problem with psychological testing is that many, such as the Myers-Briggs, are based upon typology; i.e., their results assign the subject to a personality box. Often consultants will create fictional characters, or refer to historical figures, as concrete representations of the assigned type (this is cute; possibly useful on a non-academic level, but I don't think fellow "ENTJ" Napoleon and I am the same sort of guy, despite what my MBTI web consultant concluded). The ethical problems arise when organizations apply personality tests and then attempt to sort and evaluate personnel based upon their findings. Our culture is notoriously quick to rank and sort everything, with little thought and preparation. Business in particular is looking for quick and easy fixes to its personnel processes, and the boxes the MBTI neatly provide plays to its very worse angels. In my experience in corporate America, I have seen organizations quickly decide which MBTI type is appropriate for key roles, and which is not. Even if an argument could be made for the validity of such an approach, what typically happens is that the "right" type is whichever into which the leader is placed.

I will pick on the MBTI here, mostly because of its ubiquity. A coaching client, a lawyer in a major firm, recently told me of the disaster that ensued when the senior litigating partner discovered his “type,” looked in the mirror, and decided that he and his type *must* be the psychological embodiment of a courtroom warrior. Within a short period of time lawyers were being taken off cases, or rapidly promoted, because of their results on this suspect measurement. Quickly, being lawyers, most figured out how to “game” the MBTI to show they were the right type, but not before significant collateral damage occurred (Pigott, J., personal correspondence, February 8, 2009).

The MBTI has its virtues, the greatest being its ubiquity and resultant face validity, but it is that very face validity that makes it dangerous in the wrong settings. It also has its place, but any organization seeking to use it needs to be fully cognizant of its methodological limitations. It is better than nothing, yes, but don’t make life and death decisions based upon it. Maybe just dinner plans.

The Gallup-based strengths-finder suffers from some of the same issues. Like the MBTI, possibly even more so, this approach quickly assigns the respondent a certain type. When I took the test, according to Gallup, I found out I am a *maximizer.* Not recognizing the word from anything in English literature I turned to page 137 of Strengths Finder 2.0 to find out just what that meant *and by golly it really nailed me!* According to the definition, I am a person who seeks out strengths in myself and is attracted to persons of visible strength. Yep, that’s me. Maybe that’s why I enjoy the corner of positive psychology focused upon its application in high performance organizations. The survey identified other strengths in me such as “strategic” and “intellection” (is that a word?) which seem consistent with most of the personal feedback I have received before. But it missed horribly on a couple, mostly those related to being of value to the human race.

That is an issue with typology in general, and the Gallup approach specifically. Trying very hard to come up with business examples of the identified type it becomes quite glib, even a little trite. Its hit and miss approach suggests a problem with validity, and unfortunately there has been little if any empirical testing of its methodology. It suggests that a prudent person take from the results that which makes sense, do with it what one will, and ignore the rest.

In application, it also presents the same ethical issues as does the MBTI. I can think of few organizations to resist the temptation to quickly decide which of the 34 types the right ones are. Like the MBTI it has its place, but take it with a grain of salt.

1). If it was good for Aristotle it is good enough for me

It might not surprise you to know my favorite testing method has its roots in positive psychology, and the pioneering work of Chris Peterson and Marty Seligman. As discussed in other places in this book, earlier this decade these prominent leaders of the positive psychology movement led a team of researchers in something called the "Values in Action" project, which is the most comprehensive attempt to date to explore empirically character strengths through the lens of positive psychology. The survey based upon their work, the VIA, is available on-line and unlike the MBTI and Strengths Finder, is free. To date close to one million people have taken the survey, and daily its empirical base is being expanded (Peterson & Seligman, 2004).

There are several key distinctions between the VIA and the other surveys. First, and most importantly, is that the VIA avoids the typology that many find troubling. It is based upon traits that reveal character, not caricatures that supposedly represent people in organizational settings. It is also sensitive to the variability of character; that a person isn't a type but instead a complex stews of strengths. These strengths are a continuum, and reveal themselves differently and at different times based upon environmental stimuli (see Allport, 1937). It has resonance in far more settings and cultures than Western business (Park, Peterson, & Seligman, 2006). Finally, being empirically validated in a number of studies it is more useful to the academically inclined (see, e.g., Peterson & Seligman, 2004).

2). Testing experiment with law students

After taking the VIA I found it to be a fairly accurate description of me, which isn't surprising since it was based upon my own self-description (although the reader may take issue that it identified my top strength as "humor.") More interesting was my recent assignment of the VIA to a class of law students at Duke University. What I found was that despite the VIA's careful avoidance of the methodological and application issues presented by the other measures discussed, in application it still presents ammunition for those who want to assign desirability to character traits in a particular setting.

The students took the VIA. Budding lawyers, many struggled with finishing the survey in a reasonable time as they deconstructed the language of the questionnaire (remember the infamous lawyer-in-chief quibbling over the definition of "is"?). Others, painfully analytical, said they had to answer neutral on most questions because they mentally constructed multiple scenarios that might influence their response. One, a Princeton man , perhaps insulted to be asked to take a survey developed at arch-rival Penn, said he had taken plenty of personality tests and knew how to "pass" them. Ultimately, however, once the procedural hurtles were overcome, the students had fun and agreed that the results were a generally accurate characterization of their traits.

It was when I asked them to list their top and bottom 5 strengths on a blackboard that the real fun began. Quickly, the group informally came to conclusions as to which were appropriate strengths for lawyers and which were not. Not surprisingly, anything related to industry, honesty, diligence, prudence, and self-discipline were to be desired. More transcendent and humanistic strengths were scorned. One poor fellow listed “appreciation of beauty,” “gratitude” and “capacity to love” as among his top 5 and was hooted off the floor! Another bragged that his “bottom” strength was “forgiveness and mercy,” and sat down to high-fives. It was like “Bizzaro World,” an opposite universe to most groups in its informal ranking of what are “desirable” strengths. But rank them it did, illustrating that no matter how hard one tries to design a measurement that will be applied neutrally in an organization, it is impossible to avoid the mediating effect of human nature.

A few concluding thoughts on personality tests. Too often people and organizations move blithely through their lives with absolutely no attempt at self-reflection or introspection. In that regard, the attempts these three personality surveys make to explore and reveal human strengths and apply them to real world settings are admirable. However, we need to be careful, because they can play to our worst angels. Strength and types are constructs, not physical science, so use them –as Aristotle would counsel – in moderation, and with a bit of healthy skepticism.

CHAPTER 16. HOW ABOUT YOU? TEST YOUR HAPPINESS

a. Positive and Negative Attributional Style

b. Satisfaction with Life Scale

c. Values in Action Survey

PART V: THE FUTURE

CHAPTER 17: HAPPINESS CAN BE LEARNED

CHAPTER 18: THE MYTH OF WORK-LIFE BALANCE

a. The changing structure of work

b. Evolutionary change

c. Love and work

CHAPTER 19: NEVER RETIRE

a. Meaning and engagement

b. Role of physical activity

c. Case studies

CHAPTER 20: CONCLUSION

APPENDIX A

A mechanism for introducing positive psychology into the workplace has been developed by David Cooperrider and other researchers at the Case Western business school (Cooperrider, Whitney & Stavros, 2008). Called “Appreciative Inquiry,” it has caught the fancy of organizations as diverse as Roadway Express trucking company and the United States Navy, and generated substantial commentary in the academic journals. Although pure scientists might quibble that AI, as it is commonly called, is more of a training technique than anything else, and lacks empirical grounding, it has been shown to be an effective vehicle to put positive psychology into practice without calling it that.

Rather than walking through the various steps of an AI session, I will include the following story. At Penn, we were asked to write a fictional narrative of an AI application we might apply in our professional lives. As someone who consults with law firms, along with other organizations, that was what my story was about, and it is included here. In the story are citations to academic works on AI if you are interested in learning more.

"CRACKING A HARD CASE": APPRECIATIVE INQUIRY IN THE LARGE CORPORATE LAW FIRM

A. *INTRODUCTION*

Smith and Smith (not its real name) is a large corporate law firm with offices in cities around the country. It is quite profitable, and enjoys an excellent professional reputation, but it is concerned that its revenues are unsustainable in the current economy, and that lawyers and practice groups must be eliminated. Perhaps more troubling for its future sustainability, it has developed a reputation as a "sweatshop," and it is losing its top associates. There is also acrimony and infighting amongst its partners, as each attempt to protect his or her share of the pie. In short, it is a miserable place to work. The senior partner has asked me, along with several of my positive psychologist colleagues, to assist it in solving these seemingly intractable problems. We have proposed as a first step a two-day Appreciative Inquiry summit, and the firm has agreed.

B. *PRE-SUMMIT PHASE*: Before beginning our pre-summit planning it is necessary to brief the consulting team on peculiar issues within the practice of law. Compared to most professions and lines of work, lawyers are a dysfunctional, unhappy bunch. Common signs of mental distress, such as substance abuse and depression, are quite prevalent in the legal profession, and many are leaving the legal profession or professing a desire to do so. There are many reasons for this phenomenon, from the zero-sum game inherent in the American legal system to the highly competitive nature of law school and professional practice. It has been noted that law is the only profession where pessimism is correlated with higher levels of job performance than optimism (Seligman, 2002). The goal for our team is to help the firm become a model for a new type of law firm where these issues are acknowledged and addressed, and ameliorative mechanisms are set in place.

1. *Introduction of AI to leadership team*: As a first step we meet with the executive committee of the partnership to introduce the concept of AI. Lawyers are very analytical and critical by nature and training. This introductory meeting is critical, as will all of our pre-summit planning, because "buy-in" will be very difficult. And without buy-in, we have no chance at an effective summit (Ludema, et. al, 2003). Because lawyers like both fact and theory, we carefully prepare a presentation that explains the various theories behind how AI works, and then share case stories with the team. As to theory, despite the current travails of the firm the AI theoretical proposition that all organizations have *something* that works well, that can be surfaced through positive inquiry, resonates with the lawyers. Each can remember why they joined the firm, who inspired them, and what makes it nationally renowned. As to illustrations of other successful AI interventions, we use vivid examples from other firms with large numbers of highly educated persons, like NASA. These were very important; successes among groups featuring persons with similar academic backgrounds to lawyers help give us credibility. We are successful in our task, and move to the next step.

2. *Form a planning team:* We insist that the team charged with planning the session be a microcosm of the organization, and include opinion makers such as practice group leaders, star litigators, key clients and administrative personnel (Cooperrider, et. al, 2008). With the help of the senior partner, we select such a team. At our insistence, we also include outspoken negative personalities, under the theory that within every objection there is a grain of truth (Cooperrider lecture, MAPP 709, Jan. 9, 2009). Our goal is to "sell in" AI to a notoriously skeptical group.

3. Pre-summit meeting with planning team: For two days, we meet off-site in a pleasant, resort-like environment, something very distinct from the glass towers and noisy courtrooms of law practice. Walks and breaks are encouraged as we ask the team – subtly – to slow down and think for a while, in a different sort of way.

Because AI must be sold by giving people an experience of AI (Cooperrider, et. al, 2008), we began by conducting *appreciative interviews*. These interviews ask the lawyers to break into twos and share peak life experiences, personal values, what they believe to be the "core" of the firm, and their vision of the future. This goes well, so we then walk the team through the same presentation we gave the executive committee, focusing heavily on success stories. Lawyers are used to reading case studies, and organizations move in the direction of what they study, so our success stories are drafted in a case study method familiar and credible to the team. But there are different: these are stories designed and written in a way to touch hearts,. As yes, contrary to popular belief, lawyers do have hearts!

The remainder of the pre-summit planning is focused on identifying the task at hand by pre-selecting a few affirmative topics (those things that give *life* to the firm) and designing the flow of the actual summit. After picking a time and place, the team then identifies the stakeholders to invite. With our encouragement, they invite representatives of from all imaginable places and positions, under the theory that AI works best when all who touch the firm, and in turn are touched by it, participate (Cooperrider, et. al, 2008). Partners and associates from all the firm's offices, secretaries and administrators, library clerks and mail room employees, clients and judges, are on the invitation list. Even their HR consultant is invited! Next, the group focuses on framing the summit in a way that the organization can rediscover its *positive core.*

C. *THE SUMMIT.* We gather in a huge ballroom at the Ritz-Carlton on Lake Oconee, Georgia. The sunlight reflecting off the shimmering lake in the distance provides the perfect metaphor for the senior partner's opening speech. The audience, equal parts nervous and skeptical, is packed into the room. "As the sunlight, refracted off the surface of the lake highlights its magnificence; this summit will refract our greatest strengths as an organization, and guide our future," he intones, surprising the assembly with his poetry. "We chose the law as a profession, and this firm, because we were *committed to finding personal meaning in the highest level of professional excellence in the service of our clients,*" he says, outlining the overall affirmative topic pre-selected for the summit. "Somehow we lost our way in pursuit of revenue and personal power. We also stopped having fun. Over the next two days, we are going to rediscover our *positive core*; that which gives this firm – and its stakeholders - its life and reason for being." He sits down, surprised at the passion of his words, and we go to work.

1. *DISCOVER.* Our goal in the discovery phase is to guide the assemblage to appreciate the best of "what is;" those peak times when the organization has thrived (Cooperrider, et. al, 2008). The participants break into small groups and share stories of those times when the firm was at its best; in flow, so to speak (see Csikszentmihalyi, 1990). This history, recounted through story-telling, is critical in reminding the participants of where they have been and what made the firm great and meaningful to the stakeholders. As facilitators, we ensure all the stories are positive; AI is build upon the premise of an *appreciation* of what is right; not a diagnosis of what is wrong (Ludema, et. al, 2003). Through the discovery phase, the participants are not so much engaged in discovery but a *re*-discovery of the positive core of their organization. Following the small group sessions, there is a report back in the ballroom, and each group is pleasantly surprised how easy it was to discover what made the firm great. We move to the next phase.

2. DREAM. The dream phase of the AI process asks the participants to envision what the firm might be. Although it is idealistic, and involves visioning techniques (such as imagining falling asleep and waking years later), it has credibility with the firm because it is grounded in the positive core exercise just completed, and based upon the history of the firm (see, e.g., Cooperrider, et. al, 2008). It is also credible because of the wide range of interests in the room; i.e., a sole focus on profit maximization would have alienated clients; a sole focus on win-at-all costs litigation would have antagonized the judiciary. Also, because associates and rank and file employees are represented, it must by definition encompass the work environment and job satisfaction. (The senior partner noted to himself that the large invitation list made sense, after all). Again, working in groups and reporting back, the summit begins to shape a new model for the corporate law firm as envisioned at the inception of the project. Happy but exhausted, the meeting participants adjourn for the day for cocktails overlooking the lake, but an interesting thing happens: instead of gathering into the usual cliques, the small groups from the sessions engage in animated conversation that goes long into the night.

3. *DESIGN.* By the start of the morning session it was clear to the organizers that the tough part was over: they had cracked the intellectual and emotional shell of the firm and obtained total buy-in. The teams had intuitively began offering *provocative propositions* among themselves the evening before, such as how associates and employees are treated, and clients are billed, and spent the morning brainstorming a new social and economic architecture of the law firm. Throughout the groups, common themes were developing, such as the empowerment of non-partner employees, and the scrapping of the hourly billing model. Each team looked forward to sharing with the group in the closing session that afternoon, and lunch was a quick affair.

4. DESTINY. As representatives of each group stood to speak, broad smiles and nodding heads peppered the room. The law firm of the future was being created before their very eyes! We, the organizers, were delighted, because we knew the theoretical underpinnings of AI were at work: the groups had used an "appreciative eye" to envision a positive future based on the core of the organization, and were building momentum through one another's energy and sense of purpose. The key was to capture the energy and assign specific tasks and goals to be carried out after the summit's conclusion. The group had little trouble breaking the vision into its component parts and developing specific actions and timetables with individually assigned tasks. At the conclusion of the summit, the senior partner, in shirt sleeves, damp with sweat and exhilaration, closed the meeting by a challenge and a reminder all that the summit was not an end, it was a beginning.

D. POST-SUMMIT. AI teaches that the design phase, if done properly, leads right back into the discovery phase, as the organization continues to amplify and magnify its positive core (Cooperrider, et. al, 2008). It was no different in this case. The groups had little difficulty meeting and exceeding their post-summit assignments, and new thoughts and ideas consistent with their vision of a model law firm continued to emerge. To the trained positive psychologists working with them, we could see several psychological interventions at work. First, the project teams experienced "flow" when developing the vision, as opposed to the daily grind of work (see Csikszentmihalyi, 1990). Secondly, the teams had been assigned as closely as possible on the basis of their strengths (all had taken the VIA) which has been well documented to facilitate well-being (Peterson, & Seligman, 2004). Most importantly, the experience of working in a large, multi-disciplinary group had unleashed years of hidden positive emotions, and the firm and its constituencies began to flourish as they broadened and built upon them (see Fredrickson, 2001). As the senior partner shared a drink with our team a few months later, he had just one thing to say. "Thanks."

APPENDIX B: BOOK PROPOSAL

HAPPY AT WORK: How the Science of Positive Psychology Will Revolutionize the Workplace

Fire your HR department and chase off the consultants; there is a revolution brewing and the rules are changing. Everything you thought you knew about "human capital" will be different in a post-crash world. Workers - of all ages - will never again look at a job, an employer, or even money the same way. The work place of the future will be different, where workers look for meaning, engagement, and yes, happiness more than perks and money. Callings will replace careers and as in any revolution, there will be winners and losers among organizations – and only a few will get it right.

Happy at Work is a practical guidebook for organizational leaders and at the same time a thought-provoking read for anyone who seeks more from a job than material rewards. While it employs a variety of narrative techniques, from case studies and philosophical questioning to humorous stories, it is 100% based in hard-core psychological research. During the past few years science has been researching – using empirically proven methodologies – what makes people thrive, even in the most difficult of circumstances. This research is being conducted under the umbrella term of "positive psychology," and to date its findings have been confined primarily to academic journals or the self-help shelf of the bookstore. *Happy at Work* is one of the first book to bridge the gap and show what positive psychology has to offer the workplace.

But wait a minute. What is "positive psychology"? Is it self-help, New Age, soft stuff, better suited for granola-crunchers than hard-driving executives? No. It is real science. For the last two decades some of the top researchers in the world from a variety of academic disciplines have turned their focus from examining what is *wrong* with people to examining what is *right.* What traits and character attributes do certain people have that allows them to flourish, while others just get by?

More importantly for this book's audience, how can those findings be applied in the everyday working world? While positive psychology offers many lessons for companies and professional firms, until now you needed a PhD to understand and apply them. *Happy at Work* translates the science into language anyone can understand. An example:

1. People perform better when they find meaning and engagement at work;

2. People find meaning and engagement at work when their psychological strengths and character traits are aligned with their tasks;

3. If you align strengths and tasks in the workplace and get out of the way, your people will outperform those of your competitor.

Happy at Work does more than furnish simple nostrums; it backs up every claim with the research and data to prove it, along with user-friendly examples from real life. So, scrap your hiring models, re-write your training book, and forget all the 6-Sigma, human capital stuff consultants have been pushing and follow the simple examples that *Happy at Work* provides to build a lasting competitive advantage.

Why is Dan Bowling the right person to bridge the gap between this science and its practical application in the workplace? Here is why: Dan is an expert on every aspect of the American workplace. He has practiced employment and labor law and teaches it at Duke University. He is a twenty-year veteran of the Coca-Cola system, where he rose to the top ranks and ran one of the largest business units in the world. He was the longest-tenured head of human resources in the history of Coca-Cola Enterprises, and had responsibility for over 80,000 employees world-wide. He has seen it all; done it all in the business world. After leaving Coke, he became one of a handful of people in the world to obtain an advanced degree in positive psychology, and this fall will be teaching it at Penn alongside Martin Seligman, the “Father of Positive Psychology.”

Dan is an experienced and talented writer. He has published several works in popular and academic journals. Chris Peterson, a prolific writer and giant in the field of positive psychology, calls Dan’s writing “a treasure . . . his insights, life experience a constant delight . . . (his work) beautifully written, equal parts playful and thoughtful, written with appropriate abandon.” He is also a professional: “Dan turns in his work on time, well-written, and perfectly edited.” Mike Prokopeak, Editor in Chief, Talent Management Magazine. And for promotional purposes, a recent radio interview showed he can connect with a live audience: “Dan was a fantastic combination of Southern charm, wit, and insight.” Louisa Jewell, CIUT-FM radio host.

Happy at Work is written in a fun, accessible style. It is a serious review of the discipline, useful to academics, but sprinkled liberally with humor and colorful stories. It does not shy from controversy - the author, perhaps because of his experience as a trial lawyer, will challenge, and at times infuriate, the reader. But it is guaranteed to make people think. *Happy at Work* is a book that is relevant for anyone who leads people or just wants to be happier in his or her career. It is a new voice in the business literature that demands to be heard – because there is a revolution brewing.

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