

**Center for Social Justice and Public Service
Santa Clara Law**

2011 Social Justice Leadership Symposium
Cultivating Social Justice Leadership:
An Intergenerational Conversation Examining the
Social Justice Sector Leadership Challenge

MCLE MATERIALS

This activity has been approved for Minimum Continuing Legal Education (MCLE) credit by the State Bar of California in the amount of three hours. Santa Clara University School of Law certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education.

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Introduction to MCLE Materials

From: Stephanie M. Wildman

The Center for Social Justice and Public Service created this supplemental reading list for use by participants in the 2011 Social Justice Leadership Symposium.

The list contains studies, law review articles, and commentaries relevant to intergenerational leadership and lawyers working with communities struggling for social change, and includes synopses of each article to make selection of readings easier. Thank you to Nina Gurikar who provided research and support for the symposium MCLE materials.

We hope this material, together with the presentations today and small group discussion sessions, will further peak your interest in social justice leadership and in particular intergenerational leadership.

Enjoy the symposium.

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Articles About Intergenerational Leadership and Intergenerational Challenges	
<p>Paul M. Arsenault, <i>Validating Generational Differences: A Legitimate Diversity and Leadership Issue</i> (2004), available at http://www.emeraldinsight.com/journals.htm?articleid=1410717&show=abstract.</p>	<p>Today's workforce is more diverse than ever. One diversity issue that has not been generally recognized is generational differences. Defined as a shared tradition and culture by a group of people that is lifelong, differences in generations have been plagued by erroneous misconceptions. The principal reason has been a lack of research to validate the significance of these differences. This extensive study validates that generations create their own traditions and culture by a shared collective field of emotions, attitudes, preferences, and dispositions. In addition, the study illustrates significant differences in how these generations rank admired leadership characteristics, which correlates to their preferred leadership style and favorite leaders. The conclusion is that generational differences are a legitimate diversity issue that organizations need to recognize and understand and an issue that needs to be addressed in developing current and future leaders.</p>
<p>The Bridgespan Group, <i>The Nonprofit Sector's Leadership Deficit Commentaries</i> (June 19, 2006), available at http://www.bridgespan.org/learningcenter/resourcedetail.aspx?id=946.</p>	<p>In 2005, a Bridgespan Group team set out to better understand the landscape of the nonprofit sector's senior labor market. What they discovered was a stunning gap: a potential need, over the next decade, for more than half a million new nonprofit leaders. Founders of organizations move on; growth brings the need for new functional capabilities; and, as we all know, our nation faces a looming "brain drain" as the first baby boomers are set to retire from full-time positions. Finding the right people to fill leadership roles has always been challenging, but our perception is that it is becoming increasingly difficult. "The Nonprofit Sector's Leadership Deficit Commentaries" provides responses from 14 commentators whose essays reflect different ideas and perspectives.</p>
<p>Building Movement Project, <i>Leadership Development and Leadership Change</i>, available at http://buildingmovement.org/pdf/bmp_leadership_FINAL.pdf.</p>	<p>This report explores how social justice organizations are linking leadership development to executive leadership transitions paying particular attention to race, class, gender, and age. Each organization that participated in the study shared lessons on how organizations approach leadership development and leadership transitions. The report also focuses on how social justice organizations cultivate new leadership and navigate leadership change attending to race, class, gender and generational differences and including people from impacted communities.</p>
<p>Maria Cornelius, Patrick Corvington & Albert Ruesga, Annie E. Casey Foundation, <i>Ready to Lead? Next Generation Leaders</i></p>	<p>Recent studies suggest that the charitable sector will be increasingly drawn into an all-out "war for talent" with the government and business sectors. As the Baby Boomers</p>

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<p><i>Speak Out</i>, available at http://www.aecf.org/~media/Pubs/Other/R/ReadytoLeadNextGenerationLeadersSpeakOut/ready_to_lead.pdf.</p>	<p>retire from their leadership positions over the coming decades and the labor market grows ever tighter, how will the nonprofit sector attract the most committed and talented leaders? What would draw Generation Xers and Generation Yers to positions that typically offer long hours for short pay? This paper examines the survey results of emerging nonprofit leaders.</p>
<p>Donald V. Fischer, Maribeth Overland & Laura Adams, <i>Leadership and the Millennials: Transforming Today's Technological Teens into Tomorrow's Leaders</i>, 9 J. OF LEADERSHIP EDUC. 53 (2010), available at http://www.fhsu.edu/jole/issues/JOLE_9_1.pdf#page=66.</p>	<p>Although older and younger generations unfailingly tend to disagree on values and are inclined to perceive one another with a degree of skepticism and disapproval, it is an unmistakable reality that because of technology today's youth are approaching life differently than previous generations. It is also clear that today's Millennials are tomorrow's leaders. How then do we help facilitate the leadership capacity of today's youth? This article documents a year-long research study of university students' perceptions of the factors that characterize effective teaching and learning, in general, and more specifically, leadership education. The data suggests that traditional approaches to teaching will likely be met with resistance. A leadership education model for the Millennials detailing the purposes and content, along with strategies for teaching and learning is presented.</p>
<p>Rodney Fong, <i>Retaining Generation X'ers in a Baby Boomer Firm</i>, 29 CAPITAL U. L. REV. 911 (2002), available at http://digitalcommons.law.ggu.edu/cgi/viewcontent.cgi?article=1004&context=pubs&sei-redir=1#search=%22Rodney+Fong+gggu%22.</p>	<p>One major challenge in law firms is retaining associates. The focus of this paper is on the associates themselves, many of whom are Generation X'ers. This paper will introduce Generation X and explain who they are, what they do, how they view the world, and some of their characteristics. Further, it will explain how one can interact, work with, and retain Generation X'ers.</p>
<p>Daryl D. Green, <i>Leading a Postmodern Workforce</i>, 6 ACAD. OF STRATEGIC MANAGEMENT J. 15 (2007), available at http://www.alliedacademies.org/Publications/Papers/ASMJ%20Vol%206%202007.pdf#page=23.</p>	<p>This paper explores contemporary leadership theory within a postmodernism society in the public sector. The paper investigates leadership theory by comparing and contrasting bureaucratic theory, transactional leadership theory, and transformational leadership theory in the ever changing workforce of federal employees. The study is significant because there are government-wide human capital problems, and this is highly relevant to anyone who must lead in the public sector. The paper concludes with a set of five strategic implications for researchers and practitioners. This effort contributes to further exploration into understanding leadership and organizational culture in the public sector.</p>
<p>Gina Hernez-Broome & Richard L. Hughes, Center for Creative Leadership, <i>Leadership Development: Past, Present, and Future</i>,</p>	<p>This article reviews notable trends in the leadership development field. In the past two decades, such trends included the proliferation of new leadership development</p>

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<p><i>available at</i> http://www.ccl.org/leadership/pdf/research/cclLeadershipDevelopment.pdf.</p>	<p>methods and a growing recognition of the importance of a leader's emotional resonance with others. A growing recognition that leadership development involves more than just developing individual leaders has now led to a greater focus on the context in which leadership is developed, thoughtful consideration about how to best use leadership competencies, and work/life balance issues. Future trends include exciting potential advances in globalization, technology, return on investment (ROI), and new ways of thinking about the nature of leadership and leadership development.</p>
<p>Meredith Herr & Joan Minieri, Leadership for a Changing World Program, <i>It's Hands-On...Cultivating Mentors and Emerging Social Justice Leaders through Shared Project Development</i> (2007), <i>available at</i> http://wagner.nyu.edu/leadership/publications/files/Intergenerational.pdf.</p>	<p>The Leadership for a Changing World (LCW) program seeks to transform the public perception that the U.S. is facing a shortage of leaders to address social, environmental, and economic issues within communities. The program asserts that leadership does exist, albeit in a form that is different from traditional understandings of leadership. LCW shifts the conversation about leadership to include leaders known in their own communities, but not known broadly. Over five years (2001-2005), the LCW program recognized 92 individual leaders and leadership teams based in organizations across the U.S. and Puerto Rico. As the program began to come to a close in 2005, the partners developed the idea of a regional forum, the Intergenerational and Community Dialogues, to address recurring concerns that award recipients identified: leadership development, succession, and the creation of sustainable community collaborations. The forum brought together LCW award recipients and emerging leaders from the Pacific Northwest to investigate and explore the challenges and opportunities of intergenerational leadership and community collaboration. This report documents the main ideas that emerged from the conversations of forum participants who explored their experiences cultivating mentors, leaders, and collaborative relationships.</p>
<p>Janet L. Johnson, <i>The Nonprofit Leadership Deficit: A Case for More Optimism</i>, 19 <i>NONPROFIT MANAGEMENT & LEADERSHIP</i> 285 (2009), <i>available at</i> http://onlinelibrary.wiley.com/doi/10.1002/nml.220/pdf.</p>	<p>Recent headlines claim that a looming nonprofit leadership crisis will soon be precipitated by retiring baby boomers. Analysis of baby boom demographics, using national census data on the age distribution and other demographic characteristics of top leaders by sector, confirms the aging nonprofit workforce. However, the issue of whether the aging workforce portends a nonprofit leadership crisis, when analyzed within a theoretical framework of supply and demand in the market for nonprofit executives, reveals flaws in most commentaries about the leadership crisis. Workings</p>

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	<p>of the labor market and nonprofit organizations themselves suggest trends that could be expected to affect labor supply and demand and mitigate a leadership deficit. Reasonable—and likely—market and organizational adjustments, including higher executive pay, increased labor force participation of older workers, skill acquisition of younger workers, possible consolidation of nonprofit organizations, board and volunteer skill sharing, and even venture philanthropy, can be expected to moderate the shock of baby boom retirements, much in the way that schools, job markets, and housing markets have accommodated the movement of this “bulging” generation through earlier decades of their lives.</p>
<p>Robert I. Kabacoff & Ronald W. Stoffey, <i>Age Differences in Organizational Leadership</i> (2001), available at http://www.mrg.com/documents/Age_and_Leadership.pdf.</p>	<p>In order to investigate possible age differences in organizational leadership behavior, a diverse sample of younger (25-35 years) and older (45-55 years) mid-level North American department and unit managers matched for industry, job function, and gender were compared on 22 leadership behaviors and 3 effectiveness measures. Outcome measures were assessed using a 360-degree strategy in which each manager was evaluated by self, boss, peers, and direct reports.</p>
<p>Helen S. Kim & Frances Kunreuther, Annie E. Casey Foundation, <i>What’s Next? Baby Boom-Age Leaders in Social Change Nonprofits</i> (2007), available at http://www.aecf.org/upload/PublicationFiles/LD3622H1409.pdf.</p>	<p>This paper reports on how twenty-seven social change nonprofit leaders in the baby boom generation view their work and the contributions they have made during the past 30 years. The leaders come from diverse backgrounds and are involved in a wide range of issues. All have helped to build strong nonprofit organizations that have made major contributions to social change. The goal of the paper was first to hear what these leaders thought of the future of their work, their organizations, and their own lives. The authors also listened to the leader’s perspectives about the future of nonprofit sector leadership and identified areas that could assist the leadership transition from older to younger generation leaders.</p>
<p>Praveen Kosuri, <i>Clinical Legal Education at a Generational Crossroads: X Marks the Spot</i>, 17 CLINICAL L. REV. 205 (Oct. 2010), available at http://ssrn.com/abstract=1674453.</p>	<p>Clinical legal education is at a crossroads. Three distinct generations – Baby Boomers, Generation-Xers, and Millennials – with incredibly varied life experiences and expectations will determine the path forward by the way they relate to each other. This essay discusses the current state of clinical legal education as created and led by the Baby Boomers who were typically movement lawyers from the 1960s and 1970s. Written from the perspective of a Gen-Xer, the essay challenges the norms of social justice and law reform as the primary drivers behind clinical education and</p>

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	<p>argues for a greater ideological neutrality in determining the path forward. The essay goes on to articulate some of the challenges that impede Gen-X from fully engaging in the leadership and strategy of clinical legal education. It also describes thoughts on teaching to the Millennials and ultimately bringing together all three generations to forge a unified path forward for clinical education.</p>
<p>Frances Kunreuther & Patrick A. Corvington, Annie E. Casey Foundation, <i>Next Shift: Beyond the Nonprofit Leadership Crisis</i> (2007), available at http://buildingmovement.org/pdf/Next_Shift.pdf.</p>	<p>During the past six years, there has been a rising sense of alarm in the nonprofit sector about the future of its leadership, and this author believes a broad view of the issue is appropriate and needed. As Baby-Boom-age leaders leave, the sector will approach an important turning point ripe with both challenges and opportunities. It is critical that as a whole, the sector musters its broadest, most creative, and most incisive thinking to understand and respond to this particular historical moment. Too many nonprofit agencies, and particularly the human services organizations that serve children and families, operate today under crushing political and resource stresses. Many larger agencies founded in flusher eras are struggling to adapt to an increasingly austere funding environment with demands for increasing accountability. Smaller grassroots groups fight to survive from grant to grant. At stake are the lives and life chances of tens of thousands of children, families, and individuals who receive support and services from these groups. This troubling prospect will hopefully motivate younger and older leaders to come together to chart common and effective strategies for the future.</p>
<p>Frances Kunreuther, Annie E. Casey Foundation, <i>Up Next: Generation Change and the Leadership of Nonprofit Organizations</i> (2005), available at http://www.aecf.org/upload/publicationfiles/d2928k643.pdf.</p>	<p>This paper examines the transition from the Baby Boom generation to Generation X and Y for nonprofit leadership. Are older leaders considering what's next and preparing for retirement or a new role, job, or even career? What does the next generation need to take the lead? How can we ensure that the next generation of leaders is more diverse and more representative of the communities its organizations serve? This paper provides a framework for discussing generational change in leadership in nonprofits and social change groups, and examines the new generation of leaders who are poised to shape and drive the future.</p>
<p>Frances Kunreuther, Association for Research on Nonprofit Organizations and Voluntary Action, <i>The Changing of the Guard: What Generational Differences Tell Us About Social-Change Organizations</i> (2003), available at</p>	<p>Accounts by executive directors and staff working in progressive social change organizations allude to generation-gap problems in the nonprofit sector that threaten the future work of these groups as they attempt to change "the system". To see how generational issues might be affecting social-change nonprofits, the authors conducted a series of in-depth</p>

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<p>http://www.edaconsulting.org/resources/Changing+of+the+Guard.pdf.</p>	<p>interviews with executive directors (falling into two age groups) and with young staff (under 40 years old). The findings of the study refute the notion of large generational differences. Both older and younger people involved in these organizations have many of the same qualities: commitment, concern, energy, interest, and a strong belief in justice. However, differences are evident between those born in the Baby Boom generation and those who identify with Generation X in respect to their motivations to enter social change work, their concerns about the work/personal life divide, and their views of the future. Understanding these differences can help build strong leadership for the future.</p>
<p>Dwayne S. Marsh & Milly H. Daniel, Policy Link, <i>Leadership for Policy Change: Strengthening Communities of Color Through Leadership Development</i> (2003), available at http://www.policylink.org/atf/cf/%7B97c6d565-bb43-406d-a6d5-eca3bbf35af0%7D/LEADERSHIPFORPOLICYCHANGE_FINAL.PDF.</p>	<p>This report assesses the conditions for leaders of color who want to impact policy effectively, and to recommend how to increase their numbers and influence. Leadership for Policy Change is the result of that effort. The report documents the need for leaders of color, identifies the barriers to their participation in policy arenas, suggests strategies for overcoming the barriers, and recommends a strategic option for leadership development programs.</p>
<p>Caroline McAndrews, Building Movement Project, <i>What Works: Developing Successful Multigenerational Leadership</i> (2010), available at http://buildingmovement.org/pdf/what_works.pdf.</p>	<p>Since the beginning of the new millennium, there has been growing concern about the breadth and depth of new leadership in the nonprofit sector. This study looks at the key factors that build leadership and commitment across generations. While it is true that generations differ in how they approach their work, there are remarkable similarities in what people want out of their work and workplaces. Rather than focus on well-documented differences, this study examines what helps potential leaders do their best work, what constitutes a good workplace, and how to improve the ability to retain, support, and promote staff across generations. This report also offers a roadmap for how nonprofits can create dedicated staff, build their capacity to lead, and deepen their commitment to the nonprofit sector at little to no cost.</p>
<p>Karla M. McKanders, <i>Clinical Legal Education at a Generation Crossroads: Shades of Gray</i>, 17 CLINICAL L. REV. 223 (Oct. 2010), available at http://ssrn.com/abstract=1698220.</p>	<p>Many law professors have noticed a change in the law students and professors entering the profession. This change is often attributed to a generational shift. Law professors have debated how generational differences impact clinical pedagogy and interactions with their colleagues. This essay is a dialogue with the author's Gen-X and Baby Boomer colleagues on how the generational shift impacts clinical legal education. Through examining the author's path to clinical legal education as a Millennial on the cusp of Gen-X,</p>

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	<p>the author explores fundamental questions that have pervaded clinical education since its inception. These questions include whether the public service mission, on which clinical legal education is based, is outdated given the desires of Millennial law students, whether servicing indigent clients is essential to clinical legal education, and whether the Millennial law student seeks experience and skills over the social justice mission. Through this examination, the author concludes that the reasons why Millennial students seek clinical experiences can not be generically summarized. Given the diverse characteristics of the Millennials, in order to develop a holistic, practice-ready attorney, the author’s mission is to equip students with the necessary skills to succeed as lawyers with a passion for their practice while maintaining an awareness of the social, political, and economic spheres in which they practice.</p>
<p>Sonia Ospina & Erica G. Foldy, <i>Toward a Framework of Social Change Leadership</i> (Sept. 2005), available at http://ssrn.com/abstract=1532332.</p>	<p>This paper presents and describes an emergent framework of social change leadership, based on a multi-year, multi-modal, qualitative study of social change organizations. The framework poses that the consistent use of a set of leadership drivers, anchored in a set of assumptions and core values of social justice, helps members of these organizations engage in practices and activities that build collective power, which is then leveraged to produce long-term outcomes for social change. The authors suggest the study of social change leadership has implications for broader work on leadership, in two ways. First, it helps illuminate social constructionist understandings of leadership that see it as shared or collective rather than inherent in one or more visible individuals. Secondly, it highlights the importance of both beliefs and behaviors -- worldview and action – and the interaction between them as fundamental to leadership.</p>
<p>Donald J. Polden, <i>Educating Law Students For Leadership Roles And Responsibilities</i>, 39 TOLEDO LAW REVIEW 353 (2008)</p>	<p>This essay articulates the case for educating law students for leadership roles and responsibilities they will assume throughout their careers. While leadership education is relatively commonplace in American business schools, it is not a familiar part of the law school curriculum at American law schools. This essay describes this new educational initiative and the fundamental reasons for this approach to preparing law students for the roles and responsibilities they will assume in their communities and in the legal profession. In particular, this essay discusses the components and purposes of the program and defines what is meant by education for leadership by lawyers.</p>

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<p>L. Jeff Seaton & Michael Boyd, <i>The Organizational Leadership Of The Post Baby Boom Generation: An Upper Echelon Theory Approach</i>, 13 ACAD. OF ENTREPRENEURSHIP J. 69 (2007), available at http://www.alliedacademies.org/Publications/Papers/AEJ%20Vol%2013%20No%202%202007.pdf#page=79.</p>	<p>Organizations entering into the new global economy of the 21st century face challenges and threats never before experienced. Researchers have predicted that the key to success in this new era of globalization lies in the organizational leaders' ability to provide strategic leadership. The upper echelon theory suggests that leaders of organizations are subconsciously bounded by psychological factors within the leaders' personal criteria which they have been socialized to in their lifetimes. This paper will use an upper echelon theory approach to explain how the ethical and entrepreneur perspective differences of the newer generation of leaders will affect the strategic leadership of the 21st century.</p>
<p>Thomas J. Tierney, <i>The Leadership Deficit</i>, STANFORD SOCIAL INNOVATION REVIEW (2006), available at http://www.ssireview.org/articles/entry/the_leadership_deficit/.</p>	<p>One of the biggest challenges facing nonprofits today is their dearth of strong leaders – a problem that’s only going to get worse as the sector expands and baby boom executives retire. Over the next decade nonprofits will need to find some 640,000 new executives, nearly two and a half times the number currently employed. To meet the growing demand for talent, the author offers creative ways of finding and recruiting new leaders from a wide range of groups, including business, the military, and the growing pool of retirees.</p>
<p>Jean E. Wallace, <i>Work Commitment in the Legal Profession: a Study of Baby Boomers and Generation Xers</i> (2006), available at http://www.informaworld.com/smpp/content~db=all~content=a769662292.</p>	<p>Growing attention is being paid to the generational differences in the work orientations of professionals, particularly among Baby Boomers and Generation Xers. It is suggested that the role that work plays in one's life is the most significant generational difference, where Generation Xers are viewed as less committed to work, careers and employers than Baby Boomers. Most of this literature however is supported at best by anecdotal evidence rather than empirical data. This paper empirically addresses two questions: (1) are Generation X lawyers less committed to their work than Baby Boomer lawyers?; and (2) do the factors related to work commitment differ for Generation X lawyers and Baby Boomer lawyers? The regression results show there is no significant generational difference in work commitment. The generations do differ in the factors that are related to their work commitment however. Work effort and extrinsic rewards are generally more highly related to Baby Boomers' commitment and intrinsic rewards to Generation Xers' work commitment.</p>

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Articles About Lawyers Working with Communities Struggling for Social Change	
<p>Angela Harris, Margareta Lin & Jeff Selbin, <i>From “The Art of War” to “Being Peace”</i>: <i>Mindfulness and Community Lawyering in a Neoliberal Age</i>, 95 CALIF. L. REV. 2073 (2007), available at http://ssrn.com/abstract=1024004.</p>	<p>Through a case study and lawyer narrative describing the role of the East Bay Community Law Center (EBCLC) in a housing development struggle in West Oakland, California, this article explores the intersection of the practice of community lawyering with the practice of mindfulness. Mindfulness is a practice that cultivates the conscious interplay between the interior world of self and the outer world of relationships. A small literature on law and mindfulness has emerged, in which mindfulness is prescribed both as a palliative for an ailing profession and a model for increased attentiveness to the needs of clients. This article suggests that mindfulness is also relevant to the practice of advocating for community economic justice.</p>
<p>Gerald P. López, <i>Changing Systems, Changing Ourselves</i>, 12 HARV. LATINO L. REV. 15 (2009), available at http://www.law.harvard.edu/students/orgs/llr/vol12/15-40.pdf.</p>	<p>This article is about the rebellious vision—a vision that reflects and shapes a particular approach to lawyering, to working together, to living together in radically democratic and egalitarian communities. The author highlights certain ideas and attitudes that came to feel central to a rebellious vision: the inevitable intermingling and mutually defining character of obedience and rebellion, of lay and professional problem solving, of the way we work and the way we live.</p>
<p>Ascanio Piomelli, <i>The Democratic Roots of Collaborative Lawyering</i>, 12 CLINICAL L. REV. 541 (2006), available at http://ssrn.com/abstract=1020721.</p>	<p>This article reinterprets collaborative lawyering - and its call for progressive lawyers to collaborate with clients and communities to jointly pursue social change - as part of a participatory democratic tradition of active self-government by engaged citizens. Rejecting conventional views that collaborative lawyering primarily grows out of postmodernist social theory, the article details this lawyering approach's deep affinity with John Dewey's modern recasting of Athenian and Jeffersonian ideas and with the early 1960s' practice of Ella Baker, the Student Non-Violent Coordinating Committee, and New Left activists. It argues that a democratic lens reveals the distinctive values underlying collaborative lawyers' commitment to ordinary citizens' robust participation in collective efforts to reshape society - values that are at odds with competing visions of democracy and lawyering that place expert professionals at the center of such efforts.</p>
<p>William P. Quigley, <i>Reflections of Community Organizers: Lawyering for Empowerment for Community Organizations</i>, 21 Ohio N.U. L. Rev 455 (1994) [excerpted from Martha R. Mahoney, John O. Calmore, and Stephanie M.</p>	<p>William P. Quigley, who has represented community organizations for more than two decades, presents the insights of community organizers and identifies themes of lawyering toward empowerment that are derived from the organizers as well as his own experience. He names: building up the community (rather than winning on an issue)</p>

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Wildman, SOCIAL JUSTICE:
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776-779, (2003)

as the primary goal of the lawyer's work; avoiding the dangers of disempowering groups by creating dependency; treating litigation as only one of many means to pursuing goals; learning about community organizing and leadership development; involving the community in everything the lawyer does; never becoming the leader of the group; understanding how much the lawyer is taking as well as giving; being wary of speaking for the group; confronting the lawyer's own comfort with an unjust system; and being willing to "journey with the community."