

Introduction

If your vision is for a year, plant wheat. If your vision is for ten years, plant trees. If your vision is for a lifetime, plant people.

—Chinese Proverb

The title of this book was inspired by the idea of planting people with the goal in mind of furthering the cause of justice. Imagine if lawyers across the world began planting seeds of social change, justice, and freedom. Could you be the one who plants the seeds for the promotion of access to affordable housing, fair sentencing, educational equity, or racial justice? This is your beckoning to lead—will you answer the call?

The social justice challenges of our time call for the need for lawyers to seek the promotion of justice, exercise leadership, and facilitate the process of policy change/reform. Presently, U.S. communities are facing great social challenges as evidenced by the economic crisis and widening justice gap. In this time of social crisis and when there is a pressing need for social change, these “great necessities call forth great leaders.”¹

Social justice-oriented lawyers are being called upon to lead. They are needed to bridge the gap in serving the needs of impoverished clients and in continuing antipoverty reform efforts. The demand for legal services and social change continues to grow. Currently, 46 million people, or one in seven residents, live in poverty in the United States; this creates a barrier to accessing the legal system and to exercising political power.² “The income-level disparity in this country is now wider than at any point since

1. E.L. Walker, *Transcending Moments in the Lives of Leaders 3* (2009) (unpublished dissertation) (available via ProQuest Digital Dissertations at AAT 2400217).

2. KATHLEEN SHORT, *SUPPLEMENTAL POVERTY MEASURE: 2011* (U.S. Department of Commerce, Census Bureau, 2012), http://www.census.gov/hhes/povmeas/methodology/supplemental/research/Short_ResearchSPM2011.pdf.

the Great Depression.”³ The poor are often marginalized, feel excluded from the rule-making/public policy process, and lack the allies needed to facilitate change in political agendas and budgetary allocations that affect their social and legal needs.⁴ “Needed now are theories and practices that support liberty and opportunity for the poor and disenfranchised, in their contests with the rich and super-franchised.”⁵

Further, 80 percent of the civil needs of poor people are not being met because of “chronically and grossly” underfunded legal services and pro bono programs.⁶ In 2009, Legal Services Corporation demonstrated an imminent need for lawyers to assume leadership in protecting justice for all through the development of programs and initiatives that address this gap in much-needed services. The legal needs of low-income persons are basic to their survival and ability to thrive in a society. Fundamental legal rights need to be enforced as they relate to such basic necessities as nutrition, health, shelter, income, education, and protection from violent physical abuse, in order to uphold the foundational tenets of social justice.⁷

These particular statistics illustrate only one dimension of the challenge in pursuit of justice: equal access to legal services. More specifically, the challenge is to dismantle the systems that maintain and uphold discrimination, disparate outcomes, and subordination based upon one’s social identity (characterized by race, gender, and socioeconomic class). Hence, there is a call to action for lawyers to engage in work that will lead to meaningful changes in the administration of justice.

The lawyers profiled in this book have heeded this call by working collaboratively with allies and communities to effect change. These lawyers demonstrate leadership and a commitment to the cause of justice.

3. P. EDELMAN, *SO RICH, SO POOR* (2012).

4. B.L. Bezdek, *To Forge New Hammers of Justice: Deep Six the Doing-Teaching Dichotomy and Embrace the Dialect of “Doing Theory*, 4 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 301 (2004).

5. *Id.*

6. LEGAL SERVICES CORPORATION, *DOCUMENTING THE JUSTICE GAP IN AMERICA: THE CURRENT UNMET CIVIL LEGAL NEEDS OF LOW-INCOME AMERICANS* (2009), http://www.lsc.gov/pdfs/documenting_the_justice_gap_in_america_2009.pdf.

7. Southern Minnesota Regional Legal Services, *Free Legal Assistance for Low Income People on Critical Legal Problems* (2010), <http://www.smrls.org>.

Bonnie Allen was drawn to the Mississippi Delta to work for social change.

Allen advocates for a lawyering model that places people in the center of the advocacy efforts. More specifically, the ability to work with people to advocate for social change is what drew her to Mississippi and to the Mississippi Center for Justice. Upon her visit to Mississippi (following Hurricane Katrina), she described herself as being “hooked on the work and hooked on people.”

Dr. Edgar Cahn acknowledges that community members are at the center of social change.

Cahn believes lawyers have a responsibility to use the law as a tool to build a shared vision of justice and equity. He describes lawyers as social architects whose “job in part is to structure the institutional vehicles into which and through which people can channel their energy and contribute in ways that are collectively more powerful.”

These institutional vehicles provide opportunities for the community to become engaged in the process of social change. This framework moves beyond lawyering in a case-by-case format to lawyering in partnership with the community.

The experiences of the lawyers profiled in this book informed my theory of new social justice lawyering, which was developed as I explored this question: *What are the leadership characteristics of lawyers currently engaged in social justice efforts and what tools do they use to build and sustain social change?* The two key components of new social justice lawyering are planting people and growing justice. The new social justice lawyer builds and sustains social change through the exercise of the three pillars: (1) social justice lawyering, (2) leadership, and (3) public policy advocacy.

Planting People

The new social justice lawyer is a planter—a planter of ideas, seeds of change, and a vision for justice. His or her leadership capability is evaluated by raising the question: Do you grow the people that you lead? To answer this question in the affirmative, it is essential to exercise leadership. Leadership is a common theme that was evidenced through the profiled lawyers' actions, words, and publications. They also can be characterized metaphorically as *planters* based upon their commitment to inspire, motivate, and encourage others to lead. Planting people is an organic process that yields a great harvest over time. It starts from the ground up as a seed is planted until it takes root. This seed represents resistance against marginalization and oppression in order to further the cause of social justice. The seed also represents a partnership between lawyers and community stakeholders. Together, they are able to build a shared vision of a just society and engage in community-building. As the seed begins to germinate, community members start to view themselves as leaders with the capacity to address their own challenges and realize their power to resist oppression. This is an ongoing process of collective engagement, perseverance, teamwork, and diligence. The ultimate result is creating social change, which equates to reaping a harvest of justice, fairness, and equity.

Growing Justice

Social change is reflected in the image of the banyan tree. This particular tree represents the progression of social change as it moves from a vision to materialization. The banyan tree as a metaphor illuminates the image of the partnership between these *new social justice lawyers* and community members. Unique to this tree is its ability to grow upward since new roots are formed from the branches. Each community member represents a branch as his or her leadership voice begins to emerge. These branches grow upward together and are intertwined as they exercise their united power and utilize their voices to advocate for social change. Collectively, the stakeholders are able to create a shared vision of community-building



Figure
Banyan Tree

and establish the key steps for making this vision a reality. The branches are connecting, growing together, and supporting one another. They in turn create new roots that establish a firm foundation for the tree and extend to new growth. The process of social change, like the growth of the banyan tree, demonstrates the power of collective engagement.

Overview

This book explores the experiences of lawyers who are working at the forefront of social change initiatives ranging from addressing economic inequities to promoting juvenile justice reform. I will share their stories about their leadership

journeys. My hope is that these stories will inspire you to ignite your passion for justice, build your leadership capacity, and equip you to take action.

This book includes seven chapters with reflection questions at the end of each chapter.

Chapter 1, “Pillar One: Social Justice Lawyering,” defines social justice lawyering, discusses the obligations of lawyers to assist the disempowered and marginalized, and examines the theories of collaborative lawyering, change-oriented lawyering, rebellious lawyering, and social engineering.

Chapter 2, “Pillar Two: Lawyers and the Exercise of Leadership,” introduces the principles of servant leadership and transformational leadership and discusses the connections between social justice lawyering, leadership, and the lawyer as a facilitator in the process of social change.

Chapter 3, “Pillar Three: Facilitating Social Change through Public Policy Advocacy,” explores the role of the lawyer as a policy entrepreneur and coalition builder and examines how lawyers can establish community partnerships and engage in agenda setting and agenda advocacy.

Chapter 4, “Profiles of the New Social Justice Lawyer,” profiles four lawyers who exemplify the qualities of new social justice lawyers. It describes how their passion for social justice has informed their professional formation and inspired their vocational journeys. It also provides an overview of their work, which includes organizing public policy campaigns, educating students, and empowering others to lead. Their work will serve as an example for you to explore your role in leading change.

Chapter 5, “Building Blocks of Leadership,” will provide you with guidance on how to build a leadership platform. It focuses on how lawyers can utilize leadership skills to guide others, motivate them, and support their leadership development during the course of social change. This exercise of leadership provides a firm foundation for initiating and sustaining social change since it draws upon each contributor’s assets. New social justice lawyers have the capacity to work in partnership with community members to reach their shared vision of justice and exercise the transformative power that initiates the process of social change. This is a new definition of leadership that is not positional or hierarchical (endowed by title), but instead focuses on what the collective can contribute—how they can lead together in the fight for justice.

Chapter 6, “Planting People, Growing Justice,” explores principles of community empowerment and asset-based community organizing. The focal point is how to build the capacity of others to lead. Leadership development at the grassroots level is integral to the success of not only building but sustaining social change, since people are at the center of the process of social change. An ancient Chinese proverb provides the context for this creation of a shared vision of justice, valuing people, and working together in partnership to foster social change. The proverb provides: “If your vision is for a year, plant wheat. If your vision is for ten years, plant trees. If your vision is for a lifetime, plant people.” In essence, a key perspective or frame of mind for the new social justice lawyer is *planting people*. This leadership is evaluated by raising the question: Do you grow the people that you lead? You will learn how to empower others to lead and how to work collaboratively to effect social change.

Chapter 7, “The New Social Justice Lawyer’s Toolbox: Redefining Money, Power, and Lawyering,” will provide you with practical tools for applying the techniques of new social justice lawyering. It focuses on developing a multifunctional toolbox that can be used to facilitate the process of social change. These tools include the following: engaging in coalition-building, mobilizing stakeholders through social media, and organizing policy campaigns. Model examples of how these tools can be applied will be provided.

As you read each chapter, take the opportunity to pause and reflect. This is the beginning of a new chapter of your growth and development as a leader.

Summary

The new social justice lawyer seeks to plant people and support the process of growing justice. This lawyer is a planter of people by promoting a vision of justice and effecting social change. In turn, this particular type of lawyer also focuses on growing justice by empowering others to lead.

Reflection Questions

The new social justice lawyer is drawn to promoting the cause of justice and builds a rapport with others who share the same passions. Allen's example of being "hooked on" the work and the people when she relocated to the South following Hurricane Katrina serves as an example of this point. Her love for the people and the pursuit of justice drew her to the Mississippi Delta to help protect the rights of the people after the devastation of the storm.

1. Social justice has been characterized as involving "the goals of equality, of access, opportunity, and outcome."⁸ How do you define social justice?
2. What social justice issues are you passionate about (criminal justice, housing law, poverty law, education law)?
3. How are these issues affecting your community?
4. What groups or individuals are working to address these issues? How can you contribute to their efforts and aid in collaborative efforts?

8. M. BOK, CIVIL RIGHTS AND THE SOCIAL PROGRAMS OF THE 1960s: THE SOCIAL JUSTICE FUNCTIONS OF SOCIAL POLICY 15 (1992).