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SOLITUDE, LEADERSHIP, AND LAWYERS

*Amul R. Thapar** & *Samuel Rudman***

LEAD YOURSELF FIRST: INSPIRING LEADERSHIP THROUGH SOLITUDE.

By *Raymond M. Kethledge* and *Michael S. Erwin*. New York: Bloomsbury Publishing 2017. Pp. xxi, 188. Cloth, \$27; paper, \$17.

INTRODUCTION

Lead Yourself First: Inspiring Leadership Through Solitude bears all the hallmarks of a well-crafted legal argument. That makes good sense, because it was coauthored by a great lawyer. Lawyers, however, do not play a large role in the book. We were curious to know whether the book's core argument—that solitude is indispensable to leadership—applies to law.

To do so, we test the book's argument on its own terms. The book develops its argument in two ways: by reviewing historical examples and by interviewing contemporary leaders from all walks of life. Following the book's lead, we apply its hypothesis to a historical example with which we are familiar, and we discuss solitude with modern-day lawyers. We conclude that the book's lessons about solitude and leadership apply just as squarely to lawyers as they do to other leaders.

I. THE BOOK'S ARGUMENT

Lead Yourself First concludes with a radical, countercultural prescription: make yourself less available, let emails sit for hours, and put away your phone (pp. 182–83). The rest of the book demonstrates what we risk unless we do so: our ability to engage in deliberate solitude, and, therefore, our ability to do the clear thinking that ought to precede leadership. The book's argument is serious business. All leaders—famous ones and everyday ones, across cultures and in different contexts—depend on solitude to be better at what they do, and you should too.¹

At bottom, this is a book about how solitude facilitates leadership. The book's central claim is that solitude is indispensable to clear thinking and that clear thinking is a prerequisite to leadership.² Only through a deliberate

* Circuit Judge, United States Court of Appeals for the Sixth Circuit. Nothing in this piece reflects in any way on any pending or future case that may come before the court.

** Associate, Choate, Hall & Stewart LLP. The authors would like to thank Joan Lukey, the Honorable Joan Larsen, and Russell Coleman for agreeing to be interviewed for this Review. They are grateful to Joe Masterman for his thoughtful comments.

1. See, e.g., p. 181.

2. See chapter 1.

regime of solitude, the authors say, can leaders develop the clarity of purpose, conviction, and moral courage required to identify and achieve their goals (Introduction).

The version of “solitude” that the book calls for “is not merely physical separation” from other people (p. xviii). Instead, “leadership solitude” is “a state of mind” in which the leader is “isolated from input from other minds” (p. xviii; emphases omitted). People can find this kind of solitude in many different ways. One could go for a walk in the woods or a long-distance run, or one could simply “pause[] occasionally” while reading a book “to think through a passage’s meaning” (Introduction).

Although it may come in many forms, what the authors aptly call “productive solitude” is “hard work” (p. xix). It requires “working your mind—not passively, but actively, as you would a large muscle—as you break down and sort and synthesize what is already there” (p. xix). When done properly, “the result is an insight, or even a broader vision, that brings mind and soul together in clear-eyed, inspired conviction” (p. xix). “[T]hat kind of conviction,” the book argues, “is the foundation of leadership” (p. xix).

The book then illustrates how solitude enhances four traits of effective leaders: “clarity, creativity, emotional balance, and moral courage” (pp. xii–xiii). It does so by examining how famous leaders used different kinds of productive solitude to cultivate each trait. Readers will learn how Dwight Eisenhower, while planning the largest amphibious invasion in history, carved out time alone to write memos to himself (pp. 36–40). Why did he do so? Because he believed it allowed him to think clearly about whether to order the D-day landings.³ Readers will see how Jane Goodall cultivated her intuitions, and revolutionized the way humans relate to animals, by trusting her instincts and abandoning the company of her escorts in Tanzania (pp. 45–46). And readers will observe how Martin Luther King Jr. summoned incredible courage by reflecting on his faith while sitting alone at the dining room table late at night during the Montgomery bus boycott (pp. 161–63). These gripping accounts make for fascinating reading, and the authors trace the role of solitude through each one, as well as several other high-profile historical examples.

The historical examples, however, are only half the story. The other half comes from conversations with contemporary leaders who use solitude in an everyday way to which we can more readily relate. Readers will meet characters like Dena Braeger, the West Point graduate who resisted the expectation that she would be constantly available to her subordinates as a company commander in Iraq, and who continues to carve out time alone for activities like hiking, during which she reflects on how to lead her six children (pp. 57–58). Or Doug Conant, the former CEO of the Campbell Soup Company, who blocks off thirty minutes every morning to focus on his “first principles”: “my family, my work, my community, my faith, and my person-

3. See pp. 36–40.

al well-being.”⁴ And Dan Brostek, the former corporate executive who does his deepest thinking during trail runs, which “reboot[.]” his mind and helped him find the moral courage to leave his high-paying job for a nonprofit organization.⁵ These characters, and dozens of others, drive home the book’s key insight: whether you lead armies, a corporation, a small team, or your family, solitude will make you a better thinker, and therefore a better leader.

The book concludes with suggestions for how leaders today can embrace solitude despite the challenges of the digital age and the deluge of readily available information that has overwhelmed many of the ways leaders might naturally have found solitude in the past (pp. 181–88). As the book recognizes, some of its recommendations are difficult. Not everyone will be able to “mark off sixty or ninety minutes on his calendar each day for time to think” (p. 182). And, depending on one’s rank, it may be unwise to check email “only intermittently,” so that some messages “go unanswered for hours rather than minutes” (p. 182). But the book wisely identifies other forms of solitude that most people should be able to take advantage of—if they are willing to put in the work. “For analytical thinking or intuition, any activity that does not itself require focused attention will do: walking, running, early-morning rituals” (p. 184). The book’s recommendations run the gamut from regimes that are physically taxing (like night runs) to time-consuming (journaling or writing memos to one’s self) to something one could do every day without radically revising one’s schedule at all (reflecting “in bed in the minutes after awakening”) (p. 184). One of the book’s great insights is that productive solitude “need not be an elaborate or drawn-out affair” (p. 184). It can be “found as easily in the interstices of life as in its wide-open spaces” (p. 184). “Driving on a highway, sitting in a waiting room, and dressing for work are all opportune times to think” (p. 184).

What we enjoyed most about the book, however, was not the historical accounts, the relatable interviews, or the thoughtful suggestions. What resonated for us was how clearly the book reflects the disciplined thinking that it seeks to help others cultivate. The book develops its argument across dozens of characters and contexts without ever losing sight of the target. None of the interviews or historical accounts is merely interesting garnish, for they each illustrate a particular way in which solitude is crucial to leadership.

For example, the chapter on emotional balance begins with the story of General Joseph Hooker and the Battle of Chancellorsville (p. 79). In April 1863, Hooker led the Union Army of the Potomac into Virginia to confront General Lee and his confederate forces (p. 79). Hooker’s army was much larger than Lee’s, but “Lee took the initiative” and successfully attacked one of Hooker’s flanks (p. 79). Hooker “went to pieces” emotionally and had to be carried from the field on a stretcher (p. 79). Even after the Confederate

4. Pp. 131–32 (quoting Interview by Raymond M. Kethledge and Michael S. Erwin with Doug Conant, Founder & CEO, ConantLeadership (Mar. 14, 2016)).

5. Pp. 134–36 (quoting Interview by Raymond M. Kethledge and Michael S. Erwin with Dan Brostek, Chief Digital Officer, Team Red, White & Blue (Feb. 5, 2016)).

attack, Hooker outnumbered Lee by more than two to one, but “Hooker had lost his emotional balance, and with it all the overwhelming advantages that lay before him” (pp. 79–80). He ordered his forces to retreat to Washington (pp. 79–80).

The book does not leave one to imagine how Hooker might have borne the strains of the battle without breaking. Instead, it gives the example of General Grant, who led his army over the same ground Hooker had almost exactly one year later (pp. 110–11). In the midst of the ensuing battle, Grant faced a series of crises that threatened his entire army. At one point, the army was at risk of “disintegrating,” as Grant suffered heavier losses than Hooker had and faced more serious tactical problems (pp. 114–15). Yet Grant did not break as Hooker had. He fielded reports of the battle’s events stoically, sitting alone whittling a piece of wood on a stump (p. 112). Only after the most serious danger had passed did he permit himself—alone, out of his troops’ sight—to deal with the emotional agony he had faced throughout the battle (pp. 115–16). The book then culls from the historical sources a moment that makes a potentially confusing historical episode personal and relatable: “When all proper measures had been taken . . . Grant went into his tent, threw himself face downward on his cot, and gave way to the greatest emotion.”⁶ The next day, having regained his emotional balance, Grant ordered his men to continue their advance south, rather than retreating as Hooker had (p. 117). The army, which had fought fiercely for the last two days and suffered nearly 18,000 casualties, cheered (pp. 115, 117).

It takes keen eyes like the authors’ to discern the role that solitude played in Grant’s decision to stay the course during the Wilderness campaign. The contrast with Hooker is particularly effective, as the leaders were in remarkably similar positions. The authors deploy just enough historical background so that readers can appreciate the similarities between the two leaders, but without ever losing the flow of the argument in a lengthy detour about the Civil War. The chapter on emotional balance is no exception in this regard. It reflects the disciplined focus of the book as a whole. None of the chapters, interviews, or anecdotes strays from the book’s collective target. Instead, the book relentlessly demonstrates the different ways in which solitude facilitates leadership, while showing what a deliberately focused argument looks like. The book is thus an example of the kind of argument that lawyers should aspire to make.

Lawyers, however, play a relatively small role in the book, and we were curious to know whether solitude is desirable—or even possible—in law. More broadly, we wanted to test the book’s argument on its own terms. The wide range of examples and the book’s apparently generally applicable recommendations suggest that solitude is necessary for leaders of all kinds. Taking our lead from the structure of the book, we examine the book’s argument in two steps. First, we test it against a historical episode other than ones the book covers. If the authors are correct, then we ought to be able to detect the

6. P. 116 (quoting 3 SHELBY FOOTE, *THE CIVIL WAR 185–86* (1974)).

importance of solitude in other prominent decisionmaking processes. And if the authors are incorrect, then we should see that that solitude (or its absence) made no difference. Second, we interviewed a handful of lawyers to hear their views on solitude and whether (or how) they use it.

Both steps validate the book's argument. One fun feature of the book is that it gives historically minded readers a new lens through which to view their favorite historical episodes. We examine one of ours below, and we were surprised to find how crisply the theme of solitude (or its absence) comes through.

More striking, however, were our conversations with some of America's leading lawyers. These folks work in an industry that runs on email—one where the default impulse is to do more rather than less, and sooner rather than later. Yet each of them uses solitude, albeit in very different ways.

II. SOLITUDE AND THE JULY CRISIS OF 1914

Is solitude really a prerequisite to disciplined decisionmaking? Readers can examine the book's thesis by reviewing their own experiences. But if your experiences are like ours, then they are considerably less interesting than grand historical examples. And as long as the book's argument sweeps generally—as we think it does—then grand historical examples are fair game. Indeed, the book invites readers to draw precisely those kinds of comparisons, by tracing the thread of its argument from D-day to the Montgomery bus boycott. So how does the argument fair in light of other high-profile historical decisions?

It is easy to identify famous leaders who sought solitude before charting a course for their people. Moses went alone to speak with the Almighty at Sinai.⁷ He stayed there for weeks without any human contact before returning to give his people the law.⁸ Jesus similarly identified the principles that would guide his ministry during a lengthy period of reflection without human contact.⁹ Immediately after returning to his followers, he delivered the Sermon on the Mount.¹⁰ More generally, the Greek practice of consulting the oracle at Delphi before making momentous decisions ritualized the isolation of leaders at key moments. Philip of Macedon consulted the oracle before beginning his conquest of Greece.¹¹ His son Alexander consulted the oracle before invading Persia (sort of, anyway; he dragged the priestess from the temple by her hair until she gave him the answer he wanted).¹²

These ancient examples, however, come with considerably less color than the book's lively personal stories. One can recognize the structural pat-

7. *Exodus* 34:1–28.

8. *Id.* 34:28–32.

9. *See Matthew* 4:1–5.

10. *Id.* 5:1–5.

11. *See* JOSEPH FONTENROSE, *THE DELPHIC ORACLE* 338 (1978).

12. *See id.* at 338–39.

tern—solitude before leadership—but little else. For granular detail regarding the process that culminated in grand historical decisions, only the relatively recent and heavily researched past will do. To test the book's core argument, we decided to review the July Crisis of 1914, which precipitated the outbreak of the First World War. Several leaders confronted difficult decisions and faced incredible pressure. The leaders had to make their choices at roughly the same time, and the decisions concerned roughly the same subjects. But the leaders responded differently, and they achieved different results. After reading the book, it is hard not to see their key decisions through the lens of solitude and leadership.

We are not historians, and we are not optimistic about our ability to set the scene for the First World War in a single paragraph. But for present purposes, the following summary ought to suffice. By July of 1914, Europe was in trouble. On June 28, Serbian nationalists assassinated the crown prince of the Austro-Hungarian Empire.¹³ The Austrian government was inclined to respond by invading Serbia,¹⁴ but before doing so it had to consider the elaborate system of European alliances that might spring into action in the event of war. It was possible (but not certain) that Russia would come to the defense of Serbia.¹⁵ Austria-Hungary would be hard-pressed to prevail against mighty Russia (and less-mighty-but-very-feisty Serbia) unless Germany entered the war on Austria's side. And if Germany declared war on Russia in defense of Austria, then France almost certainly would enter the war on the Russian side, triggering the first general European war in a century.¹⁶ Leaders on all sides had to make important decisions, and they had to do so quickly. We examine below—in roughly chronological order—the different ways in which the Austrian, Serbian, and Russian leaders made their key decisions, with a particular focus on solitude. The differences in their approaches are striking, as are the results.

A. *Austria-Hungary: Leopold von Berchtold*

Austria-Hungary's leaders apparently engaged in none of the disciplined reflection urged by Kethledge¹⁷ and Erwin.¹⁸ The key player in Vienna was the foreign minister, Leopold von Berchtold. Much like Hooker at Chancellorsville, Berchtold lost his emotional balance early in the crisis. His actions

13. CHRISTOPHER CLARK, *THE SLEEPWALKERS: HOW EUROPE WENT TO WAR IN 1914*, at 367–76 (2012).

14. *Id.* at 391–92.

15. *Id.* at 399.

16. *See id.* at 450. All these countries would have recognized that it was possible but not obvious that Great Britain would enter the war on the Franco-Russian side, as it ultimately did.

17. Raymond M. Kethledge, Circuit Judge, United States Court of Appeals for the Sixth Circuit.

18. Michael S. Erwin, Chief Executive Officer, Character & Leadership Center; President and Co-Founder, The Positivity Project; Instructor, United States Military Academy; and Lieutenant Colonel, United States Army Reserves.

in the days that followed give no hint that he ever regained it. On the contrary, Berchtold apparently hopped from meeting to meeting, without ever stepping back to reflect on what Austria's key goals ought to have been. As a result, he and his colleagues were left with remarkably narrow "individual and collective fields of vision," which prevented them from considering the full strategic picture.¹⁹

Berchtold had known the crown prince since they were children and was reportedly "speechless" upon learning of the assassination.²⁰ Before he had time to regain his emotional equilibrium or reflect on the empire's strategic goals, however, Berchtold was "immediately swept up in a frenzy of meetings."²¹ During those meetings, the Austrian government determined that it would invade Serbia, provided that Austria could be certain of German support—that is, a commitment by the Germans to join the war if Russia defended Serbia.²²

Regardless of whether that was the right course, the way in which the Austrians went about securing German support reads like a cautionary tale about how not to make important decisions or lead others under pressure. Within a week of the assassination, the German government suggested it would support an Austrian attack on Serbia so long as "the objectives were clearly defined and the diplomatic situation favourable."²³ Two days later, Berchtold dispatched his chief of staff, Count Hoyos, to Berlin to secure Germany's support.²⁴ Given Berchtold's goal and the available information, one might have expected Hoyos to leave for Berlin armed with precise Austrian goals and a coherent account of the likely diplomatic fallout.

But the entire Austrian decisionmaking apparatus had been swept away by the tide of events. When Hoyos arrived in Berlin, the German foreign minister asked (predictably) what Austria's war goals would be.²⁵ Berchtold had not instructed Hoyos on that point, and it is possible he had not seriously considered the issue at all. So, proceeding on the theory that a bold face carries the day, Hoyos improvised.²⁶ He responded that Austria planned to partition a defeated Serbia between itself, Bulgaria, and Romania.²⁷ Hoyos's response was not just a lie (there was no such plan); it was an illegal and potentially disastrous one.²⁸ In a minor sense, it was illegal because Hoyos had no authority to make Austria's policy.²⁹ More importantly, it was illegal be-

19. CLARK, *supra* note 13, at 429.

20. *Id.* at 395–96.

21. *Id.* at 396.

22. *See id.* at 399–402.

23. *Id.* at 412.

24. *See id.* at 401–02, 412.

25. *Id.* at 423.

26. *Id.*

27. *Id.*

28. *See id.*

29. *Id.*

cause the prime minister of Hungary—whose approval was a constitutional prerequisite to any declaration of war by the Austro-Hungarian Empire—was implacably opposed to the annexation of any Serbian territory and would not approve a war on those terms.³⁰ Yet Hoyos had no choice but to improvise, for the “hive-like structure of the Austro-Hungarian political elite” had failed to make the decisions that were required or to furnish him with answers to questions they must have anticipated.³¹ Berchtold had not done the hard analytical work required to frame Austria’s pitch to its indispensable ally.

The absence of clear thinking that left Hoyos so ill-prepared likewise appears on the face of the documents that the Austrian government produced during the crisis. Instead of the answers Germany needed, Berchtold sent Hoyos to Berlin with a letter from the Austro-Hungarian emperor to the German kaiser that had been drafted by the Austrian foreign ministry.³² The letter contained almost no specifics, let alone a pointed request for German approval of a particular approach to the crisis. Instead, lawyers will recognize the kinds of lazy arguments that one can produce without knowing much about the case at all, where passive language takes the place of analysis: “there can be no further question of bridging by conciliation the difference that separates Serbia from us . . . the policy pursued by all European monarchs of preserving the peace will be at risk for as long as this hotbed of criminal agitation in Belgrade remains unpunished.”³³ Historians have found the letter striking for its “panicky lack of focus, the preference for swollen metaphors over clear formulations,” and the absence of any policy proposals, list of options, or even a request for German assistance.³⁴

One might dismiss these failures as small potatoes. Sure, Hoyos was unprepared, but he ultimately secured German support for an Austrian attack. And the letter might have been clunky, but who has time for wordsmithing in the midst of a crisis? Fair enough. But Hoyos’s trip and the emperor’s letter are just two symptoms of a broken decisionmaking apparatus, which had more serious consequences. Because nobody in Vienna stepped back from the to-and-fro of the crisis, Berchtold and company lost the forest for the trees.³⁵ In all the frenzied meetings that followed the assassination, “[n]o sustained attention was given to the question of whether Austria-Hungary was in any position to wage a war with one or more other European great powers.”³⁶ The Austrians knew that Russia would likely defend Serbia, which is why they sought to enlist Germany. Yet they failed to consider the full stra-

30. *Id.* at 423, 425.

31. *Id.* at 423, 429.

32. *Id.* at 400–01.

33. *Id.* at 401 (quoting Letter from Emperor Franz Joseph to Kaiser Wilhelm II (July 2, 1914)).

34. *Id.*

35. *Id.* at 429.

36. *Id.*

tegic picture: what would a general war mean for the empire? The Austrian officials did not ask that question before starting the war, and the empire did not survive the war they decided to pursue.

B. *Serbia: Nikola Pašić*

No similar panic obstructed clear thinking by the key figure on the Serbian side, Prime Minister Nikola Pašić. So far as we can tell, Pašić was the only key figure in the Austrian, Serbian, or Russian camps who carved out time alone to do the hard thinking that the crisis required. Unlike his Austrian counterparts, Pašić resisted being thrown immediately into a series of panicked meetings. Instead, he spent the first hours of the crisis more or less by himself.³⁷ During those hours, Pašić apparently identified the guiding principle that he would use to navigate the days ahead. By using that principle to discipline his thinking, Pašić was able to lead his subordinates, and his country, through a genuine national crisis.

To pave the diplomatic path to war, Austria sent Serbia an ultimatum. The ultimatum was not an attempt to preserve the peace, but rather an “uncompromising statement of the Austrian position.”³⁸ The ultimatum demanded, among other things, that Serbia (i) permit Austrian officials to participate in the investigation of the Archduke’s assassination in Serbia; and (ii) more broadly, allow Austrian officers to enter Serbia to suppress the Serbian nationalist organizations who continued to operate in Austria-Hungary.³⁹ These extraordinary demands would have required Serbia to surrender core elements of her national sovereignty. Austria assumed that Serbia would reject its demands, and Winston Churchill called the ultimatum “the most insolent document of its kind ever devised.”⁴⁰

On July 23, Belgrade learned that Austria would deliver the ultimatum soon.⁴¹ Pašić was away from the capital campaigning for an upcoming election and had planned to take a short vacation to Greece.⁴² As Pašić was preparing to leave for vacation, other ministers called and begged Pašić to return to Belgrade.⁴³ Pašić refused: “I told [them] that when I get back to Belgrade, we shall give the answer.”⁴⁴ Pašić then boarded his train and began to proceed south, toward Greece.⁴⁵ Only when he received a subsequent tele-

37. *See id.* at 63.

38. *Id.* at 457.

39. *Id.* at 455–56.

40. *Id.* at 456–57 (quoting DAVID FROMKIN, *EUROPE’S LAST SUMMER: WHO STARTED THE GREAT WAR IN 1914?* 188 (2004)).

41. *Id.* at 457–58.

42. *Id.* at 459–60.

43. *Id.* at 459.

44. *Id.*

45. *Id.*

gram from the prince regent did he agree to turn his train around and head to the capital.⁴⁶

Historians have described his reaction as “bizarre.”⁴⁷ We can’t be sure whether Pašić decided to head south out of panic or whether he deliberately created time to “clear his head and think over his options.”⁴⁸ Whatever his original motives, Pašić’s train ride left him with several hours during which he was more or less alone. Unlike his counterparts, he was not immediately thrown into a series of meetings, and he was not engulfed in the bureaucratic hubbub that consumed each of the capitals during the crisis. He apparently used that time on the train to identify Serbia’s key strategic goals, and he never lost sight of those goals in the days ahead.

Before Pašić arrived on the scene, others seemed inclined toward war. A leading minister believed that “no Serbian government could accept” the terms “in their entirety.”⁴⁹ The prince regent thought that accepting the ultimatum was “an absolute impossibility for a state which has the slightest regard for its dignity.”⁵⁰ But those opinions took no account of the military realities: Serbia alone would be no match for the undivided attention of the Austro-Hungarian Empire. Pašić therefore identified the likely reaction of Russia as his North Star: If Serbia could count on Russia, then it could reject the Austrian terms; if not, then it would capitulate.⁵¹

After his return, Pašić insisted “that no decision should be taken until the Russians had made their view known.”⁵² In the interim, he remained remarkably flexible but was guided always by the key principle he had identified. Despite others’ initial reactions, Pašić was fully prepared to accept the Austrian terms when it seemed that Russian assistance was doubtful. Indeed, he was prepared to “be ‘conciliatory on all points’ and offer Vienna ‘full satisfaction.’”⁵³ Word soon arrived, however, that Russia was prepared to mobilize and to “take[] Serbia under its protection.”⁵⁴ Assured of Russia’s support, Pašić helped craft a more defiant response to the ultimatum.⁵⁵

The result “was a masterpiece of diplomatic equivocation” that artfully rejected the key Austrian demands.⁵⁶ The Austrian minister who received it

46. *Id.* at 459–60.

47. *Id.* at 460.

48. *Id.*

49. *Id.* (quoting Letter from Basil Strandmann to Sergei Sazonov (July 24, 1941)).

50. *Id.* (quoting Letter from Basil Strandmann to Sergei Sazonov (July 24, 1941)).

51. *See id.* at 462.

52. *Id.* at 461.

53. *Id.* (quoting Telegram from M.N. Pashitch to All the Serbian Legations Abroad (July 25, 1914), in COLLECTED DIPLOMATIC DOCUMENTS RELATING TO THE OUTBREAK OF THE EUROPEAN WAR 389, 390 (Foreign Office, Gr. Brit. ed. 1915)).

54. *Id.* at 462 (quoting Telegram from Miroslav Spalajković to Nikola Pašić (July 25, 1914)).

55. *Id.* at 463.

56. *Id.* at 464.

immediately recognized the response as “the most brilliant specimen of diplomatic skill” he had encountered.⁵⁷ The response “was perfectly pitched to convey the tone of voice of reasonable statesmen in a condition of sincere puzzlement, struggling to make sense of outrageous and unacceptable demands.”⁵⁸ This “highly perfumed rejection”⁵⁹ of Austria’s demands left no doubt that Austria would be the aggressor in the conflict that was almost certain to follow—one that Serbia willingly accepted with the full knowledge that Russia would be at its side.

C. *Russia: Sergei Sazonov & Nikolai Yanushkevich*

Pašić’s story illustrates how solitude can help leaders maintain the kind of “broader vision” that is difficult to sustain in the midst of a crisis (p. xix). Berchtold’s reaction shows how easy it is to lose that perspective. The experience of senior Russian officials, however, shows that simply lurching from one decision to another can have graver consequences: it can cause leaders to compromise their core commitments. For much of the July Crisis, the Russian decisionmaking process looked like a master class in undisciplined panic.

For decades, the guiding principles of Russian defense policy had been twofold: stay close to France and mobilize as quickly as possible.⁶⁰ The points were closely related. If Russia and France confronted Austria and Germany together, then Austria and Germany would be forced to fight on two fronts thousands of miles apart. To make that strategic calculus matter on the ground, however, Russia would have to overcome her preindustrial infrastructure and mobilize a large army roughly as quickly as her more technologically advanced neighbors.⁶¹

This point was critical. Germany hoped, and the Franco-Russian militaries feared, that a slow Russian mobilization would give Germany a free hand in the West for long enough to knock out France before turning to confront the Russians in the east.⁶² As a result, the Russian mobilization schedules had been developed, refined, refined again, and kept up-to-date with a single goal in mind: get as much of the army to the front as fast as possible. Accordingly, the sole Russian mobilization plan called for a general mobilization of the entire army.⁶³

All of that nearly melted away in the course of a few high-pressured bouts of apparent groupthink. Two Russian officials took the lead in re-

57. *Id.* (quoting ALEXANDER MUSULIN VON GOMIRJE, *DAS HAUS AM BALLPLATZ* 241 (1924)).

58. *Id.* at 466.

59. *Id.*

60. *See id.* at 123.

61. *See id.* at 474.

62. *See id.* at 331.

63. *Id.* at 476.

sponding to news of Austria's ultimatum: the Foreign Minister, Sazonov, and the Chief of the General Staff, Yanushkevich.⁶⁴ On July 24, the day after Austria delivered its ultimatum to Serbia, Sazonov met with the Austrian ambassador.⁶⁵ News of the ultimatum had enraged Sazonov, and he accused the Austrians of pursuing war and "setting fire to Europe."⁶⁶ Before he had time to cool off, Sazonov summoned Yanushkevich.⁶⁷ He and Sazonov agreed that Russia should plan "for a 'partial mobilisation against Austria-Hungary alone.'"⁶⁸ Given a sufficiently cramped view of the strategic situation, that suggestion made good sense. It was Austria-Hungary that had threatened Serbia. Perhaps the full weight of the entire Russian military would not be needed to deter the Austrians. And, by mobilizing against Austria alone, Russia might be able to show Germany that it had no desire for a general European war. Having reached their decision, Sazonov and Yanushkevich convened the full Council of Ministers that advised the tsar, which approved their proposal.⁶⁹

Apparently nobody pointed out the elephant in the room (and mind you this room was full of Russia's most senior ministers): Russia had no plan for a "partial mobilization."⁷⁰ In light of Russia's longstanding strategic objectives, its sole mobilization schedule was "a seamless whole, an all-or-nothing proposition."⁷¹ Modifying the plan on short notice was therefore not merely impractical; it was dangerous. "Improvising an Austria-only mobilization" would have "wreak[ed] havoc on the immensely complex arrangements for rail transit" and would have jeopardized "Russia's ability to make the transition to a full mobilization" that would be required for war with Germany.⁷²

In light of these problems, "it is astonishing that the partial mobilization policy was ever given serious consideration."⁷³ But it was—indeed, the plan was not only approved, it was personally modified by the tsar.⁷⁴ Perhaps the ministers were seduced by the prospect of a half measure, rather than a general mobilization that would likely trigger a continental war. But the "superficial appeal" of such an option would have required Russia to abandon its

64. *Id.* at 472–73.

65. *Id.* at 471–72.

66. *Id.* at 472 (quoting Letter from Count Frigyes Szapáry to Count Leopold von Berchtold (July 24, 1914)).

67. *Id.*

68. *Id.* at 473 (quoting S.K. Dobrorolsky, *La mobilisation de l'armée russe en 1914*, 1923 REVUE D'HISTOIRE DE LA GUERRE MONDIALE 53, 64 (Fr.)).

69. *Id.* at 474–75.

70. *Id.* at 476.

71. *Id.* (quoting Bruce Menning, *Russian Military Intelligence, July 1914: What St. Petersburg Perceived and Why It Mattered*, 77 HISTORIAN 213, 244 (2015)).

72. *Id.* at 476–77.

73. *Id.* at 477.

74. *Id.*

core goals and longstanding strategic commitments.⁷⁵ Yet Russia's most senior ministers apparently stood ready to do so. The partial mobilization thus reveals "a certain disjointedness at the apex of the Russian executive."⁷⁶ Under pressure, it did not display disciplined focus or the ability to reason from Russia's key objective to the steps it ought to take to achieve them.

Much like the mistakes of Austria-Hungary, the decision to order a partial mobilization had no immediate consequences. Eventually, the Russian leadership realized that they had no such plan prepared and that Germany would enter the war either way.⁷⁷ In fact, the general mobilization that followed got the Russian army to the front more quickly than the Germans had expected.⁷⁸ The example nevertheless demonstrates how, for want of the conviction that follows from solitude, leaders can lose sight of what ought to be their core commitments.

One should take the role of solitude in these episodes, as we do, with an appropriate serving of salt. Nobody is suggesting that solitude (or its absence) played a decisive role in the course of the First World War. What we are suggesting is that Pašić came to the crisis with a broader strategic vision and firmer conviction than his Russian and Austrian counterparts—which are two of the key benefits of solitude that Kethledge and Erwin identify. It is at least possible that he did so because he spent the first several hours of the crisis alone with his thoughts, without being immediately overwhelmed by the thinking of others.

III. INTERVIEWS

Having concluded that the authors' vision of solitude passes muster when checked against other historical examples, we turn to our interviews with leading American lawyers. Like the nonlawyers described in the book, they too find solitude in different ways, which range from physical activity to simply carving out quiet time alone. A trial lawyer with a national practice does some of her most important preparation outside the office during the time she sets aside to kayak. A federal appellate judge and working mother uses her intuition to know when she needs to step away from others and regain perspective. And a U.S. attorney follows a disciplined routine that leaves him with two hours to read and reflect each morning.

Joan Lukey is one of America's leading trial lawyers. She has tried roughly 100 cases to a jury, and she was the first woman elected to serve as president of the American College of Trial Lawyers.⁷⁹ She currently leads the Complex Trial and Appellate group at Choate, Hall & Stewart, in Boston,

75. *Id.*

76. *Id.*

77. *Id.* at 508–09.

78. *See id.* at 524–25.

79. Joan A. Lukey, CHOATE, HALL & STEWART LLP, <https://www.choate.com/attorneys/joan-lukey.html> [<https://perma.cc/3SJH-A9Q4>].

Massachusetts.⁸⁰ She was previously a partner at WilmerHale and Ropes & Gray.⁸¹

Given the demands that come with a major trial practice, it is unsurprising that Joan feels pressure to be constantly available and “plugged in.”⁸² Our legal culture and her practice make it hard for Joan ever to do “just one thing at a time.” That is particularly true in the office, where the hum of emails, phone calls, and requests for meetings can occupy nearly every moment. For much of her career, Joan has therefore carved out time alone to do some of her most important thinking in unconventional places. For Joan, like many of the leaders featured in the book, solitude always has been “tied to physical activity.” Every opening or closing that Joan has crafted in recent years has been outlined and refined while she is kayaking (or, during the winter months, running).

In advance of a trial or major argument, Joan aims her kayak “straight into Buzzard’s Bay,” off the coast of Massachusetts. Then she “works as hard as she can, and goes as fast as possible.” “It’s not relaxing,” but time and again Joan has found that these sprints help her “cut through the static” of everyday life and get to “the heart of the issue,” as the judge or the jury will see it. There are no electronics on the water, and it is one of the only places where Joan can escape from the distractions that come with her professional obligations. “It’s the only way I can clear my mind and cohesively concentrate on what will resonate with the decisionmaker.” Joan therefore sets aside enough time to be on the water multiple times each week—and more as trial or a major argument approaches, when analytical clarity is at a premium.

Joan Larsen is a Circuit Judge on the United States Court of Appeals for the Sixth Circuit.⁸³ Before her appointment to the Sixth Circuit, Judge Larsen was a justice on the Michigan Supreme Court, a professor at the University of Michigan Law School, and an attorney in the Justice Department’s Office of Legal Counsel.⁸⁴

Judge Larsen uses solitude to “step back and reflect,” which she finds is best done alone.⁸⁵ That usually means walking her dog around her property and leaving the electronics at home. Judge Larsen does not use those walks to think through any particular issue but rather to clear her mind and regain perspective: “It’s helpful to find small moments to step away and say, ‘what do I need to focus on now?’” Those small moments come at different times,

80. *Id.*

81. *Id.*

82. The information in the next two paragraphs is derived from an interview the authors conducted with Joan Lukey on August 28, 2018.

83. 163 CONG. REC. S6943–44 (daily ed. Nov. 1, 2017) (statement of Sen. Grassley); *Judges*, U.S. CT. APPEALS FOR SIXTH CIR., <http://www.ca6.uscourts.gov/judges> [<https://perma.cc/T2BZ-QH69>].

84. 163 CONG. REC. S6943–44 (daily ed. Nov. 1, 2017) (statement of Sen. Grassley).

85. The information in the next four paragraphs is derived from an interview the authors conducted with Judge Larsen on August 31, 2018.

and Judge Larsen does not schedule them in advance. “It’s not intentional and it’s not planned. I know there are people who schedule sixty minutes of yoga or meditation each day. That’s not me. I’m a working mom. I don’t have time for that.”

But Judge Larsen instinctively knows “when [she] needs to block others out.” And she has done so before making crucial decisions, such as whether to become a judge. Judge Larsen was appointed to the Michigan Supreme Court in 2015, while she was teaching at the University of Michigan.⁸⁶ If she accepted the appointment, she expected to run in two state-wide elections over the next three years. After discussing the issue with several other people, Judge Larsen knew she needed to “spend time alone in quiet reflection” before making her decision.

That is also how Judge Larsen chooses to draft some of her most difficult opinions. Although technology has no doubt contributed to information overload, it also can be deployed in the service of solitude. Armed with her laptop, Judge Larsen can draft opinions in her screened porch, with a view of the water (and no cell phone). “Just looking at the water helps me clarify my thoughts.”

By deliberately doing the hard analytical work of drafting alone, Judge Larsen takes after her former boss, Justice Scalia, for whom she clerked after law school.⁸⁷ As a law clerk, Judge Larsen just knew that the justice should be left alone when his door was closed. The justice’s son had a similar perspective. Christopher Scalia recalled his father at work in his study as “a distant figure, to be left alone to read and write,” often listening to Bach as he drafted opinions.⁸⁸ But Judge Larsen observed another way in which Justice Scalia used solitude. “He spent a lot of time in prayer, and he went to mass often. It’s my impression that he did so not only out of a sense of religious obligation, but because it recharged him; it recharged his soul.”

Russell Coleman is the U.S. attorney for the Western District of Kentucky.⁸⁹ Russell began his career in law enforcement as a special agent with the Federal Bureau of Investigation, where he worked on national security, white collar, and violent crime investigations.⁹⁰ He is a certified hostage negotiator and a former member of the National Joint Terrorism Task Force.⁹¹ In 2007, he volunteered for an assignment to Iraq in support of Operation

86. 163 CONG. REC. S6943 (daily ed. Nov. 1, 2017) (statement of Sen. Grassley).

87. *Id.*

88. Christopher J. Scalia, Opinion, *My Father, Antonin Scalia*, WASH. POST (Feb. 19, 2016), https://www.washingtonpost.com/opinions/my-father-antonin-scalia/2016/02/19/46ff9678-d679-11e5-be55-2cc3c1e4b76b_story.html [<https://perma.cc/BR63-GWZ6>].

89. *Meet the U.S. Attorney: Russell M. Coleman*, U.S. DEP’T JUST. (Oct. 5, 2018), <https://www.justice.gov/usao-wdky/meet-us-attorney> [<https://perma.cc/63BP-JQKW>].

90. *Russell M. Coleman Sworn In as United States Attorney*, U.S. DEP’T JUST. (Sept. 22, 2017), <https://www.justice.gov/usao-wdky/pr/russell-m-coleman-sworn-united-states-attorney> [<https://perma.cc/VN66-Y5JG>].

91. *Id.*

Iraqi Freedom.⁹² Before being appointed to his current position, Russell was a partner at Frost Brown Todd, LLC.⁹³

Russell approaches solitude from the perspective of a convert.⁹⁴ “I used to laugh at these executives who said they needed to block out time for thinking or creativity, but that was then and this is now.” In recent years, Russell has found that he does his clearest thinking when he is by himself and distractions are at a minimum. Time alone, however, has been in increasingly short supply throughout the day. So Russell has built solitude into his day at the only time his schedule as a father, husband, and government official will allow.

“I don’t like getting up at 4:00 or 4:30 in the morning,” but Russell has done so each day for the last several years. Seated in his leather chair with a cup of coffee, Russell takes that time every day to read and pray. Most of the time, Russell reads books about history or works through upcoming public remarks. For Russell, the darkness, the quiet, and the absence of distractions—“the technology isn’t buzzing at 4:00 in the morning”—are a “perfect storm that triggers creativity,” and it is often when Russell’s “best ideas emerge.” Russell has become so committed to his routine that he feels “behind the eight ball for the rest of the day” if he misses it. Particularly so because it is difficult to find a substitute. “There is no analogue during the day.”

Sometimes, however, Russell needs to make a difficult decision on the fly, without having had an opportunity to reflect on it in advance. “That’s the nature of law enforcement; we can’t always anticipate what is going to pop up.” Even during those times, Russell tries to create some time alone, so that he can “kick the key ideas around in [his] head” without input from others. Recently, Russell was confronted with a difficult prosecutorial decision. After discussing with his subordinates, he ended the meeting and sent everyone out of the room so that he could reflect alone before making his decision. “The key is to create time when I am not multitasking, when I can have a single, unilateral focus. That’s when I do my best thinking.”

CONCLUSION

Like Russell Coleman, we came to this subject with a healthy dose of skepticism. Perhaps because we are both extroverts who enjoy team settings, we would not have expected solitude to play such an important role in leadership. Add our names to the ranks of the converted. By the end of the book, we were persuaded, and we expect others will be too: one of the historical examples or interviews will call to mind how the reader does his or her best thinking, and we are willing to bet that important parts of it are done alone.

92. *Id.*

93. *Id.*

94. The information in the next three paragraphs is derived from an interview the authors conducted with Russell Coleman on September 14, 2018.

That doesn't mean that lawyers will be able to embrace all the book's recommendations. Absent a radical change in how we structure our working days, we could not readily "mark off sixty or ninety minutes on [our] calendar[s] each day for time to think" (p. 182). And one of us is nervous that permitting emails to go "unanswered for hours rather than minutes" might require him to find a new job (p. 182). (The other has life tenure.)

The benefits of solitude, however, are profound—particularly in a profession that puts a premium on analytical clarity. Figuring out how to use solitude most effectively likely requires a highly personalized process of trial and error. Nevertheless, it is one we look forward to, not only because the book has convinced us to pursue it but also because it has equipped us with dozens of examples and recommendations on how to do so.

