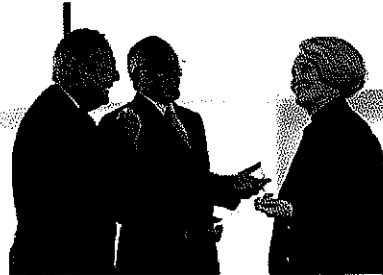


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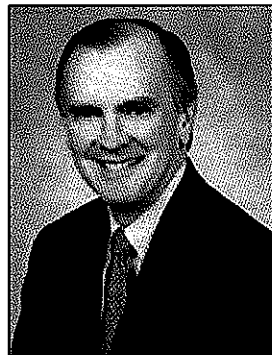
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# White Men and Diversity

## The Role of White Males in Improving Diversity

*By James J. Sandman, President of the District of Columbia Bar; Senior Partner and former Managing Partner, Arnold & Porter LLP*



*This is the fourth of six articles that will be written as a continuation of this valuable column. This year, several leading white male lawyers will express their views on diversity and why they have chosen to work to advance it. They will share their thoughts, mistakes, and experiences with us so that we all grow and learn together. It is our hope that this series of articles will spark a meaningful dialogue and assist our readers with their diversity efforts in order to fully tap the talents and contributions of all employees.*

*The views expressed are of the author's own and do not necessarily reflect the views of MCCA®.*

Earlier this year, Thomas L. Sager of DuPont Company wrote this column and focused on how he came to develop his passion for diversity. He traced his commitment to diversity to a workshop 10 years ago at which he heard minorities and women relate their personal experiences—a recounting that had a profound effect on him.

### Confronting the Realities of Diversity

Sager's column resonated with me. Like Sager, my own commitment to improving diversity in the legal profession stems from my exposure to the experiences of people different from myself—experiences I have never had. My exposure was deep and eye-opening, and it came in two different ways.

The first started in 1995, when I became a member of the District of Columbia Bar's Task Force on Sexual Orientation and the Legal

I realized, too, that **unless white males play a role—a leadership role—in** improving diversity in our profession, **changes will not come.** Why? Because **white males** over **whelmingly occupy the positions of power** in the profession, the positions



Workplace. In the course of our work, the task force conducted a survey of two groups of Bar members to probe their assessments of the workplace experiences of gay and lesbian lawyers. The first group was a random sample of District of Columbia Bar members; the second was a sample of self-identified gay and lesbian Bar members. A substantial majority of the first group reported a benign view of working as a gay or lesbian lawyer in Washington and did not believe that being "out" would be detrimental to a gay or lesbian lawyer's career. The second group reported, in terms often wrenching and anguished, many experiences of blatant discrimination, harassment, and hostile work environments, and a fear of the adverse consequences of disclosing one's sexual orientation in the workplace. The contrast between the perceptions of the two groups was stark.

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Then, in 1997, my firm began to develop a diversity training program. In designing the program, we conducted focus groups of lawyers, and, as managing partner, I spoke personally to a number of women, minority, and gay and lesbian lawyers. What I heard reflected a depth of societal biases of which I, as a white male, had been unaware. I heard stories of indignities in everyday life inflicted with a regularity I could not imagine. These were my colleagues, with whom I worked side-by-side—talented, well-educated, accomplished lawyers who made valuable contributions to our firm and for whom I had great respect. I wondered, at first, if I'd been living under a rock. And then, I realized that we all see the world through the prism of our own experiences, and until we have been confronted with the realities of the experiences of people different from ourselves, we have no way of knowing whether and how our experiences compare to theirs.

### **The Place for White Males in Diversity Initiatives**

I realized, too, that unless white males play a role—a leadership role—in improving diversity in our profession, changes will not come. Why? Because white males overwhelmingly occupy the positions of power in the profession, the positions from which significant, widespread change must emanate. Any diversity initiative that is driven solely by lawyers of color, or women, or LGBT (lesbian, gay, bisexual, and transgender) lawyers can make only limited progress.

But why should white men care? For me, there are important societal, business, and personal reasons to care.

Lawyers are the gatekeepers of our system of justice, essential players in the rule of law. If the legal profession at all levels does not become more representative of our society, the credibility of our legal system will be at risk. As the Supreme Court said in *Grutter v. Bollinger*, 539 U.S. 306, 332 (2003): "In order to cultivate a set of leaders with legitimacy in the eyes of the citizenry, it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity."

I believe the business case for diversity is also compelling. Lawyers are problem-solvers in an increasingly global marketplace. Their work benefits from exposure to different points of view, different ways of thinking, and different experiences. Sophisticated clients know this, and the clients that today are leaders in diversity have seen firsthand the positive difference in results that diversity can bring. This realization is increasingly causing clients to insist that their outside law firms demonstrate diversity among the teams assigned to the clients' matters, and the firms that are able to do so have a competitive advantage that runs straight to their bottom line.

And finally, my exposure to the experiences of people different from myself has given me a powerful personal incentive to do my part to improve diversity in the profession I entered 30 years ago. Like Sager, I have had the chance to make personal connections with issues of race, gender, and sexual orientation, and those connections have changed, motivated, and energized me.

## Lessons Learned

From my experience in my own firm, and from my conversations with others heading diversity initiatives in many other organizations, I have taken several lessons:

1. **White males must play a leadership role in diversity initiatives.** Their positions, their influence, and their numbers in any organization make them critical to success. If they are not involved, engaged, and out in front, the initiative cannot succeed.
2. **Top management support of any diversity initiative is essential—but not sufficient.** It is true that people take their cues from the top, and no diversity initiative can succeed without the support of the institution's leaders. But in any organization, middle managers and immediate supervisors have a more direct impact on the day-to-day experience of the people they manage than the leaders of the organization do. Every supervisor has to be a part of the effort in order to create a culture that is hospitable and welcoming to a diverse workforce.
3. **A diversity initiative must be inclusive to be credible.** Defining diversity in a way that excludes the concerns of any group, or focuses only on some, undermines what should be the goal of every diversity initiative—to help every person in an organization feel comfortable and to realize his or her potential—and will cause employees to question the employer's motives.
4. **A culture that values diversity will benefit everyone in an organization.** Creating an environment in which people can be themselves and are valued and respected as individuals is good not just for women and minorities, it is good for every person in the organization. Organizations that embrace diversity are better places to work—period. In any service business, employee morale has a powerful effect on the quality of the service rendered.
5. **Monitor and report diversity statistics regularly and at multiple levels.** This is the only way to track progress, identify areas for improvement, and learn of problems before they get out of control. Comprehensive statistics can be an important tool in motivating managers, establishing priorities, and targeting resources.
6. **Progress comes one person at a time.** As important as the statistics are, they should never distract from an organization's focus on the individual. Sustained progress in diversity ultimately requires that each person in the organization be supported and given the opportunity to succeed, and that no one fall through the cracks. The one-person-at-a-time approach may be painstaking and slow, but it will drive lasting success.

I believe **the business case for diversity** is also **compelling**. Lawyers are problem-solvers in an increasingly global marketplace. Their **work benefits from exposure to different points of view, different ways of thinking, and different experiences**. **Sophisticated clients** know this, and the clients that today are leaders in diversity **have seen firsthand the positive difference** in results that diversity can bring. This **realization** is increasingly **causing clients** to insist that their outside law firms **demonstrate diversity** among the teams assigned to the clients' matters, and the **firms** that are **able to do so** have a competitive **advantage** that runs straight to their bottom line.

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