Woman Branded Liar by High Court Judge: Leadership, Professionalism and Ethics for The Future[*]

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Abstract

This paper draws on a reflexive analysis of a life changing event for the author – losing a court case that they instigated against a vet for professional negligence (Blass v Randall [2008] EWHC 1007 (QB) (14 May 2008)). The paper offers a range of interpretations of the court proceedings, and through this questions the shifting role of leadership within and between the parties involved, the meaning of professionalism, what it is to behave professionally, and the impact of ethics on how leaders and professionals conduct themselves. Causal layered analysis (Inayatullah, 1998) is used to reframe leadership and Theory U (Scharmer, 2009) is used to establish a basis of professionalism. In extending these principles to other contexts, the author questions what a future society might look like and how we might like to behave professionally in the future. The paper concludes by offering a model of leadership that resonates with foresight in its driver of change in search of an alternative, 'better' future. In recognising this, the paper also raises the issue with normative future visions and actions of 'better for whom?' noting that better for some will be worse for others and that this realisation both needs to be considered and mitigated for in leadership of change.

Keywords: Leadership, Professionalism, Ethics, Causal Layered Analysis, T-cycle.

Introduction

The investigation was sparked by a legal case in response to which the author had to 'break' from their common understanding of the dominant discourse, to one of questioning whether this was a suitable understanding for the future. The life changing experience related in this story was relatively traumatic, and the process of reframing was aided by the application of

Scharmer's (2009) Theory U and Slaughter's (1987) T-cycle. Scharmer's Theory U is a process to help us find self-authenticity through exploring our blind spots; Slaughter's Transformative Cycle helps us to see things through new eyes. Causal layered analysis (Inayatullah, 1998) is used to develop the future model of leadership presented in the paper. As such, this paper combines futures methodologies with a reflexive, auto-ethnography to offer readers an alternative future view of leadership based on a re-framing of professionalism, ethics and leadership as a process of change, rather than leadership as a personal attribute.

Once upon a time there was a spoilt naïve princess who lived a life of privilege and dreamed of being a Grand Prix Dressage rider. From a Marxist perspective, the privilege was being middle class and engaged in an 'elite' sport. Horse riding is an expensive sport to sustain as there is considerable cost involved in the keep of the horses. From a cultural perspective, the privilege was being white, educated, born of professional parents, and employed. These cultural circumstances combined to allow the 'princess' to pursue such a sport and hobby.

From a personal perspective the privilege was recognised from having gone to a large inner-city comprehensive school in London where there were deep drivers of justice, equity and fairness. This princess knew of the hardships that many endured in life and was well aware of the 'elite' nature of her chosen hobby and the privilege she experienced in being able to pursue it. She worked hard to support her hobby.

So, the ambition was not to be 'given' the Olympic opportunity, but to earn it through hard work, learning and practice – and having a good horse as the raw material.

The Key Players

As an educated, thoughtful person, our spoilt princess decided the best way to achieve her ambition was to base herself with a previous Olympic rider. There happened to be one who was local and offered to help find the right horse for her to progress. Here enter two key players that our naïve princess considered 'Professionals': the Professional Rider (the Olympian) and the Vet.

The debate in the literature surrounding the definition of 'professional' can be categorised into four areas (Neal & Morgan, 2000): the definitional controversy, (for example would sportspeople be defined as professionals?); the debate about the process and implications of market closure and social closure, meaning for example, that you have to gain a professional qualification to be a professional; the ethnographies of professional work, such as the need for a confidential client relationship; and the histories of particular professions. None of these debates need be mutually exclusive.

In addition, different disciplines have different conceptualisations of professionals. Abbott (1988) exemplifies the sociological perspective of the professional which focuses on the role of the professional in society. He questions the way in which groups control access to knowledge and occupations, viewing professions as a form of occupational control within society, such that not everyone is licensed to practice as a professional in their field, moving into the second area of debate above – that of market and social closure. Lawrence (2004) also focuses his attention on group membership, seeing the concept of membership as being the base of legitimate participation in a social arena. Membership in professional fields

is demarcated by specialised knowledge, safeguarded formally by universities and professional associations and informally by culturally entrenched understanding of the meaning of professional work. The Royal College of Veterinary Surgeons (RCVS) guide to professional conduct states 'foster and endeavour to maintain good relationships with your professional colleagues' as one of its 10 guiding principles (RCVS, 2008). Olympic riders do not have such a professional body, nor do they have a code of ethics and standards to which they have a duty to adhere in order to retain their professional status once the Olympic Games themselves have closed.

Koehn (1994, p7) argues from a historical perspective that 'professional practices qualify as morally legitimate because, and to the extent that, they are structured to merit the trust of clients….Professions are not mere ideologies but inherently ethical practices.' This raises the question of whether one is acting professionally if they are merely acting ethically.

The idea of the professional as being the backbone of society is arguably under threat. Dent & Whitehead (2002) see a shift in how professionalism is measured, away from the perspective of morality and ethics, shifting towards a regulatory perspective. They view the professional as someone who was traditionally trusted and respected; an individual who was given class, status, autonomy, and social elevation, in return for safeguarding our well-being, and they apply their professional judgement on the basis of a benign moral or cultural code. The naïve princess was unaware of these debates and how the idea of the professional was being questioned.

The Plot and Reflexive Analysis

The Olympic rider was allegedly not getting on with her new horse and offered it to the princess for a 'relatively' small amount of money. The rider's vet 'certified' the horse as free from injury or illness and suitable for dressage. The princess bought the horse. At this point, as a reader, you are probably starting to see where this fairy-story is going to go wrong. So why could our naïve princess not see it? Was she blinded by ambition? Was there an image of her reflected self based on the Olympic rider? Tice and Wallace (2003) discuss how we create an image of ourselves according to how we think others see us – or in this case how we wanted others to see us. Perhaps our princess had an over-inflated reflected self image, with her ego touched by the proposition of the Olympic rider believing her good enough to ride this potential Olympic horse. Perhaps there was a naïve trust in a profession (the veterinary profession in particular) and the professionals involved – both the vet and the Olympian?

For the princess there was even more at stake. She had linked her self confidence, esteem and efficacy all to succeeding with this horse. The horse had started to represent in her life everything she wanted to be, and despite having a successful academic career, even the glimmer of a possibility of a hint at success in an Olympic sport seemed to blind the princess. Bandura's (1982) concept of self-efficacy bundles identity, emotion, belief and ability to perform together, such that one impacts on the others. The false hope of an unobtainable dream being possibly obtainable had shifted the princess's identity, emotion and belief. Perhaps she too could be good enough to be a professional within her chosen sport.

The reality, however, was that the horse was lame. The horse had had the nerves cut in his legs so the lameness didn't show, and this was organised by the vet who 'certified' the horse as sound and suitable for dressage, at the request of the

Olympic rider. The princess started to question the ethics of the professionals and the veterinary professional body. The vet argued in court that this was a pre-existing condition and the certification process did not specifically ask for pre-existing conditions. The vet also claimed she told the princess verbally about the horse's condition, which was the key point being contested in the case.   One or other party in the case was effectively lying. The judge decided it was the princess.

The concept and feeling of loss was immense. As the princess realized the full picture of the situation, her self image was shattered; as a result of her not knowing the horse's condition, arguably the horse suffered; in addition there was the financial loss; and finally the personal grief as the princess's life outside of her workplace fell apart.

Understanding the outcome

So – how did our Princess lose the court case?

From a Marxist Perspective it could be argued that this became a professional class war with the 'professional classes' closing ranks. The Professional body of the veterinary professions (the Royal College of Veterinary Surgeons) didn't want to know, and the judiciary didn't appear to want to challenge a 'profession'. Abbott (1988) would argue that this is professionals exerting control over society as a single group; Friedson (1994) likens such behaviour to Gramsci's idea of intellectual hegemony in terms of the domination of professional power; Rosenthal (1997) identifies professional etiquette as not criticizing each other. Any of these interpretations offer a framework of interpretation.

From a Legal Perspective, the Blake Lapthorn Tarly Lyons' Equine Bulletin (2008) reported   'On the face of it, initial opinion thought this was a clear veterinary negligence claim and that Randall should have recorded the neurectomies on the vetting certificate. Verbal evidence is much harder to prove and so you should always record critical pieces of information. The question to consider is: would a significant amount of other veterinary surgeons conducting pre-purchase vettings have acted as Randall did? You would imagine that the majority of veterinary surgeons would choose to cover their back and record any critical information on a vetting……. However, on this occasion the judge chose to focus on the personal characters and witness evidence of his claimant and defendant and he found in favour of Randall.' The judge (Richard Seymour QC) gave a damning character assassination of the princess in his judgement, claiming that the princess was 'well capable of setting out to mislead others'. Judge Seymour had himself been removed from the Technology and Construction Court (High Court Division) and quietly moved to the Queens Bench Division after handing down judgements that were felt to involve conspiracy theories beyond belief (Hoare, 2004; Smith, 2005). His empathy with professionals being challenged for their competence would be understandable and this takes us back to the Marxist interpretation.

The law, the princess discovered, is not about justice; it's a game between lawyers. The contest was one of which set of lawyers could best argue their client's 'lie' the best. For the lawyers the case was about winning, not about the horse, about the princess, about the vet or even the Olympian – it was simply a game of winning. Who got damaged in the process was irrelevant. Ferguson-Gilbert (2002) admits 'My job is to play a game….. I must win because no one would pay me to lose…… Even if I do not play the game well, and I lie, cheat and dishonor the game itself – I

will face no consequences. When I play the game unfairly, and even hurt innocent people in the process, others will label my actions as 'harmless'. Who am I? I am a prosecutor.'

Regardless of the interpretation, the outcome was the same. Essentially the princess received a very public humiliation with the comments made on newspaper websites further reinforcing the hurt. 'Woman Branded Liar by High Court Judge' was the local headline and the equestrian press picked up widely on the story.

All privilege at this point was gone. Confidence was low, esteem was low, and self efficacy was low; And the princess was broke, as pursuing someone through the legal process is very very expensive. All naivity was gone and the princess had a complete loss of faith in society's structures. Our spoilt naïve princess came down to earth with a bump and it was this that caused the 'break' in downloading and interpreting the world in terms of the dominant discourse.

Reframing the process

After some recovery time, our Princess started to reflect on her experience. In her teaching she always helped students reframe matters so that 'failure' as a concept didn't exist. Failing at one thing was succeeding at something else – not the intended outcome but something else. In this situation, she was having difficulty finding a point of success on which to reframe so she started to think about her other area of expertise; leadership.

This led her to take a more objective view of the circumstances, adopting a practitioner-researcher role. Schon (1983) refers to reflection-in-action as a tool to improve practice, in this case developing as a leader through trial and error, being both future and past focussed. Rothman (1997) sees conflict resolution as instrumental to the idea of reflexivity and hence sees reflexivity as a means of resolving, or at least coming to terms with the conflictual positions in this story, which seemed to be somewhat appropriate. Hertz (1997) takes an ethnographic approach and suggests that to be reflexive is to have an on-going conversation about experience whilst at the same time living in the moment. Rather than trying to suppress the reality of the court outcome in the situation, the princess started to take a reflexive approach, and bring the reality into her world to find a coping mechanism through her broader context. Reflexivity requires both an inside and outside perspective to be taken of experiences. '…I would contend that ideally the researcher should be both inside *and* outside the perceptions of the 'researched'. … both empathy *and* alienation are useful qualities for a researcher. I use the word 'alienation' here in its strictly Brechtian sense of distancing or making strange' (Hellawell, 2006, p. 487). Having lived 'inside' during the court case itself, by adopting the 'outside' perception an alternative outlook emerged. The situation was reviewed through 'fresh eyes' (Scharmer, 2009). This led to questions about power, leadership and ethical responsibility which gave an alternative basis of interpretation to one of being a victim.

The first set of reflexive questions, therefore, were around the power hierarchy in the story: what was it? The judge, the vet and the Olympic rider; the so called Professionals in the story. The second reflexive point was around professionalism: who was the person behaving professionally? Arguably the Princess. She was trying to work hard and learn to achieve her ambition; trying to reach the standards of knowledge, the social acceptance in the dressage world through competing

and engaging in the appropriate circles, etc. In terms of the debates on what a professional is, the evidence suggests the princess was the most professionally behaved throughout the whole situation. Third is the area of ethics: who was the person behaving ethically? Again, arguably the Princess. She tried to hold the professionals accountable for their lack of professionalism. This leads to the fourth reflexive question area: who actually was the leader? As you read the fairy-story, the Princess doesn't strike you as a leader – much more of a follower – but was she? After addressing each of these questions in turn, an analysis of how this learning can be used by others is offered with regards to Scharmer's Theory U (2009) to establish the leadership model emerging from this paper as one possible future model.

Leadership, ethics and moral duty

Most leadership theories focus on the leader, their traits, their behaviour, or some combination of the two. Kirkpatrick and Locke (1991) review the extent to which traits matter in leadership in their Academy of Management article and conclude that traits help leaders acquire necessary skills. They may help us understand the personalities who end up in roles as leaders, but is that leadership?

Causal layered analysis (Inayatullah, 1998) is a means of understanding what is occurring in the world by looking at the layers of activity and meaning that underpin what it is we see occurring. If we apply a causal layered analysis (ibid) to 'Leadership' as commonly constructed in the management texts we find the first level of 'litany' proposing normally a white, middle class, middle aged man – and when the image in the media is not this, it is still described in this perspective and view, and the language surrounding the phenomenon stems from these traits and behaviours. At the second level of social causes we see capitalism sustaining this image, as good leadership is linked to personal success, wealth and prosperity. The structures that support this at level three are inequalities in society between genders, the class structure, the education system that values academic skills over practical skills, and the nationalism that stems from centuries of monarchies, pharoahs and empires, where the head of state rules. The metaphor or myth that underpins this at level four is one of 'I am powerless – my destiny is in the hands of others' and by adhering to this myth, the individual does not need to be accountable for who they are or, to a degree, how they behave – because it is a learned, legislated behavior managed by society's expectations of how a 'leader' should act in their role. In essence the power shifts away from the individual to the leader and it is all about you – the leader.

But what if it isn't about you – the individual leader – at all? What if it is about what you are leading?

On 18 December 2010 a young man named Mohamed Bouazizi set himself on fire in protest against the life he was being forced to endure due to the corruption and ill treatment of the populace in Tunisia. This sparked a wave of protests that in 2011 became known as the 'Arab Spring'. This act of self-sacrifice sparked a revolution that has spread through a number of countries and led to a change of government in, amongst others, Tunisia.

This differs from the self-sacrifice of the 9/11 suicide bombers because of the ethical and moral judgement we ascribe to the act. While a suicide bomber is arguably also making a point, they are doing it to the harm of others and this does not sit well on my moral compass, although undoubtedly it is fine on theirs.

Leadership, therefore, is about what you are leading, it's about touching other people, and allowing them to choose to engage – not by force, but through choice. Greenleaf's book 'Servant Leadership' (1997) talks about leadership as a way of being rather than doing, and this is based on a choice to serve as your expression of being. Only when the choice to service underpins the moral foundation of leaders can the power relationship not be corrupted. Jaworski (1996) in his book 'Synchronicity' shifts the choice to serving life and how we collectively shape our destiny.

This is done through behaving in a 'professional' manner – with professional here being based on moral foundations and ethics, and how we conduct ourselves according to these; and it is done with the absolute core key leadership skill of humility.

Leadership is not really a solo activity. In the dancing man video (watched by millions on UTube), the video praises the shirtless man who dances first as the leader, and raises the possibility that the first follower is also a leader for they are the one who essentially starts the movement. For those who have not seen it, the video starts with one man dancing on a hillside at an outdoor rock concert, another joins him, then some more, and eventually the whole hillside is dancing, with the commentator claiming that he has started a movement.

However, is there another leader in this video? What about the person who makes the dancing man feel good enough about himself to have the courage to get up and dance. This could be 'daring' or 'powering' rather than empowering. People should feel powerful, not empowered to do things. Empowerment enables; power does. Encouraging equally gives people courage to do.

Leadership therefore is about showing people alternative futures and removing the barriers that prevent them from creating something wonderful, ie powering them do.

What does this mean for the future of leadership?

We don't know what the future will be. We can predict what it will be if nothing changes. If we change things, the future becomes less predictable. This leads to uncertainty and this in turn is very uncomfortable for some people. The certainty of doom and gloom is 'better' for some than the uncertainty of what a brighter future may be. There is comfort for some in the certainty of the present. Changing something 'for the better' will always be for the worse for someone or some group of people who are comfortable with the status quo – the concept of a shared common good is admirable but not achievable (Pujos, 2011).

The concept of a common good sacrifices diversity for convergence; the best we can aim for is better for most – or is it? It's a balancing act of the individual and the collective in order to maximise the outcome. Antonin Pujos (2011) wrote a review 'About the Common Good' for the Zurmatt Summit on Humanizing Globalisation which argues we need to start from where we are rather than where we want to be.

In implementing change, running parallel universes helps so that the status quo remains alongside the future state until everyone decides to move across to one of the future states – but it isn't always possible.

There will always be resistance to change – and this is good. It keeps leaders honest. It ensures they check and balance things. It challenges them to be professional, moral and ethical – and articulate. Change is about what is changing

and not the people leading the change. Change will happen regardless of the individuals involved – it may happen differently, but it will happen.

Otto Scharmer (2009) challenges us to suspend our voice of judgement and open up a new space of inquiry and wonder; we need to see into our blind spots. Ron Heifitz (1998) identifies the need for leadership to be adaptive as the narrative changes, noting how changing the narrative changes the context and hence the adaptation happens. Ralph Stacey's (2000) and Patricia Shaw's (2002) work on complexity theory is all based on the conversations that we have and the impact of these conversations in bringing about change. Be careful what you say and where you say it if you are a leader – flippant remarks can have a lasting impact.

So our naïve privileged princess had her moral foundations challenged and questioned her understanding and belief in the principles of fairness and justice. Her conclusion was that the system doesn't work. The response then is to challenge the system. This is where the recovery process started; reframing the problem into one she could do something about. It's not about the princess, it's about the system. The question then to ask is who the system is currently benefiting - because they will be the ones who resist the challenge.

The future is calling for people to step up and challenge the system and our younger generations have to start pushing the boundaries from within the system rather than attacking it from outside. There are whole areas of systemic practice that need to be changed in the future if we are to be sustainable, including energy use, consumption, and so forth, and the change will only come about from those within the system behaving differently and challenging the boundaries.

If we apply causal layered analysis (Inayatullah, 1998) to this model of leadership we see quite a different picture. Figure 1 represents the analysis being applied to the textbook model of leadership and an alternative, futures model. To reach the futures model, start with the myth or metaphor that lies at level four. If the myth changes to one of 'we' (the led in the previous model) want to be powerful rather than powerless, then the driver is one of wanting to change the world so that we can survive. This core supports a worldview of community and consensus as 'the led' determine their own future, based on shared resources, cultural acceptance and the notion that 'we' is a better measure of success than 'I'. The social causes that would support the development of this worldview are occurrences such as the global financial crisis, climate change, demographic shifts and the political changes in the middle east. This in turn is represented by a litany of diverse voices expressing a range of views, and connecting across boundaries. This is evidenced through social media and networks, where leadership is arguably determined by the swell of the followers.
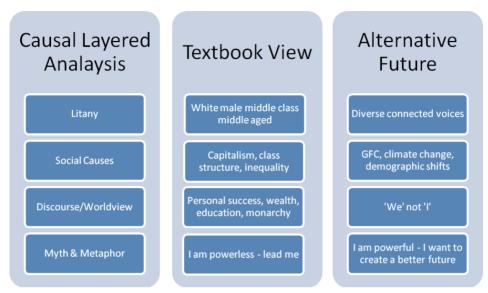
Figure 1. Causal Layered Analysis comparison between the 'textbook' view of Leadership and an alternative emerging future view.

For our princess the starting point was to contribute to the litany, although she did this within the dominant discourse. She wrote a peer-reviewed article to bring an academic criticism to the concept of self-regulation within systems. This demonstrates to the public that not everyone agrees the system is right when it comes to the self-regulation of professional bodies (Blass, 2010), and certainly raises questions through its analysis about the consistency and adequacy of the veterinary profession's negligence reviews. That article challenged the myth at level four that professions can self-regulate, using evidence at level two of previous case rulings. This article is thus the second publication; this one challenges the legitimacy of the system as a means of control, stifling change, and suppressing leadership outside of a very narrow, acceptable box. Here the myth is that leadership is about the individual – the argument being that it is not.

Transferring the principles to other contexts

If we transfer these ideas to another context, to the Academic context, what do we find? Firstly, in the Academy, the question arises as to who controls the canon of knowledge? First there are the journal editors; journals have a stated aim and purpose, a canon of knowledge they have developed and supported, and a certain view of the world that their editors role is to police. Second is the ethics committee. It is surprising how many studies fail to proceed through ethics approval without being substantially altered in their method and agenda. While there job may be to be a watchdog rather than rubber stamp, the process of completing the paperwork in manner they require may have made them more of the latter than the former. Third are the professional accreditation bodies for whom conformity is their raison d'etre; they don't really want change. Then we have the structures within the university/the Academy itself: the faculty, groups, and other internal structures. Having been around for hundreds of years, in some cases, changing such structures is monumental. . Finally, in Australia, there is also possibly the Unions (the NTEU

in this case). Exploration of their website suggests they also don't want to see change, rather than fighting to make change work for their members.

All of these represent what Kosmala and Herrbach (2006) refer to as the professional peer group pressure regulating the norm of behaviour. While concepts of tenure and academic freedom still exist in that we cannot be fired for saying something unpopular, that doesn't mean we can say what we want. Our arguments need to be professionally developed and presented; they need to be rigorous and conform to a range of conventions. Peer review can stifle change such that Ellison (2011) questions whether the decline of peer review through the advent of the internet is a good or bad thing.

All these pressures and groups resist our taking a lead in challenging something core to the workings of the Academy; and when we do try to challenge them they resist us and make it personal. But it isn't about the individual raising the issue; it is about the Academy and change. The Media tries to make it personal also as that makes the story sensational, and that also has the effect of stifling change. Too much focus on process rather than outcomes is to the detriment of the outcomes.

Leadership, ethics and professionalism for the future

So where does this take us to in terms of leadership for the future? Otto Scharmer's Theory U (2009) forms the basis for the reflexive analysis that follows. Theory U offers us a process for identifying our blindspots, a metaprocess for helping us understand how we are and interact with the world, and a deep rooted self-understanding that allows us to define where we want to put our feet in this world, which Scharmer calls presencing. Perhaps the most important point to understand about the presencing process itself is that it is collaborative; you cannot be present in isolation. There is a context and a circle of impact which is co-created.

If we apply Otto Scharmer's Theory U (2009) to the story we can draw out the following key points. The starting point for our princess was to open her mind, suspend judgement and see the situation 'with fresh eyes'. While the princess was wallowing in the despair of being a victim of injustice there was no possibility of recovery. By 'sensing from the field' the princess opened her heart to others and saw herself as others were seeing her; and the picture from colleagues was positive rather than negative. This was perhaps the most difficult step to take as the sense of vulnerability is great; you do not know what you are going to find when you move from the rational logic of the mind to the emotional space of the heart. This process of redirecting in time allowed the princess to let go and at that point she was able to engage in the act of presencing.
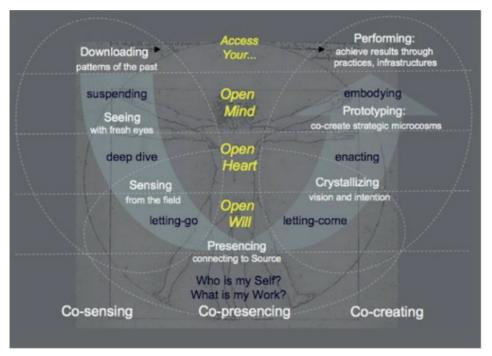
Figure 2. Theory U (Source: Scharmer, C. O. (2009) Theory U: Leading from the Future as It Emerges. p.245)

The move from open heart to open will seemed less difficult as the exposure that ensues from the open heart is somewhat supported by the opening of the will. This takes us down the U curve to presencing at the bottom. Here, I would argue, is where you find your true ethical stance and this should be the minimum development process required by anyone who wishes to call themselves a professional – although reaching this without such a major trauma to reflect on would also be preferable for a wider model of professional development. This may be achievable through an education intervention, through personal coaching, or as a result of change in family circumstances. Whatever it is that starts the process, the key is to get in touch with your ethical foundations as a basis of your professionalism

The return journey out of the U takes us into the realms of leadership. The process of letting come? sets the agenda and for our princess this was the realization that she wanted to continue to challenge and change 'the system'. The process of crystallizing is where the leader forms their vision and intent for the future and takes them to a point of enactment which eventually will allow them to embody their being as they co-create their future with those who are present in it. While Scharmer's work (2009) suggests that the U should be traversed fully, I would argue that this is not necessarily the case. The process of travelling down the U is critical to understanding one's ethical foundations and sense of professionalism. Having found these, some might be comfortable with simply being at that point rather than feeling they need to do something different as a result. And hence the leaders are those who take on the upside of the U in addition, but they aren't looking for something for themselves, they are looking to create a different future in which to be.

Leadership, therefore, is not about you – it's about the area you are leading the change in. It isn't even about a specific change because you don't know what the outcome will be. Leadership is about change – nothing else. Good leadership creates energy around change; bad leadership exhausts people and drains them of their energy. Leadership is not a solo activity and perhaps that is where the princess went wrong. There are many roles in leading change; excite people to find a role for themselves.

If leadership is about change, the four debates introduced at the beginning of this paper around 'professionals' all help to explain why professionals react strongly against leadership, and change. Professionals like to define what they do (through professional bodies which are constitutionally set up in a manner that is difficult to change); they close the market mechanism and social mechanisms to exclude 'the change' from the profession; they have different ethnographies they use to rationalise the resistance to change; and they rely on history to maintain the status quo. Professionals who adhere to these principles do not make good leaders – indeed they are not leaders at all. This does not mean, however, that the 'professionals' and 'leaders' are mutually exclusive groups.

We have choices. As professionals we can choose to behave in this way – or we can choose otherwise. Professionalism is about how we behave, not our job title, the rubber stamp we're given by a qualification, or a body of knowledge. It is the reliance of professionals on these mechanisms that has led to the crisis in professionalism and questioning of professional scrutiny by the media and society (Cooper et al, 1994). Frankel (1989) argues that the profession as an institution in itself serves as a normative reference group – noting aspirational as well as educational and regulatory codes within professions.

Eraut (2000) focuses on the ideological aspect of what professionalism should be about, separating the professional themselves from the professional body. We are professional when we act with integrity, and have the humility to consider new evidence as it emerges. In essence, we need to have explored Scharmer's U to open our minds, our hearts and our will in order to discover who we are and what our work is. In this paper, a relatively traumatic event led to the reflection and cycle down the U. Hopefully such a trauma is not necessary for such a process to occur; hopefully an educational intervention, a coaching or mentoring conversation, or a difficult situation in work can all result in the leader in question starting down the U process.

For most people, the exploration of the U will result in our having to adapt and compromise and move with a change that we might otherwise resist within the dominant discourse – and sometimes we will need to admit we were wrong about something as the future emerges. Our professionalism is grounded by our moral compass; our ethics. These should be built on a foundation of good intentions – hence the differentiation between the Mohamed Bouazizi and the 9/11 bombers. But we cannot know if we will be 'right' or doing 'good'. For some people it will be 'not so good'. That doesn't make us wrong as change leaders. Doing nothing will be 'worse' for everyone.

Final reflections on the reflexive journey

Final reflections on the whole court case fairy-story stem from it having developed my understanding of leadership more than any other experience I've

had. Friends and colleagues support was overwhelming and admiration came from a range of angles for my courage, the dignity with which I conducted myself, my reflective process, the journal article, and then the professorial lecture which is the basis of this paper. It was this support that moved me down the U to see the situation with fresh eyes and the key learning point for others here is to be open to feedback from others – even when you are at the lowest of lows and think you cannot take any more. It is then that you really need the feedback so you can see with fresh eyes. In Slaughter's (1987) T-cycle, this would be considered the breakdowns of meaning. By exploring the dominant discourse of the law and the media, the meanings of 'justice', 'professional' and 'ethics' became problematized and the focus of the study.

Second it identified the need to challenge the systems we take for granted as serving the 'good', in that case the legal system, the system of professionals self-regulating, now it will be ethics committees, peer review processes, etc. In Slaughter's (1987) T-cycle this would be seen as the reconceptualization stage where the structures supporting the outcome are challenged. The less visible groups were sought and new definitions of leadership, professional and ethics were proposed. This also takes us to the third element of the t-cycle where conflicts and negotiations occur and where my ideas around leadership and change have been resisted, where the 'Academe' closes ranks to maintain the status quo, and where the professional bodies refuse to re-examine the case as they would fear the depth of the challenge if they find themselves wrong.

Third, it helped me develop an ability to find success in everything we do; I might have failed at what I set out to do, but succeeded on a whole range of different platforms. This was the discovery at the bottom of the U and is the means by which I meet the final point of the T-cycle (ibid) as I have selectively legitimised the model proposed in this paper as the model for the future.

Finally this occurrence has facilitated a whole range of conversations I might otherwise not have had which have led me to interesting arenas I would otherwise not have experienced, and hence further enhanced the learning for me as I journeyed down the U.

Correspondences

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