



REFLECTION

**Attention, Law Students:
Our Country and Our
Planet Need You to Lead!**

Katie Redford*

Never during the course of my life and career as a lawyer have I felt that there was more urgency for lawyers to step up and lead than there is today. Never have the ideals that we define as ours—truth, justice, fairness, rule of law—been more threatened, yet simultaneously more urgent. And rarely have I been prouder of my profession of first responders, running to airports and borders to defend those in harm’s way and rushing to law libraries and courtrooms to protect the Constitution and the important cornerstone of our democracy¹—that we are, as John Adams described, a “government of laws, and not of men.”²

But what does this mean in practice? How do lawyers effectively lead, and how can law schools support leadership development in their students? What

* Cofounder and Director of EarthRights International; Adjunct Professor at the University of Virginia School of Law and Washington College of Law. Additional details are available at <https://www.earthrights.org/about/team/katie-redford>. I am grateful to the students and faculty at Stanford Law School who invited me to speak at this Symposium and gave me a good reason to put pen to paper about this topic. My deepest appreciation, however, goes to the brave community leaders on the front lines of human rights and environmental justice struggles around the world without whom none of our work at EarthRights International would be possible. This Reflection focuses on leadership and lawyers, but the people I work with from the jungles of the Amazon to the villages on the Mekong are walking this walk every day—and putting their lives on the line to do it. I cannot list your names, but you are the inspiration for all that is written here and more.

1. See, e.g., Jonah Engel Bromwich, *Lawyers Mobilize at Nation’s Airports After Trump’s Order*, N.Y. TIMES (Jan. 29, 2017), <https://nyti.ms/2jGwZuh>; Alexander Burns, *How Attorneys General Became Democrats’ Bulwark Against Trump*, N.Y. TIMES (Feb. 6, 2017), <https://nyti.ms/2jVDnLc>.
2. JOHN ADAMS, *Novanglus Essay No. VII*, in THE NOVANGLUS ESSAYS 66, 70 (n.d.) (emphasis omitted), <http://thefederalistpapers.integratedmarket.netdna-cdn.com/wp-content/uploads/2012/12/The-Novanglus-Essays-by-John-Adams.pdf>.

are the qualities leaders must possess and cultivate, and what are the skills they can develop and practice in law school, in their careers, and in life?

In the twenty-two years since I graduated from law school, I have thought about leadership a great deal. I have had the opportunity to work with many great leaders and lawyers and the clients, communities, and movements they serve. Whether it has been alongside participants in the human rights movement or the environmental movement, or more localized efforts such as the Free Burma movement or the Movement for the Survival of Ogoni People (MOSOP), there are certain leadership qualities that are universal. These qualities transcend geography, culture, race, and gender and can be useful to anyone who feels called to step into her own leadership at this moment when, in my opinion, we need lawyer-leaders more than ever.

In the spirit of simplicity, I have made a “top three” list of qualities and criteria essential to successful leadership.

Great Leaders Have Great Dreams

Think of every single iconic leader you know, whether trained as lawyers, such as Mahatma Gandhi, Bella Abzug, and Nelson Mandela, or not, such as Martin Luther King, Jr. and Aung San Suu Kyi. Each of these extraordinary individuals had a vision of transformative change for his or her country and its people. Racial justice, women’s rights, freedom, and democracy—these great leaders were not just tinkering around the edges of things that did not really matter but were seeking to shift paradigms and alter the status quo. Social justice leaders and lawyers like myself work for radical change to improve the lives of the marginalized or mistreated, with the ultimate goal of transforming the laws, systems, and structures that allow and create injustice in the first place.

When I arrived for my first day at the University of Virginia School of Law (UVA) in August 1992, I did not know that I would embark on a leadership path. Just five days before, I had been volunteering at a refugee camp on the Thai-Burma border, where people had run for their lives from the war and human rights violations, such as systematic killing, torture, rape, and forced labor, perpetrated by the Burmese military junta as it attempted to preserve its iron-fisted rule over the Burmese people.³ Upon learning that I was leaving to attend law school in the United States, the refugees who had become my family implored me not to forget them after returning home: “Please don’t forget us when you go home. We have no law in our country. We have no freedom in

3. See *Human Rights Developments*, HUM. RTS. WATCH, <https://www.hrw.org/reports/1993/WR93/Asw-03.htm> (last visited June 6, 2017); see also U.S. Dep’t of State, *Burma Human Rights Practices, 1993*, ELECTRONIC RES. COLLECTIONS (Jan. 31, 1994), http://dosfan.lib.uic.edu/ERC/democracy/1993_hrp_report/93hrp_report_eap/Burma.html.

our country. We have no ability to get higher education here in this camp. Please, use your education and your freedom to help us get ours.”

Their words rang in my ears as I walked through the hallowed halls of UVA, and their voices and faces helped keep me focused on my goal of becoming a human rights lawyer. I remember that first week as a 1L, nervous and shell-shocked like everyone else but also gratified that so many of my classmates had come to law school for equally idealistic reasons. I met students who wanted to protect endangered species, advocate for women’s rights, abolish the death penalty, protect children and the elderly, and advocate for racial justice. I remember feeling hopeful at an early orientation event, when one of the deans asked us to raise our hands if we had gone to law school to pursue public interest law and an overwhelming majority of us did.

Yet upon graduation, most of my classmates went into private practice and remain there today—and my class and law school were not unique. Studies show that while a majority of law students attend law school because they believe in general ideals of truth and justice and because they want to make the world a better place, upon graduation, many begin their careers in private practice.⁴ They come yearning for the knowledge and skills to better the world, yet law school is all too often a place where students lose sight of these dreams. Perhaps this is because of the elite nature of law school and the privileged status of professors and students, with the heavy emphasis on legal theory and complex procedures rather than the stories of those named in the cases or the societal problems the cases aimed to address. Or maybe it is the heavy debt students incur or the well-worn path to corporate work and relative ease with which career centers place students in corporate jobs.⁵

Whatever the reason, the visions of transformative change—that most important leadership asset—become lost to most students and lawyers. We graduate with the ability to analyze and parse every detail, to assess and challenge every layer of procedure, and to argue any and every substantive

4. William P. Quigley, *Letter to a Law Student Interested in Social Justice*, 1 DEPAUL J. SOC. JUST. 7, 9 (2007); see also Christa McGill, *Educational Debt and Law Student Failure to Enter Public Service Careers: Bringing Empirical Data to Bear*, 31 LAW & SOC. INQUIRY 677, 698-701 (2006).

5. Cf. COMM. ON LEGAL EDUC. & ADMISSION TO THE BAR, ASS’N OF THE BAR OF THE CITY OF N.Y., LAW SCHOOL DEBT AND THE PRACTICE OF LAW 1 (n.d.), <http://www.nycbar.org/pdf/report/lawSchoolDebt.pdf>; SPECIAL COMM. ON THE IMPACT OF LAW SCH. DEBT ON THE DELIVERY OF LEGAL SERVS., ILL. STATE BAR ASS’N, FINAL REPORT & RECOMMENDATIONS 1 (2013), http://www.americanbar.org/content/dam/aba/administrative/professional_responsibility/law_school_debt_report_030813.auth_checkdam.pdf; *Public Service Careers and Student Loan Debt: What You Should Know*, U.S. DEP’T JUST. (May 7, 2012), <https://www.justice.gov/opa/blog/public-service-careers-and-student-loan-debt-what-you-should-know>; Travis, *The Verdict Is in: Law School Student Debt Is Criminally High*, STUDENT LOAN PLANNER (Dec. 9, 2016), <https://www.studentloanplanner.com/law-school-student-debt>.

nuance, regardless of whether we believe in it or not. And in that process, with eyes glued to our casebooks rather than open in the real world, we forget the big picture of why we came in the first place.⁶

All of these challenges were there for me when I was a student. I became immersed in legalese and procedure, I incurred large debts, and I was uncertain about my future yet surrounded by privilege and power. I felt discouraged at the relative ease with which my classmates secured summer jobs, through a career center that was well equipped with hundreds of suggestions and contacts and through firms that flocked to campus to meet with students and conduct interviews for highly paid summer and permanent jobs. For me, the career center did not have binders full of human rights organizations or recruiting directors or even alumni for me to contact. When I finally figured out which organizations I wanted to work with, I had to raise my own funds and support my own costs to get the experience I needed to eventually do this work. Moreover, the relatively few alumni I was able to connect with had all taken wildly divergent career paths. Unlike the well-traveled road and sophisticated infrastructure to support students headed toward private practice, the career center did not have a formula for me to follow or a system for me to enter. Indeed, it seemed like the one unifying criterion of public interest lawyers was that they all had figured it out as they went along and had had to blaze their own trails.

Looking back, these challenges served as catalysts to my emerging leadership—indeed, charting your own path rather than following a well-worn one is a fundamental ingredient in the leadership recipe. While figuring out my future, I also stayed connected to my initial vision by starting a campus human rights group, enrolling in the human rights clinic, volunteering with Tibetan refugees in Charlottesville, and spending every law school summer working with victims and survivors of human rights abuses. While I learned to be a lawyer, I found ways to stay connected to my dream for a world defined by justice and human rights.

To every law student who aspires to be a leader, remember that behind every great leader is a dreamer of great dreams. Martin Luther King, Jr. did not say, “I have a point to make; I have an issue to debate; I have a problem to solve.” Martin Luther King, Jr. said, “I have a dream.”

Great Leaders Go First, Go Forward, and Walk the Walk

Having a vision for transformative change is the first step, but to dream without doing is to remain in the world of fantasy and waste. History has made clear that great leaders go forward and inspire others to do the same. As

6. Quigley, *supra* note 4, at 9.

President, Abraham Lincoln led the country toward ending slavery, and Harriet Tubman led slaves to freedom on the Underground Railroad. Slogans like “go forth,” “rise up,” and “march forward” indicate a clear direction, and leading without direction is not leading at all.⁷

Social justice leaders blaze trails that build power, creating opportunities for people and communities that have been silenced or harmed by the status quo. For lawyers and law students, this is to play the role of legal Robin Hood, reforming laws and legal systems that concentrate power with the “haves” and transferring that power to the “have-nots.” It also means using legal systems and laws in new ways that disrupt the power and privilege of those sectors and institutions that abuse or enjoy disproportionate levels of power. Nelson Mandela, a lawyer himself, expressed this notion well: “For to be free is not merely to cast off one’s chains, but to live in a way that respects and enhances the freedom of others.”⁸

Walking the walk means not just moving forward with an innovative strategy but moving forward with integrity. Martin Luther King, Jr. defined this as “leaders not in love with money but in love with justice; leaders not in love with publicity, but in love with humanity; leaders who can subject their particular egos to the greatness of the cause.”⁹

7. There are, of course, powerful leaders who have goals and visions for society different from what I describe and advocate for here. It is impossible to reflect on leadership today without acknowledging the current political reality and the use of leadership methods generally reserved for descriptions of fascist and despotic regimes. However, it is my contention that history will, as it has done so consistently before, judge great leaders as those who move people, communities, and nations forward and strive to improve the lives and well-being of the many, rather than the elite few. President Trump, though he enjoys great political power, will not be judged by history as a great leader if he continues to use his positional power to move society backwards in an effort to recreate an idealized vision of the past and somehow “make America great again.” In direct contravention to every leadership criterion I describe, his vision of legal reform privileges the few at the expense of the many; protects and advances corporate power and rights over the human and civil rights of living, breathing human beings; and attempts to discriminate and marginalize individuals and communities that lawyers and leaders have worked tirelessly to protect, such as religious minorities, women, immigrants, the LGBTQ community, people of color, and those in poverty. While there have certainly been leaders in the past and present who have personified this model of leadership—Hitler, Stalin, Mussolini—it is leadership born of fear and hate rather than courage and empathy. It is the polar opposite of great leadership and certainly the opposite of the justice-oriented leadership to which I believe lawyers and law students should aspire.

8. NELSON MANDELA, *LONG WALK TO FREEDOM: THE AUTOBIOGRAPHY OF NELSON MANDELA* 544 (1994).

9. Martin Luther King, Jr., *Facing the Challenge of a New Age*, Address Delivered at the First Annual Institute on Nonviolence and Social Change (Dec. 3, 1956), http://okra.stanford.edu/transcription/document_images/Vol03Scans/451_3-Dec-1956_Facing%20the%20Challenge%20of%20a%20New%20Age.pdf.

Having a vision for a world that is defined by one set of rules but following a different set of rules in your own life is the opposite of leadership. Great leaders inspire others to go forward because they personify the values they preach. Their own choices and actions match their visions because leaders need the respect of their followers. While current events might suggest something different, history has shown time and again that very few people will follow or respect a hypocrite.

A great leader, therefore, practices what she preaches, which includes a well-articulated and inspiring vision for how the world can be different, a plan for how to make that dream a reality, and a strategy for enhancing the power of others along the way. When I was a third-year law student, I had that dream of democracy and human rights in Burma, but my dream lacked a plan. So I did what any reasonable law student would do in that situation: I wrote a paper.

The seeds for my paper were planted during my second-year summer, when I worked for a nongovernmental organization in Thailand documenting human rights abuses associated with extractive industries in Burma. It was then I learned that an American oil company had gone into business with the Burmese military to build a pipeline in Burma and that that company, Unocal (since acquired by Chevron), had hired the Burmese military to provide “security” for their pipeline. In providing security, the pariah regime did what it was notorious for: engaged in forced labor, torture, rape, and the killing of civilians who lived along and near Unocal’s pipeline.¹⁰

To me, it seemed obvious that either U.S. or international law should prohibit an American corporation from engaging in, and profiting from, abuses such as slavery and torture. But when I explored it further, I found that the globalization of law and justice had not kept up with the quick pace of economic globalization that characterized the 1990s. The dream that fueled my eventual leadership in this field expanded to include a vision of global justice for all people threatened by corporate exploitation, who were either experiencing, or would in the future experience, the darker side of unregulated globalization.

I convinced the law school to allow me to do an independent study, which was unusual at UVA back then but I did not care. My paper would explore the specific ways in which the power of law could be brought to bear on corporate human rights abusers to hold them accountable for their abuses and to enable threatened communities to protect their rights and their homelands from exploitation. Unocal and Burma would be my case study.

10. See Manuel Velasquez, *Unocal in Burma*, MARKKULA CTR. FOR APPLIED ETHICS (Nov. 2, 2005), <https://www.scu.edu/ethics/focus-areas/business-ethics/resources/unocal-in-burma>; see also Free Burma Coal, *Unocal: Making a Killing in Burma*, THIRD WORLD TRAVELER, http://www.thirdworldtraveler.com/Oil_watch/Unocal_MakingKillingBurma.html (last visited June 6, 2017).

After spending a semester writing my paper and turning it in, I eagerly awaited my professor's response, which, to paraphrase, was this: "Katie, you've made the best possible argument you can make with a losing argument. You cannot sue a corporation for international human rights violations in U.S. court. Nobody has ever done this before. It's unconstitutional. It's legally impossible. It's a terrible idea, and it's not going to happen." After one brief moment of shock and disappointment, I pulled myself together and fired right back: "You're just saying that I can't do this because nobody ever has." And taking inspiration from other leaders I admired, I realized that leadership, by definition, usually means to do something first. So I graduated from law school and started EarthRights International with a law school classmate and a human rights leader from Burma. Together we organized a team of lawyers and human rights investigators, and we filed a lawsuit against Unocal for complicity in slave labor, torture, killings, and rape in Burma. Less than two years after graduating, we established jurisdiction and made good law. Our case became the first in history outside the Holocaust context in which a suit against a corporation for human rights abuses overseas was allowed to proceed in U.S. court.¹¹ And from that precedent, EarthRights has continued to represent survivors of corporate abuse in Nigeria, Peru, Colombia, India, and other countries where exploitation is unfortunately "business as usual." We have grown from three people to sixty and continue to lead the corporate accountability field. Dream. Plan. Do. And do not be afraid to go first, even if the "experts" tell you it is impossible.

The 3 Cs of Great Leadership: Commitment, Courage, and Creativity

That anecdote brings me to my final offerings, all of which flow from the unyielding and intense dedication and perseverance necessary for effective leadership. Every great leader I have studied or known has displayed a tunnel-vision commitment to her cause and a willingness to do whatever it takes to serve it. For me, this meant trying a legal strategy that had never succeeded, even when people told me I could not do it. It meant coming up with creative ways to pay back my loans while working for years with no salary and learning a bunch of new skills on the fly, such as how to establish and build an organization and become a fundraiser and manager while also being a lawyer. It meant working long hours for months on end without a weekend or a vacation, getting malaria and dengue fever, and taking personal risks to travel across borders and into war zones to meet my clients and witnesses. Never

11. See Edward Alden & Doug Cameron, *Unocal Settles Burma Human Rights Cases*, FIN. TIMES (Dec. 13, 2004), <https://www.ft.com/content/fa24d3a6-4d4d-11d9-b3be-0000e2511c8>.

once during these times did I ever feel resentful, or regret my choice, or feel as if I were making a sacrifice. To the contrary, nothing was going to get in my way.

There is a passion—dedication and love for the work, the people, and this planet—that drives what great leaders do. Wangari Maathai, Kenya’s leader of the grassroots environmental Green Belt Movement and winner of the 2004 Nobel Peace Prize, was repeatedly beaten, tear-gassed, and arrested for her work to organize people to plant trees.¹² Chico Mendes was murdered for leading Brazilian rubber tappers to protect Amazon rubber reserves.¹³ One of our clients, Ken Saro-Wiwa, the MOSOP leader who inspired hundreds of thousands of Ogoni people to protest Royal Dutch Shell’s destruction of the Niger Delta, was arrested, tortured, and executed for raising environmental concerns about his native lands.¹⁴ Yet his unyielding commitment endured right until the final moment of his life and beyond. His final words, before he was hanged by the Nigerian junta, continue twenty-two years later to inspire human rights and environmental activists, including myself, across the globe: “Lord take my soul, but the struggle continues.”¹⁵

Courageous effort does not require you to endure violence, arrest, or death, but it does require a willingness, and indeed a thirst, to take bold actions and navigate uncharted territories. Indeed, leaders are not just willing—they are unable to *not* take action when their cause is at stake. Martin Luther King, Jr. described this inability to do nothing as a sense of dying: “A man dies when he refuses to stand up for that which is right. A man dies when he refuses to stand up for justice. A man dies when he refuses to take a stand for that which is true.”¹⁶

Courage can come in the form of innovation and creativity, like doing something before someone else has done it. As a lawyer, that might mean leading impact litigation efforts or developing and implementing novel legal theories that do not rely on the security and relative certainty of existing precedent. Martin Luther King, Jr. famously stated that “[t]he ultimate measure

12. *Wangari Maathai: 1991 Goldman Prize Recipient Africa*, GOLDMAN ENVTL. PRIZE, <http://www.goldmanprize.org/recipient/wangari-maathai> (last visited June 6, 2017); *Wangari Maathai: Facts*, NOBELPRIZE.ORG, https://www.nobelprize.org/nobel_prizes/peace/laureates/2004/maathai-facts.html (last visited June 6, 2017).

13. James Brooke, *Why They Killed Chico Mendes*, N.Y. TIMES (Aug. 19, 1990), <https://nyti.ms/2pj30fi>.

14. *Wiwa v. Royal Dutch/Shell*, EARTHRIGHTS INT’L, <https://www.earthrights.org/legal/wiwa-v-royal-dutchshell> (last visited June 6, 2017).

15. Frank Aigbogun, *It Took Five Tries to Hang Saro-Wiwa*, INDEPENDENT (Nov. 13, 1995, 12:02 AM GMT), <http://www.independent.co.uk/news/world/it-took-five-tries-to-hang-saro-wiwa-1581703.html>.

16. Martin Luther King, Jr., Sermon at Brown Chapel AME Church in Selma, Alabama (Mar. 8, 1965).

of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.”¹⁷ Now is certainly one of those times in America, with leaders in place who promote alternative facts; reject science and law; disparage the judiciary; and use power to oppress, exploit, harm, and deny. These new realities in our country mirror the global problems that require courageous leadership. Urgent problems like mass migration and climate change that do not have tried-and-true solutions demand innovative leaders to step up with creative ideas, and lawyers have an important role to play in addressing these challenges.

Conclusion

When we think about the great leaders I have referenced, or those we know have effected transformative change for a more just and fair society, how do we measure the quality of their leadership? Is it their salary or their job title? Is it the name of the firm or institution where they work? Is it the size of their house or their car, the clothes they wear, or the stuff they have? Is it the length of their motorcades or the political office they hold?

Yet when we think of how a lawyer’s success is often measured, these are precisely the kinds of indicators we use. Likewise, when we observe what is important to rankings and reports, it seems that the business of legal education and the career trajectory of most law students may be in tension with producing the kinds of leadership I am talking about here. As a law student who has choices to make, now would be a good time to choose which path you are on. It might not be the well-worn path that is facilitated by the current systems in place at your school and in the world. But remember that the system mirrors and seeks to preserve the status quo. And every great leader has a dream of disrupting and transforming the status quo.

Those whom history has honored as great leaders—King, Mandela, and Suu Kyi, among others—have never been measured by the kind of criteria enumerated above. Only you can answer this question for yourself, so take a moment and think about a leader whom you admire, whom you would aspire to be: What are the standards you used to measure that greatness? For me, a great leader can be measured by the quality of her service to people and the planet; by the strength of his conviction; by her courage to persist even in the face of adversity, danger, and defeat; by his ability to identify and lift up the talents and strengths of those around him; and by her humility and empathy defining every step of the way.

I encourage you to embrace your leadership now—be a dreamer of great dreams and a doer of great deeds; be courageous and creative to serve the cause

17. MARTIN LUTHER KING, JR., STRENGTH TO LOVE 20 (1963).

Attention, Law Students
69 STAN.L. REV. 1831 (2017)

you are committed to; help find and build power and greatness in those around you; be humble and kind in what you do. Be a first responder, and get out in front. You may not know exactly what your leadership will look like—I certainly did not. I am glad that uncertainty did not stop me because I have had an exciting career and it has been a fun and fantastic ride. Hurry up. This country and this planet needs some new leaders—why not you?