

A Conversation with Gary F. Kennedy

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Gary F. Kennedy

The goal of this column is to provide a frank and forthright forum to explore the views of white male attorneys regarding diversity initiatives, as well as to examine the role that these attorneys can and should play in such initiatives. In this issue, Diversity & the Bar sat down with Gary Kennedy to discuss these considerations.

Gary F. Kennedy, a member of MCCA's Board of Directors, is an outspoken advocate of diversity and inclusion in the workplace. He has worked diligently to prioritize diversity within his own legal department and in the law firms with which he works. Kennedy is a leader on diversity in the workplace by any measure, and his leadership is informed by his professional experiences with how diversity benefits workplaces, as well as his personal insights on the challenges posed by the lack of diversity in workplaces.

"The makeup of the world is changing," he explains. "The way we do business is changing. The makeup of our customers is changing. We need different perspectives in order to compete, to be successful. We need people to ask different questions and have different conversations in the workplace in order to stay competitive. We need diversity of thought and perspectives. From diversity in gender and race to diversity in sexual orientation, we need different voices in the workplace to compete with the changing world and the diversity in our customers." From a professional perspective, Kennedy believes that diverse teams deliver better results in a global marketplace, but the lack of diversity in today's workplaces raises concerns for him that transcend the professional.

Kennedy is married to a Hispanic attorney and is the father of four daughters, including a daughter whom he and his wife adopted from Guatemala. The persistent lack of diversity in the legal profession and corporate America suggests to Kennedy that "something is not quite right." He notes, "If there were true equal opportunity for everyone in the workplace, we would see more women in leadership positions in corporations and in law firms. We don't yet have equal opportunity for everyone. The world is not yet color-blind. There are still barriers of race and of gender, and we have a lot of work still left to do."

The synthesis of professional and personal insights on diversity has provided Kennedy with a unique perspective on white men's engagement with diversity efforts in the workplace. Recognizing white men's involvement as critical to progress in this area, he works diligently to make the business case for diversity so that those efforts are perceived as important to the success of the organization and everyone in the organization. Nevertheless, he is keenly aware that many white men are resistant to fully engaging with diversity, and he addresses the resistance with the same direct candor with which he makes the business case.

Although Kennedy recognizes the complexities of making diversity a dynamic priority in an organization, his suggested strategies for ensuring the full engagement of white men in these efforts are remarkably simple:

1. Make the business case for diversity;
2. Make diversity personal; and
3. Consistently follow through on these points.

Make the Business Case for Diversity

The first step of getting white men engaged in diversity efforts as fully invested participants requires the articulation of a clear business case for diversity that includes white men. "We have to use the business imperative for diversity to make it clear that we cannot be as successful in today's world if we are not diverse," Kennedy posits. "Diversity is about better business, and lack of diversity leads to adverse consequences." Kennedy's communication of the business case to the leaders who run the law firms – "diversity is absolutely about us, and it is also about making sure that everyone has equal opportunity to succeed."

Making the business case for diversity requires addressing the resistance that some white men feel when they hear that diversity is a business imperative. "When you talk about diversity, there is no pushback on the surface," notes Kennedy. "The pushback is on the action. Everyone gives lip service to the business case, but there is not nearly enough follow-through diversity efforts lead to lowered standards. Kennedy addresses both of these points directly and candidly.

"I have heard the pushback that white men are hurt by diversity," he recalls, "but I haven't seen anyone who has actually been hurt by it. Most GCs are white men. Most law firm partners are white men. I challenge this pushback with the facts. Who has actually been hurt by it?" By shifting the focus of this resistance from the theoretical to the factual, this approach promotes the dialogue among white men as to the real cause of their resistance. The dialogue itself is beneficial to the organization's diversity efforts, and may result in white men slowly moving from resistance to engagement.

Kennedy also employs the same shift in thought to the second point of resistance: "When people talk about lowering standards, I ask them how they measure standards. Is it just the tier of law school that someone attended? Talented people come in all forms from many different places, and if we don't focus on hiring diversity of perspectives and thought, we are not hiring the best. There are reams of great candidates out there, and we have to make sure that they are not being judged by differentiated standards that have nothing to do with talent." By challenging the existing definitions of standards, Kennedy focuses the conversation on finding diverse talent that is not affected by the "failure or refusal of white men to look at people who are different from them as somehow being as equally talented as them."

Making the business case for diversity is about focusing the conversation on what the organization gains by having a diverse work-force, and countering the perception of some white men that the organization's gains will come at their expense. Making an effective business case for diversity requires articulating that diversity makes stakeholders.

Make Diversity Personal

Once the business case for diversity has been developed and communicated, the next step is to stress the personal side of diversity. Kennedy stresses that "diversity is about personal relationships." Individual, personal interactions with diverse people encourage people to make the transition from considering diversity in the abstract to experiencing diversity in the reality of their work lives. "When white men in leadership positions are involved with mentoring diverse people, they become personally involved with diversity. It becomes real."

The more organizations facilitate the development of personal relationships through mentoring efforts and the like, the more likely white men are to be personally engaged with diversity efforts. Without the personal connections, diversity efforts are not as likely to be successful.

Consistently Follow Through

Making the business case for diversity and making diversity personal both seem like simple strategies—and Kennedy insists that they are simple strategies. The difficulty, he acknowledges, is not in the complexity of what needs to be done but in the hard work of consistently following through to fads instead of business realities. "White men who talk about diversity get tested all the time. People don't think that a white male GC is as committed, as serious, on this issue, so they test us. We have to follow up regularly. We have to follow through on what we say. We have to communicate internally and to our law firms that we are serious and this issue is not going away. We do that through MCCA, through the Call to Action efforts, and other such efforts."

When confronted with such challenges, Kennedy reiterates his commitment to diversity and his belief that diverse teams produce better results. "Our actions have to be consistent with our words, but we also have to keep having the conversations."

For Gary Kennedy, the focus on diversity and inclusion is part and parcel of who he is as a leader, and that focus is informed and inspired by his professional and personal experiences. Taking a closer look at white men and diversity through a perspective such as his reveals insights not just on how to engage white men more fully with diversity efforts, but also on the diversity of perspectives among white men themselves. **DB**

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