



LTG Risch speaks to members of the George Washington University Law School's National Security Law Association. (Image courtesy of authors)

Special Feature

Lawyers as Leaders Servant Leadership and Our Dual Profession

By Lieutenant General Stuart W. Risch and Lieutenant Colonel John E. Swords

Lawyers should be able to build and lead organizations. They should be able to develop the vision, the values, the priorities, the strategies, the people, the processes, the checks and balances, the resources, and the motivation. Team participation and team leadership are interconnected: leadership today is often not command and control but persuasion and motivation and empowerment of teams around a shared vision.¹

The U.S. Army Judge Advocate General's (JAG) Corps is nearly 10,000 strong, spread across our country and the globe. Regardless of rank or mission, as dual professionals—both Soldier and lawyer, working in the profession of arms and the profession of law—judge advocates (JAs) are leaders. Therefore, continued improvement in all aspects of leadership, but particularly

in becoming a true servant leader, is of paramount importance to success in our unique practice.

All JAs will supervise, manage, and lead Civilians, Soldiers, and fellow officers. As such, every member of our Corps, whether in a supervisory role or not, should develop a leadership philosophy—if they have not done so already. Before assuming

a leadership role, it is vital to develop your own written philosophy to set forth all those things that you have determined are critical for a leader to believe, state clearly, and follow. Your philosophy documents what you expect of yourself as a leader, what others should expect from you, and what you expect from subordinate leaders in *general* terms as opposed to specifics. That last concept is critical to understand because we do not always get to be the leader we want to be; *we must be the leader our people need*, so there must be flexibility built into any leader's philosophy.

This article discusses the concept of lawyers as leaders, servant leadership, and the JAG Corps's emphasis on leadership. It focuses on how the U.S. Army, and specifically our JAG Corps, *grows leaders*. But first, let us proudly and quickly provide some background on our remarkable law firm: what we believe to be the oldest, largest, and best America has to offer.

Our People

Our Corps has approximately 1,850 uniformed lawyers (i.e., JAs) on active duty, more than 2,800 in the Army Reserve and National Guard, and over 750 Civilian attorneys. We total over 5,000 uniformed and Civilian attorneys who lead, manage, mentor, and work side-by-side with nearly 5,000 uniformed and Civilian paralegals and warrant officers (i.e., legal administrators). In sum, our regiment numbers almost 10,000 personnel and is embedded in every echelon of the Army to provide principled—that is, ethical—and legally precise counsel, advice, and support.

More than 150 JAs are presently deployed worldwide in more than twenty countries. While our deployed numbers have significantly decreased since the end of the wars in Iraq and Afghanistan, our worldwide footprint has actually increased. Last year, JAG Corps personnel supported over 600 legal offices and deployed task forces in over thirty countries. Congress, the Department of Defense, and Army leadership continue to ask us to do more, and our talented people rise to every occasion

and novel challenge. Our personnel successfully achieve all of the innumerable feats because they possess a firm foundation in, and understanding of, servant leadership.

The Concept of Servant Leadership

The term servant leadership might sound like an oxymoron to many outside of the military service. Yet all of us in the profession of arms understand that a leader must be a servant to their respective Service, unit, and subordinates. True servant leaders use their authority and position to *serve* subordinates and peers—that is, to care for them—rather than expect those individuals to serve the leaders' needs.

The concept of servant leadership is not a recent one borne out of high-profile CEOs leveraging social media over the last decade to become media darlings. Rather, businessman and author Robert K. Greenleaf coined the term “servant leader” in his 1970 essay *The Servant as Leader*.² A servant leader “focuses primarily on the growth and well-being of people and the communities to which they belong” and “put[s] the needs of others first and help[s] people develop and perform as highly as possible.”³ Greenleaf, a thirty-eight-year employee of AT&T who rose to be the director of management development, held the belief—quite unpopular at the time—that “the organization exists for the person as much as the person exists for the organization.”⁴

While Greenleaf is credited with coining the servant leader term, it was used in concept—and certainly practice—much earlier. As just one example, during his reign in the eighteenth century, the autocratic King Frederick II of Prussia famously portrayed himself as “the first servant of the state.”⁵ Whether he would be considered a servant leader by Greenleaf's standards is certainly debatable. Yet, America's military history is filled with known and unknown individuals who have undoubtedly been servant leaders, as characterized by Greenleaf. Major (MAJ) Richard “Dick” Winters, the Easy Company Commander of the 506th Parachute Infantry Regiment, 101st Airborne, from World War II and the TV series *Band of Brothers*⁶ fame, is one individual who comes to mind for many in the Army as the epitome of a servant leader. The Soldiers from Easy Company during his time in command echo

that opinion.⁷ And there are countless more military leaders at all echelons and ranks who are true servant leaders.

In his essay, Greenleaf outlines ten fundamental principles of servant leadership. Current or future leaders should recognize many of the traits on the list and already be diligently working to improve in those areas. They are:

1. listening well;
2. showing empathy;
3. allowing for healing and the building of trust;
4. demonstrating self-awareness;
5. being persuasive;
6. exercising conceptualization (that is, developing direction and looking beyond daily priorities to the big picture);
7. displaying foresight (predicting future outcomes and planning for them);
8. stewardship (accepting accountability, taking responsibility for your actions, and recognizing how your support of your people contributes to overall performance);
9. committing to the growth of people; and
10. building community so all work together toward a common goal.⁸

Although not an official endorsement, Greenleaf's contentions are persuasive; they form the cornerstone for much of the modern basis of leadership in both the military and the private sector. This article will not discuss all ten of his principles in depth; while they are all worthy of further discussion, a few merit highlighting here.

Per Greenleaf, servant leaders must be good listeners to *get to know* their employees. In any profession, it is critical that you know your subordinates and build mutual trust—both personally and professionally. That trust is the lynchpin of all aspects of your future success as a leader. Former U.S. President Theodore Roosevelt is credited with saying, “People don't care how much you know until they know how much you care.”⁹ Once your subordinates are convinced that you genuinely care about them and endeavor to take care of them, they will go to the ends of the earth for you and the mission—just ask MAJ Winters.

Stewardship—along with *foresight and conceptualization* (thinking strategically,

predicting future events, and planning accordingly, as defined by Greenleaf¹⁰)—demands that leaders think long-term for their organizations and act to improve the organization beyond their tenure. For example, as a leader you will undoubtedly be confronted by a situation in which a stellar Civilian, paralegal, noncommissioned officer (NCO), warrant officer, or young officer will have the opportunity to do some form of training that has the potential to significantly progress that individual's career. You may be tempted to deny this opportunity because of the negative impact you believe their absence will have on *your* current formation. However, you must ensure that you do not stand in the way of that person's progress for some *perceived* short-term, and likely relatively inconsequential, gain. That individual could be a future senior Civilian attorney, sergeant major, senior legal administrator, or senior officer, and your actions have potentially stunted their professional growth, or worse yet, caused them to lose faith and leave our ranks. Although at times it is difficult, you must think of decisions in terms of what is best for your organization as a whole and not just the perspective from your own foxhole.

Relatedly, servant leaders must also be *committed to the growth and development* of their people. As an institution, the Army is undoubtedly devoted to this worthwhile and critically important goal. The opportunities for advanced education at all levels in our military are not only plentiful but they are also required for advancement in many instances. As previously discussed in reference to stewardship, you not only need to support developmental opportunities for your subordinates, but you should also actively encourage them to take advantage of available assistance programs. These include, among others, the GI Bill, Tuition Assistance Program, and the Career Intermission Program. It is critical that you not simply give lip service to development opportunities and programs; you should research them yourself on your subordinates' behalf and then develop a plan on how they can accomplish their personal and professional goals. Be invested in them, and they will remain invested in you and your organization.

Lastly, leaders must recognize the importance of building trust and camaraderie with their subordinates: “You’ve got my back, and I’ve got yours.” If you actively listen to get to know your team well, steward your organization, and are committed to the growth of your people, you will build a solid foundation that will permit trust and unity to flourish. However, you must also strive to build bridges between all of your personnel—officers, warrant officers, NCOs, enlisted, and Civilians—so they feel interconnected with the whole.

Being a true servant leader is incredibly rewarding. You will invest in your team, make lifelong connections, and enrich the lives of so many people. However, you will have to constantly work at it because the traits of a servant leader are all ones we must continually refine to perfect. Do not rest on your successes; instead, self-reflect on the areas in which you need the most improvement and practice those at every opportunity. You will need those reps to develop your leadership skills to be able to react to different challenges that will assuredly arise. As lawyers, we have unique opportunities to lead that other professions might lack.

The Concept of Lawyers as Leaders

The modern concept of lawyers as leaders appears to have its roots in former Yale Law School Dean Anthony Kronman’s 1993 book, *The Lost Lawyer*.¹¹ Kronman sought to refocus the legal profession on leadership by reviving nineteenth-century notions of the “lawyer-statesman ideal.”¹² More recently, the concept was further expanded by Ben Heineman, Jr., General Electric’s senior vice president and general counsel, in a 2007 *Yale Law Journal* article discussing lawyers as leaders.¹³ The content of Heineman’s article is prescient, and it has gained significant traction in the American legal academic community over the last few years. Although there is a new focus on this concept, America’s history is rife with examples of lawyers doing *exactly* what Heineman championed: serving as leaders. Despite the fact that lawyers comprise less than one-half of 1 percent of our Nation’s population, our influence is significant and our impact on daily decisions is critically important.¹⁴ In fact, no other profession

accounts for more leaders in every aspect of society.¹⁵

Some of America’s more famous examples include Thomas Jefferson as the principal author of the Declaration of Independence; James Madison and John Marshall’s central roles in the adoption and establishment of the Constitution and the Supreme Court; pre-Civil War abolitionism by Charles Sumner and many others; Abraham Lincoln and his efforts to both abolish slavery and bring the war to an end; and the Civil Rights Movement, which was led, in great measure, by Thurgood Marshall and many other change-minded lawyers.¹⁶ These are only but a few of the countless critical examples in U.S. history. In each of these instances, the individuals involved utilized their experience and expertise as lawyers to progress important concepts that may not have been widely popular among the American public at the time of their involvement. They did so by exerting strong leadership, which, as you might imagine, takes *many* forms. Because, again, you do not always have the luxury of being the leader you want to be; you must remain flexible enough in your application of leadership principles and experiences to be the leader your people and team need. And it is exactly the same with lawyering, so it should come more naturally for you.

A frequent debate in American culture is whether leaders are made or born.¹⁷ This argument centers on whether genetics determine our leadership abilities, or if experience can hone such skills. We firmly believe that leaders are *made*—forged in the cauldron of life by being forced time and again to make difficult decisions and learn from mistakes through trial and error. Science appears to support this position with some studies suggesting that leadership is 30 percent genetic and 70 percent learned.¹⁸ As a result, individuals may be born with innate leadership tendencies and abilities and, nonetheless, can (and must) learn to lead better. This should give you cause for celebration because everyone has room to learn new skills, techniques, and best practices to grow in leadership competency.

The Army and its sister Services have long been thought to be an incubator for strong leaders. Returning to the point above, you might wonder whether

that is because people born with natural leadership abilities are drawn to military service. There may be some validity to that contention. However, the Army has created publications that are especially adept at teaching leadership skills to its personnel. Numerous CEOs and other renowned leaders laud Army Doctrine Publication (ADP) 6-22, *Army Leadership and the Profession*,¹⁹ as one of the preeminent texts on effective leadership. If you want to improve as a leader of diverse groups and individuals and learn how to bring them together while motivating and inspiring them to work as one toward a common cause or goal, you must read, study, and put into practice that which is contained in ADP 6-22.

The U.S. Army JAG Corps and Leadership

The U.S. Army JAG Corps is committed to leadership and growing future leaders. At the end of the day, we are in the people business. Our regiment’s top priority, as well as that of the Army, is our people. We strive to take great care of our people—the Judge Advocate Legal Services community and their Families—so they, in turn, may provide exceptional advice and counsel to our clients. We firmly believe that if we take care of the people, they will take care of the mission. Of all the impressive multi-billion-dollar weapons systems the U.S. Army has in its arsenal, our greatest system is unequivocally our people. As they say in our special forces community: “humans over hardware.”²⁰ People, not equipment, make the critical difference in virtually all endeavors—especially ours. Caring for our people extends well beyond pay, benefits, and healthcare; it principally involves leadership, mentorship, and wellness, helping them to sustain themselves and grow personally and professionally. The U.S. Army JAG Corps lives that ethos every day.

In recent years, civilian law firms in the United States have stressed the importance of lawyers being “layered”; that is, they possess the requisite legal expertise, strategic thinking, and disciplined planning combined with the ability to build powerful relationships, take ownership, and give back with empathy, authenticity, and commitment to a cause.²¹ In ADP



The four constants of the Army legal profession. (Image courtesy of authors)

6-22, leadership is defined as “influencing people by providing purpose, direction, and motivation to accomplish the mission and improve the organization.”²² You can see how those two concepts from completely different entities mesh quite well. Yet, it is quite different to *ask* or *expect* your people to possess a specific skill set than to provide them with the education, training, experience, and examples/role models for them to know exactly what is expected, why, and how to achieve it. This is precisely why the U.S. Army JAG Corps opened the Leadership Center at The Judge Advocate General’s Legal Center and School in June 2019.²³

The “layered” concept is one the U.S. Army JAG Corps has valued for decades. We are dual professionals—Soldiers and lawyers—each of which requires a unique set of skills. In Mr. Heineman’s article, he asserts that lawyers should “work cooperatively and constructively on teams composed of members from other disciplines, vocations, and cultures.”²⁴ Our attorneys do that daily; they work with infantrymen planning operations, budget analysts determining how to fund requests, field artillery personnel looking to put steel on a target, military intelligence personnel capturing and analyzing intelligence, and countless more. This provides our personnel with a different perspective on how to best address issues and insight into their individual clients’ backgrounds. When our JA majors attend the Army Command and

General Staff College and our JA lieutenant colonels and colonels attend the Army War College or sister Service equivalent, they conduct joint education with those other officer branches from the Army and its sister Services. They learn how the other military branches and Services conduct planning by performing duties in these different roles. This affords our lawyers a perspective that many attorneys in the United States lack—*understanding precisely what our clients do and how they do it*.

Our Corps’s focus on leadership as dual professionals begins with a foundation of ethics and character rooted in the Army Values,²⁵ Soldier’s Creed,²⁶ Warrior Ethos,²⁷ Army Civilian Corps Creed,²⁸ and/or professional rules of ethics.²⁹ As Soldiers, we live by the seven Army Values (loyalty, duty, respect, selfless service, honor, integrity, and personal courage).³⁰ As lawyers, we honor our professional code of ethics, integrity, character, and moral courage to provide principled counsel to commanders and other clients, directing them toward legally, ethically, and morally correct decisions or actions. Our adherence to those standards yields mutual trust between our personnel and our clients. Mission success ultimately requires trust among all involved—Service members, Army senior leaders, Families, and the American people—and we must earn and maintain the trust and confidence of those we serve *and* serve alongside. Without a doubt, trust is the coin of the realm in leadership,³¹

and that could not be any more true in the Army and its JAG Corps.³²

The U.S. Army JAG Corps is America’s oldest and largest law firm and is engaged in the most consequential practice of law there is. We have attained those distinguished statuses through resolute adherence to the Army Values. Consistent therewith, we have four constants that guide our practice: principled counsel, servant leadership, stewardship, and mastery of the law.³³ Together they serve as the north star that always keeps us on the correct azimuth and are the bedrock upon which the foundation of our practice endures.

Principled counsel means providing candid professional advice on law and policy that is grounded in the Army ethic and enduring respect for the rule of law. We must be honest brokers with the moral courage to say no when required, but we must also have the knowledge and experience to find a way to accomplish the client’s desired intent or end state in a legal, moral, and ethical manner. As discussed above, servant leadership entails our leaders placing the needs of those they lead before themselves—recognizing that they are there to serve those they lead, not the reverse. Again, stewardship demands that leaders act to improve the organization beyond their own tenure—thinking long-term for our Corps and our Army. In essence, the members of any organization, and particularly ours, must have the foresight to “plant trees in whose shade they know they shall never sit.”³⁴ Finally, mastery of the law is the in-depth knowledge, competence, and skill in our practice areas, which is formed through training, experience, and lifelong learning.

To symbolize these constants, we use one of the most critical instruments in navigation: the compass. A compass not only indicates the direction in which you are traveling but also provides the proper bearing toward where you need to go. It also orients to true north, which, to us, is principled counsel. These constants provide our Corps the direction we, at times, require and help us maintain a proper bearing, regardless of the environment in which we are operating as we pursue our service to our Nation and her Army.

Our Corps takes great pride in the stellar leadership displayed by all of our personnel—Civilians, enlisted, legal administrators, and officers—on a daily basis. However, there is always more work and self-reflection that can occur to ensure growth and improvement in this critical area. And for precisely that reason, we continue to internally expand leadership education and access in addition to all the fantastic resources the Army provides to its personnel. Since its creation in 2019, the Leadership Center has grown in both assigned personnel and reach. In recognition of its importance, it is now included in all aspects of our legal education. The reinforcement of our bedrock values will ensure our personnel remain vigilant to always do what is right, speak truth to power, prepare for the future, and care for our people, because *that* is leadership.

Conclusion

It is an exciting time to serve in our ranks. We have increased emphasis on leadership, mentorship, diversity, and wellness to continue growing the leaders our Army and Nation will need in the twenty-first century. Our people remain the resilient, steadfast professionals the Army requires, and those nearly 10,000 personnel provide unrivaled legal support to our clients—commanders, Soldiers, and victims—every single day. While our clients and core practice areas remain relatively unchanged, our missions will continuously expand and evolve. Through that change, our personnel must be servant leaders who are ready to do what is right, speak truth to power, prepare for the future, and care for our people—because *that* is leadership. If that occurs, our Corps will remain the trusted professionals they have always been, ready to operate on the cutting edge of the law, policy, and social change to achieve mission success.

As always, we'll meet you on the high ground! **TAL**

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Notes

1. Ben W. Heineman, Jr., *Lawyers as Leaders*, 116 YALE L.J. POCKET PART 266, 267 (2007).
2. ROBERT K. GREENLEAF, *THE SERVANT AS LEADER* (1970), reprinted in ROBERT K. GREENLEAF, *SERVANT LEADERSHIP: A JOURNEY INTO THE NATURE OF LEGITIMATE POWER AND GREATNESS* (1977).
3. *The Servant as Leader: What Is Servant Leadership?*, ROBERT K. GREENLEAF CTR. FOR SERVANT LEADERSHIP, <https://www.greenleaf.org/what-is-servant-leadership> (last visited Apr. 2, 2024).
4. *Robert K. Greenleaf Biography*, ROBERT K. GREENLEAF CTR. FOR SERVANT LEADERSHIP, <https://www.greenleaf.org/about-us-3/robert-k-greenleaf-biography> (last visited Apr. 2, 2024).
5. Cynthia H. Whittaker, *The Reforming Tsar: The Redefinition of Autocratic Duty in Eighteenth-Century Russia*, SLAVIC REV., Spring 1992, at 77, 82.
6. *Band of Brothers* (HBO broadcast 2001).
7. See, e.g., Tom Bowman, *Dick Winters, 'Band of Brothers' Inspiration, Dies*, NPR (Jan. 11, 2011), <https://www.npr.org/2011/01/11/132826373/Dick-Winters-Band-Of-Brothers-Inspiration-Dies-At-92> (quoting Clancy Lyall, who served as a private under Winters as saying, "I'd go through hell with him, no question about it. We all had the same feeling about him too"); NAT'L WWII MUSEUM, *EASY COMPANY: ENGLAND TO THE EAGLE'S NEST* (2017), <https://www.nationalww2museum.org/sites/default/files/2017-07/2017-easy-company.pdf>.
8. See GREENLEAF, *supra* note 2; Larry C. Spears, *Character and Servant Leadership: Ten Characteristics of Effective, Caring Leaders*, 1 J. OF VIRTUES & LEADERSHIP 1 (2010).
9. This quote is often attributed to both Theodore Roosevelt and John C. Maxwell. See, e.g., *Theodore Roosevelt Quotes*, THEODORE ROOSEVELT CTR., <https://www.theodorerooseveltcenter.org/Learn-About-TR/TR-Quotes?page=112> (last visited Apr. 2, 2024); JOHN C. MAXWELL, *THE COMPLETE 101 COLLECTION: WHAT EVERY LEADER NEEDS TO KNOW* 30 (2010).
10. See GREENLEAF, *supra* note 2, at 12-14, 17-18.
11. ANTHONY T. KRONMAN, *THE LOST LAWYER* (1993).
12. See *id.* at 50.
13. Heineman, *supra* note 1.
14. DEBORAH L. RHODE, *LAWYERS AS LEADERS* 1 (2013).
15. See *id.*
16. See Heineman, *supra* note 1, at 268.
17. Marjan Boerma et al., *Point/Counterpoint: Are Outstanding Leaders Born or Made?*, 58 AM. J. OF PHARMACEUTICAL EDUC. 1, 1 (2017).
18. See Kari Keating et al., *Developmental Readiness for Leadership: The Differential Effects of Leadership Courses on Creating "Ready, Willing, and Able" Leaders*, 12 J. OF LEADERSHIP EDUC. 1 (2014).
19. U.S. DEP'T OF ARMY, *DOCTRINE PUB. 6-22, ARMY LEADERSHIP AND THE PROFESSION* (31 July 2019) (C1, 25 Nov. 2019) [hereinafter ADP 6-22].
20. See Spencer B. Meredith III, *Not Reading Tea Leaves: Educating the Force for Future Threats*, SPECIAL WARFARE, Apr.-June 2017, at 21, 22.
21. Jennifer O'Neill, *Lawyers as Leaders: Tips to Perfect Your Leadership Style*, N.J. L.J. (Oct. 7, 2021), <https://www.law.com/njljournal/2021/10/07/lawyer-as-leader>.

22. ADP 6-22, *supra* note 19, para. 1-74.

23. The Leadership Center's mission is to train, educate, and assess leadership, as well as mentorship, wellness, and Diversity, Equity, and Inclusion, across the JAG Corps, creating engaged, inclusive, and accountable organizations that empower all members to lead with the four constants, as well as the Army Values, as the lynchpin of their practice.

24. Heineman, *supra* note 1, at 267.

25. *The Army Values*, U.S. ARMY, <https://www.army.mil/values> (last visited July 8, 2024).

26. *Soldier's Creed*, U.S. ARMY, <https://www.army.mil/values/soldiers.html> (last visited July 8, 2024).

27. *Warrior Ethos*, U.S. ARMY, <https://www.army.mil/values/warrior.html> (last visited July 8, 2024) ("I will always place the mission first. I will never accept defeat. I will never quit. I will never leave a fallen comrade.").

28. *Army Civilian Corps Creed*, U.S. ARMY, <https://www.army.mil/values/corps.html> (last visited July 8, 2024).

29. U.S. DEP'T OF ARMY, REG. 27-26, *RULES OF PROFESSIONAL CONDUCT FOR LAWYERS* (28 June 2018).

30. *The Army Values*, *supra* note 25.

31. George P. Schultz, *The 10 Most Important Things I've Learned about Trust over My 100 Years*, WASH. POST (Dec. 11, 2020), <https://www.washingtonpost.com/opinions/2020/12/11/10-most-important-things-ive-learned-about-trust-over-my-100-years>.

32. Joe LeBoeuf & Joe Doty, *When It Comes to Effective Leadership, Trust Matters*, ASS'N OF U.S. ARMY (Jan. 26, 2022), <https://www.ansa.org/articles/when-it-comes-effective-leadership-trust-matters>.

33. U.S. DEP'T OF ARMY, *FIELD MANUAL 3-84, LEGAL SUPPORT TO OPERATIONS* fig.1-1 (1 Sept. 2023).

34. Roger Pearse, "A Society Grows Great When Old Men Plant Trees in Whose Shade They Know They Shall Never Sit" – An Ancient Greek Proverb?, ROGER PEARSE (Aug. 26, 2017), <https://www.roger-pearse.com/weblog/2017/08/26/a-society-grows-great-when-old-men-plant-trees-in-whose-shade-they-know-they-shall-never-sit-an-ancient-greek-proverb>.