

CHAPTER TWO

EXPLAINING LEADERSHIP: THEORIES, PRACTICES, STYLES, AND BRANDS

Leadership is the mobilization of the followers.
James MacGregor Burns

What is leadership? *Leadership is the creation and fulfillment of worthwhile opportunities by honorable means.*

There are over three hundred definitions of leadership today. There are thousands of books on leadership, ten generally accepted theories of leadership, and several theories regarding motivation, an important subset of leadership. This chapter is a shortcut for lawyers, law students, and those who work in the legal profession, through the leadership literature.

One basic notion of leadership defines it as “*problem solving.*” Leaders are people who solve problems and often people who see problems and understand them first. This simplified notion of leadership, problem solving, describes much of what leaders do. Certainly leaders must spot or identify problems early enough so that a solution that is not too costly can be fashioned to solve the problem. Although leadership will always be about solving problems, there is a new branch of leadership supported and fostered by this book that is not just about solving problems. Rather, it is about creating platforms and standards that people and societies are to follow. The people who undertake this task are what I call “leaders of leaders,” and they will be discussed at the end of this chapter. Lawyers and the legal profession are uniquely situated in American society to perform this critical role of being “leaders of leaders.”

In Appendix A we define approximately 90 brands of leadership.

There are probably hundreds, if not thousands, of brands of leadership that are not mentioned above. Regardless of how many brands of soap there are on the market, the basic concept of soap is not very hard to figure out. Each one of these brands of leadership is a particular approach toward solving some type of problem or creating some set of standards or platforms designed to guide future behavior.

There are ten specific theories of leadership, but no general theory of leadership. Each of these theories tries to explain how leaders become leaders or how leaders work when they are leading people. The first nine theories are based on Northouse's work, and are presented in an "evolutionary" order. Each theory builds on the previous theory. The tenth theory is a contribution to the leadership literature by this author, and dates back to Jethro in the Book of Exodus. The ten theories are as follows:

1. The Trait Theory: People with certain favorable physical, mental, personality, and emotional traits are more likely, if not destined, to be leaders.

2. The Style Approach: Leadership is a function of the style of behavior a person brings to a situation. Typical styles of leadership activity include Team Management, Authority-Compliance, Country Club Management, and Impoverished Management.

3. The Situational Approach: Leaders must "read" a situation accurately and determine what combination of supportive and directive behaviors is appropriate to achieve the goal of the leader. This leadership theory suggests that leaders adapt their styles and behavior based on understanding the full content and context of the situation in which they are operating, their role, the goals of the situation, and the resources they have to use and direct.

4. The Contingency Theory: Understanding and developing successful leadership behaviors is based on analyzing three key factors: leader-member relations, task structure, and position power. Contingency theory shows how the success of certain styles of leadership is contingent on the circumstances in which they are used. Thus, this theory suggests that the relationship between the leaders and the followers should have a strong impact on the leader and the appropriate leadership style that will be effective in that situation.

5. Path-Goal Theory: This is the motivational theory of leadership. This theory suggests that a major goal of leadership is to stimulate performance and

satisfaction among those led by the leader. Under this theory the classic behaviors of the leader are (1) to identify goals and to secure “buy in,” support, enthusiasm, ownership of these goals by followers; (2) to identify all key obstacles and barriers to achieving the goals; (3) ensure proper training and resources for followers in their effort to achieve goals; (4) to organize and direct the actions of the followers in their efforts to achieve goals; (5) to monitor all activity and guide any changes in strategy, resources, and actions necessary to achieve goals; (6) to identify precisely and accurately when the goal is achieved or the shortcomings that result from the effort; (7) to acknowledge and reward systematically all followers for contributions in the effort to achieve the goals; and (8) to set new goals and expectations for the group and repeat the process.

6. Leader-Member Exchange Theory: Leadership is a function of a relationship in which followers give to a leader leadership status and responsibilities and leaders accept that status and perform leadership acts that the followers accept. The relationship between the leader and followers is one of partnership rather than control. Power is equally shared by members with the leader, and the leader’s ability and authority to lead is always a function of the support he or she has from the members.

7. Transformational Leadership: Leadership is a process where leaders and followers work together in a manner that changes and transforms individuals and groups. It is a dynamic process that assesses the followers’ needs and motives and seeks the input of the followers at each critical stage in the leadership process. Transformational leadership presupposes that the goal of the leader is to promote change and improvement for the betterment and with the assistance of the followers. This type of leadership has an explicit goal turning followers into future leaders.

8. Team Leadership: This theory assumes that all leaders are leaders of teams and the major functions of a leader are (1) to help the group determine which goals and tasks it wants to achieve; (2) to help create enabling processes and direct the group so that it achieves the goals and tasks; (3) to keep the group (and the leader) supplied with the right resources, training, and supplies; (4) to set standards for behavior, success, and ethics; (5) to diagnose and remedy group deficiencies; (6) to forecast impending environmental changes to help inform and steer the group appropriately; and (7) to help maintain and defend the group by organizing it and ensuring its proper internal functioning.

9. Psychodynamic Approach: Leadership requires that leaders understand their own psychological makeup and the psychological makeup of those they lead. Leaders using this theory are those who understand (1) the followers' attitudes, potential, behaviors, and expected responses to leadership; (2) the level of maturity of followers and its impact on their responses to leadership actions; (3) the desires and motivational keys of followers; (4) the meaning and interpretation by followers of language, behavior, symbols, and situations; (5) the proper balance of dependence and independence appropriate for a given group of followers; (6) the proper psychological relationship between the leader and followers; and (7) of the psychodynamic interplay between the leader and followers and between and among leaders as well.

10. Leaders of Leaders: This theoretical construct states that the job of a leader of followers is completely different from that of a leader of leaders. Leaders of followers are mainly "problem solvers." Leaders of leaders establish platforms and seek to create an environment so that followers can act as leaders themselves, solve their own "problems," and make excellent decisions consistent with the platform that the leader of leaders sets. In addition, the leaders of leaders concept incorporates the idea that the platform set by the leader of leaders will improve over time because the followers and other leaders will be encouraged to test the platform in the real world, find deficiencies, and report proposed improvements for the platform to the leader of leaders. The major role of the leader of leaders is to create this platform and not to make decisions in particular situations. This job is delegated to the leaders whom the leader of leaders leads.

Just as Warren Bennis defined the differences between leaders and managers (*On Becoming a Leader*), this book spells out for the legal profession how lawyers can become better lawyers and law firms can become better law firms by adopting the basic tenets of the leader of leaders approach to leadership. I will use three examples of people who clearly fit into the category of leaders of leaders. Many other examples exist both today and historically. In order to introduce what I mean by leaders of leaders, it is important to give a working definition of what a leader does and what a leader of leaders does.

A Leader of Followers Is a Person or Group of People Who:

1. Identifies a significant gap between what exists today and an improved state that can be created in the future (Vision)

2. Understands enough about why the current situation exists to know which resources to gather and what forces to apply to solve the problems of the current situation (Grounding)
3. Identifies and communicates a clear, achievable, and understandable path toward improving the current situation (Direction)
4. Identifies the exact combination of resources (capital, people, innovation, techniques, etc.) needed to bring about the desired result (Feasibility Planning)
5. Builds the organizational capacity to achieve the desired result (Developer)
6. Gathers and organizes resources taking into account economics, logistics, legal, and other requirements necessary to deploy these resources successfully (Enrollment and Collaboration)
7. Oversees the project and management plan (including budget) ensuring that the resources used are gathered and deployed in the optimal order and amount (Efficiency)
8. Achieves through leadership an improvement that people can see and identify with that is consistent with the vision or desired outcome (Success)
9. Rewards the people (salary, acknowledgement, etc.), the capital (profit or staying within budget), and all resources associated with the project so that followers would want to work with that leader again (Caretaker)
10. Identifies a new gap between a current situation and a desired outcome (Vision)

This is what a leader of followers does. Essentially, the ten steps listed above are ten steps in seeing that an opportunity to improve the situation or solve problem exists and fulfilling that opportunity. What leaders of followers do is different from what leaders of leaders do. Lawyers are often called upon to be leaders of leaders. The section below identifies what leaders of leaders do.

A Leader of Leaders Is a Person or Group of People Who:

1. Sees a series or class of problems or gaps between the current situation and a desired state of affairs (Broad Vision)
2. Identifies and develops workable solutions to sets of current problems by developing rules, principles, ways of thinking, innovations, and responses that address classes of problems (Systems Solutions)
3. Creates one or more platforms by writing, speaking, and effectively communicating his or her innovations and solutions so that other leaders can use these platforms to address classes of problems (Platform Builder)
4. Creates a communication structure that gets the leader of leaders' message out to leaders and followers in a consistent and reliable manner (Manages the Conversation)
5. Creates a relationship with the leaders they lead so they adopt the leader of leaders' platform and begin using the new solutions and innovations to address the classes of problems (Enrollment)
6. Creates a communication system that ensures that the leader of leaders gets regular, systematic feedback from the leaders they lead as well as their followers regarding the platform including information to inform the leader of leaders as to what works and does not work regarding the leader of leaders' platform (Builds and Feeds the Feedback System)
7. Uses this feedback to improve the platform, the solutions, the principles, and the rules of the leader of leaders so that the future platforms, writings, and teachings become a better foundation that leaders and followers can use and turn to for answers and guidance (Constant Improvement)
8. Monitors how leaders and followers are applying the platform, teachings and innovations to ensure that the use is both widespread

and consistent with the leader of leaders' vision and ideas about how to achieve improvements (Overseer)

9. Takes decisive action when the platform is misused to prevent future problems (Guardian)

10. Identifies a new class of problems to solve and develops new platforms and expands current platforms to address this new class of problems (Broad Vision)

The Distinction Between a Leader and a Leader of Leaders

The platform created by the leader of leaders lets the law firm, legal organization, or other entities know how that leader would respond to a given situation. Leaders of leaders make sure that their platform is well known, understood, and followed by those they lead. Therefore, when a situation arises and a leader or follower looks for guidance, that leader or follower looks to the leader of leaders' platform, teachings, writings, speeches, solutions, innovations, guidance, principles, and positions in order to figure out how that leader of leaders would have wanted that leader or follower to respond to improve the situation at hand and the world at large.

Today leaders of leaders can lead thousands of leaders who, in turn, use the leaders of leaders' platform to lead millions of followers. No leader of leaders can respond to the millions of questions that leaders and followers could ask in response to specific situations. Therefore, developing and communicating the platform, the set of rules, principles, solutions, innovations, examples, and ideas in writing or in some other form of tangible, efficiently repeatable format is one of the most critical elements of becoming a successful leader of leaders.

Leaders of leaders must readily learn from those they lead. When the leader of leaders sets forth a platform, a principle, a rule, an approach to solving a class of problems, or a vision of what the future should be, the true leader of leaders must seek honest feedback regarding which parts of the platform works and which parts do not work. The leader of leaders must act decisively in changing, correcting, and improving those parts of the platform when notified that some of the platform is not helping achieve its goals. Because lawyers and personnel in legal organizations when acting as leaders of leaders must create platforms that guide their own behavior and inform their clients of their own approach to the law and

serving clients, it is essential for lawyers who want to be leaders to establish individual platforms for themselves and their firms.

The first element of creating an individual platform is to be able to understand oneself well enough to understand one's strengths, weaknesses, key goals, and the values one will deploy in attempting to reach these goals. This requires reflection and the creation of a strong sense of identity on the part of the lawyer. This platform will serve not only as a guide to the lawyer, law firms, and all types of legal organizations, but also serve as a guide to the clients who seek the services of the lawyer and judges and tribunals where the lawyer practices.

Years ago, before lawyer advertising, a lawyer's or law firm's reputation and social contacts were the main sources of new business. We envision that when a lawyer or law firm explicitly constructs and communicates a platform to the legal community and potential clients, it will help the lawyer and firm develop a strong reputation for leadership effectiveness, which will give lawyers and firms a competitive advantage.

Of course, it is essential for a lawyer or firm that has created and communicated an individual platform to live and practice law in a manner consistent with the key elements of that platform. This platform will assist the lawyer in creating a long-term plan for the lawyer's legal career. Although a platform is designed to be a stable set of ideas and values, a platform is never static and cast in stone. It is an evolving, firmly rooted set of ideas, concepts, approaches, philosophy, ethics, and actions.

The idea of a personal or professional platform to guide one's professional life as a lawyer is neither new nor radical, but it is not often discussed in legal circles. Creating an individual platform upon which one's legal practice is based will profoundly affect one's identity. This platform can be used as an essential element by lawyers who seek to lead others and make a positive difference in this world.

In addition to creating individual platforms, creating an organizational platform is important in large organizations working in the legal profession including: law firms, government agencies, nonprofit organizations, and educational institutions. Moreover, there are many lawyers who are judges, mediators, arbitrators, fact finders, special investigative counsel, and "of counsel" who are asked, directly and indirectly, to shape the identity and personality of the organizations they serve. For these leaders in the legal profession the creation of

an organizational platform would be an important element in using new leadership development strategies to improve the effectiveness of these organizations.

Today, lawyers, like many other leaders in the United States are primarily problem solvers. Very often, however, lawyers are called upon or volunteer to help organizations establish or change their strategic direction. Applied to the organizational context, a “platform” represents the core set of principles and values that a leader of leaders uses to set the tone, ethic, and direction of the organization as well as to figure out the best answers to systemic challenges and entire classes of problems an organization can face. Organizations that have explicit, well-accepted platforms are called “platform-driven organizations.” It should be the goal of every legal organization to be a “platform driving organization.”

The first characteristic of a platform-driven organization is that the platform is known, understood, respected, and dominant throughout the organization. It directs and guides decisions and actions at every moment and at every level. The second characteristic is that the platform is broad in scope and deep in meaning and impact. The third element is that the organizational platform is a living, breathing, streamlined set of values, principles, mores, and guidelines that leaders of the organization teach and model daily. The fourth key attribute of an organizational platform is that it inspires and demands consistent betterment of the entire organization.

Examples of sound organizational platforms are West Point and Washington and Lee University’s honor codes; Nordstrom’s customer service platform, “satisfy the customer;” IBM’s platform in the 1980s “do what the customer needs;” and McKinsey’s platform, “provide the client ten times greater value than the costs of the project.” With the growing number of mergers between law firms, it is becoming increasingly difficult to identify the true platform of these merged organizations. Lawyers and all of the leaders of these newly merged law firms would serve their organizations well to work diligently to create a firm platform and encourage all lawyers and administrative staff to create their own personal platforms.

The creation, teaching, and enforcement of a true organizational platform represents a paradigm shift in the search to improve organizational effectiveness in the legal profession. This effort can prove to be very useful in regenerating trust

within these organizations and improving the reputation of the legal profession itself. The steps described below show that it is challenging to create an organizational platform. However, because this platform will become the guiding set of principles used by leaders to lead their legal organizations, the effort to create such a platform cannot cut corners.

Below are twelve steps leaders of organizations undertake to become a platform-driven organization. These steps describe (1) how to create a robust platform; (2) how to implement the platform; and (3) how to refine and improve the platform.

1.

Key leaders should develop a list of the core principles, obligations and objectives of the organization. The following are examples of a few items that might be included:

- a)
Conduct all aspects of the law firm with the highest ethical standards.
- b)
Perform thorough legal research identifying and analyzing all relevant law.
- c)
Establish and maintain excellent service to all clients.
- d) Treat all employees with respect and dignity.
- e)
Tell the truth in all circumstances regardless of the potential negative consequences.
- f)
Strive to have the organization and each of its employees always seek excellence.
- g)
Use technology to the organization's and clients' best advantage.
- h)
Treat adversaries with respect and dignity, and demand that clients do the same.

i)
Work whenever possible in a team atmosphere
and avoid silos.

2.
After the major principles are identified and agreed upon, the next step in creating an organizational platform is to survey the key stakeholders, including all firm or agency employees, stockholders or equity partners, and major clients, to secure their input regarding the organizational platform.

3.
The leaders then compile a more thorough list of ideas upon which an organizational platform should be based and develop a concise statement that embodies the core principles, obligations, and objectives of the organization. This document is the organization's draft platform.

4.
The leaders then send out the organization's new platform to all key stakeholders for review and comment. They take all comments and revise and adopt this draft as the organizational platform. Then they distribute the platform broadly.

5.
The organization, having adopted the organizational platform, then provides training to each employee and its clients on the meaning and role of the new platform and creates processes and procedures to make everyone accountable to the organization and to their fellow employees for implementing the platform meticulously.

6.
The organization then publicizes the platform to clients and lets the world know the behaviors that the world can expect of the organization. Each member of the organization should sign a document stating full agreement with the platform. Violations of the platform should be deemed cause for dismissal or termination of any employee.

7.
The organization then establishes a system to reward and regularly acknowledge examples of employee behavior consistent with the platform.

8.
The organization also establishes a system to sanction any employee acting inconsistent with the platform and reward those who identify and report behavior that is not consistent with the platform.

9.
The organization then continuously updates and disseminates examples of platform-consistent behaviors and platform-inconsistent behaviors.

10.

The leaders of the organization must take quick, decisive, well-publicized, and strong action whenever platform-inconsistent behavior is observed in order to ensure that the person or group responsible for the platform-inconsistent behavior does not have the opportunity to act this way again in the organization.

11.

The leaders of the organization should encourage all employees and stakeholders to provide feedback at every stage suggesting revisions in the platform.

12.

The leaders should revise the platform regularly, and at least annually, to reflect feedback from stakeholders and republish, retain and reinvigorate the organization with the new, improved platform.

You will know when your organization does not have a platform just by asking the question of yourself and your organization's leaders, "What is our organization's platform?" Most often people who ask this question will not get a solid answer. Individuals in all organizations should ask, "What should our organization's platform be?" The answer to this question, once created and implemented throughout the organization, will become an important source of organizational betterment for all types of legal organizations.

In sum, it is the role of the organization's leaders and more importantly its leaders of leaders to create, disseminate, and enforce the platform for the organization. This important element has been missing from the organizational landscape and leadership development literature over the past several decades especially as it applies to the legal profession.

Law firms and other types of legal organizations are economic entities. They have a daily mission to serve the profession, their clients, and society as a whole. The creation of a platform is one form of road map that can influence behaviors, improve organizational performance, enhance the lives of those working for the organization, and reduce stress and conflict within organizations throughout the legal community.