

Diversity in Practice

trailblazers

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Branch Rickey, the general manager of the Brooklyn Dodgers in 1945, did not just seek the best black player to break baseball's major league color line; he actively sought "the right man," a trailblazer.

According to Rickey, he had to find "the right man as a player [and] the right man off the field. ... He must be a great player ... a man of exceptional intelligence, a man who is able to grasp and control the responsibilities of himself to his race and could carry that load."

He found Jackie Robinson, an athlete who lettered in baseball, football, basketball, and track at UCLA and had already experienced and risen above the challenges of playing in integrated sports competitions. Robinson blazed a trail with the minor league Montreal Royals in 1946 and integrated major league baseball when he donned the Dodgers uniform in 1947.

In Robinson, Rickey indeed found "the right man," a record-breaking Rookie of the Year (1947) / MVP (1949) / six-time All-Star player who excelled in spite of racial hatred and violence from his fans and teammates alike. Rickey set off to recruit a black player who could meet major league standards, but by the end of Robinson's first year, the majority of the major league could not have met the standards set by the first black player.

In the book, "Moneyball" (2004), Michael Lewis introduces us to the Oakland A's circa 2000, "a small group of undervalued professional baseball players and executives, many of whom had been rejected as unfit for the big leagues, who had turned themselves into one of the most successful franchises in Major League Baseball." A diverse team of non-superstars, the A's did not look for the right men; instead, they chose good baseball players who worked to make the team right. A trailblazing organization with no individual superstars.

The barriers that Jackie Robinson broke in the 1940s inevitably made it possible for the A's to break the mold in the 21st century. So, which model works better for diversity in the legal workplaces today: *individual trailblazers breaking barriers or collective teams breaking the old molds of what it takes to compete and succeed?*

In the field of diversity and inclusion, we celebrate trailblazers. Trailblazers are the barrier breakers and history makers. They are the people of color who, in small but brave numbers, fill the partnership and general counsel boxes in surveys. They dot the landscape of our state and federal judiciaries. Trailblazers signal the break from past limitations, but they don't necessarily represent all of the perfectly able lawyers of color; they represent only those who are the spectacularly able and most willing to endure the rigorous dual careers of practicing law and blazing trails.

I was at a panel discussion on diversity several years ago when a young black lawyer asked the panelists if they thought it was possible for him to succeed in a law firm if he did not want to be a trailblazer. "Not yet," replied one of the panelists, "we are still fighting for a star's right to shine. We are a long way from average minorities having the same opportunities as average whites." To be a successful minority lawyer, you had to also sign up to be a trailblazer.

The phrase, "qualified minority," is invoked in almost every dialogue on diversity; yet we rarely question why a minority needs the qualified qualifier in contrast to a white lawyer who does not. "Qualified minority" is a phrase that stirs itself into most diversity efforts with a transparent ease that belies its presumptive nature — a minority is not fully qualified unless explicitly stated. It takes a trailblazer to break through this presumption, and the trailblazer is celebrated for his accomplishment. The presumption, however, is left unchallenged. More importantly, the proposition that the majority of white lawyers could not meet the standards set by minority trailblazers is left unexamined.

The need to be explicitly defined as qualified is a professional stressor (and offense) endured by many minority lawyers.

The reality of having to blaze the trail you travel while achieving professional excellence in an environment where you are neither represented nor fully included is a reality that many minority lawyers accept; however, very few are willing to pay the price of living that reality for long. So, many of the perfectly able leave because they are simply not willing.

Sixty years after Branch Rickey's quest for the "right man" to break down racial barriers, many diversity efforts still rely on trailblazers. Trailblazers are, by definition, remarkable. They are also, by reality, rare. The Oakland A's give us an alternative model for diversity — a focus on high-performing teams that derive their success from their ability to leverage their differences and work toward a common goal.

Thus, the current challenge for diversity efforts is not the struggle to find more trailblazers, but to break the trailblazing mold and embrace the value that the sum of our average diverse parts will always be greater than any individual trailblazer, minority or otherwise.