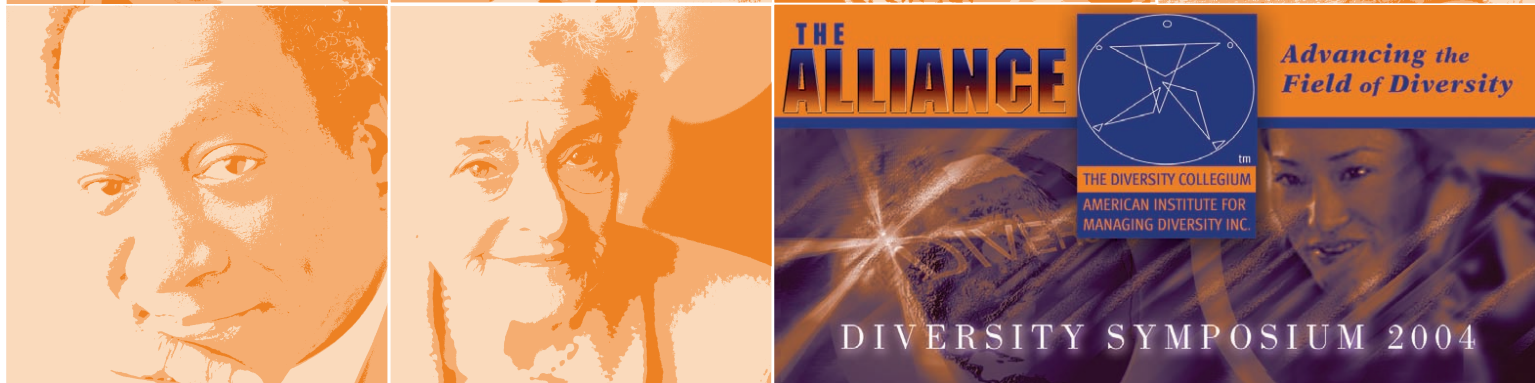




# DIVERS 2004

SYMPOSIUM  
PROCEEDINGS



THE  
**ALLIANCE**



THE DIVERSITY COLLEGIUM  
AMERICAN INSTITUTE FOR  
MANAGING DIVERSITY INC.

*Advancing the  
Field of Diversity*

DIVERSITY SYMPOSIUM 2004

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# EQUITY, AFFIRMATIVE ACTION AND DIVERSITY

## FROM PAST TO PRESENT TO A PROMISING FUTURE



**HOST: THE ALLIANCE (THE DIVERSITY COLLEGIUM and  
THE AMERICAN INSTITUTE FOR MANAGING DIVERSITY)**

**HELD OCTOBER 6-8, 2004  
THE NATIONAL CONFERENCE CENTER  
LANDSDOWNE, VA**

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# Contents

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Executive Summary	4
Proceedings Report	9
Introduction	10
<i>Summary of Speakers' Presentations</i>	
Affirmative Action: 25 Years and Counting by Dr. R. Roosevelt Thomas, Jr.	11
Impact of the University of Michigan's Affirmative Action Decisions on Corporate and Community Dialogue by Jeffrey Norris	15
Affirmative Action in a Global Context: Diversity and the Intersection of Civil and Human Rights by Karen Narasaki	17
Global Panel	20
Breakout Session Summaries, Day One	23
Moving Forward by Respecting Our Beginnings and Honoring Our Endings by Dr. Price Cobbs	26
Breakout Session Summaries, Day Two	28
Diversity Symposium 2004 Wrap-Up	31
Epilogue	32
Appendices	33
Biographies of Speakers	34
Biographies of Global Panelists	34
Breakout Sessions Comments, Day One	34
Breakout Sessions Comments, Day Two	39
The Diversity Collegium Members	43
The American Institute For Managing Diversity	43
Credits and Contact Information	43



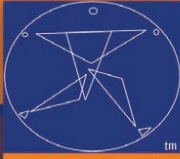


# EXECUTIVE SUMMARY 2004






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DIVERSITY SYMPOSIUM 2004



**“The Court expects that, 25 years from now, the use of racial preferences will no longer be necessary to further the interest (race-conscious admissions programs) approved today (in higher public education).”**

**Justice Sandra Day O'Connor,**  
**2003 Supreme Court Decision *Grutter v. Bollinger***

## Background

Affirmative action may be one of the most controversial and misunderstood issues in the United States since its inception in 1965. Numerous lawsuits at the local, state and Supreme Court levels have challenged the fairness and equity of affirmative action. Proponents cite past and current exclusion of women and minorities from full participation in education and the workforce as a compelling reason for affirmative-action policies. Opponents say that the playing field has been leveled, and that affirmative action leads to preferential treatment and discrimination against members of the dominant group. From a global perspective, some countries have looked to the United States as a model for their own equity legislation and regulations, while others have just started to grapple with issues of inclusion.

The most recent challenges to affirmative action were the University of Michigan's 2003 Supreme Court cases, one challenging affirmative action at its law school and the other in its undergraduate programs. The lower courts issued differing decisions concerning the University of Michigan Law School's admissions program. However, the Court held in *Grutter v. Bollinger* that it is constitutionally permissible for the University of Michigan's Law School to use a race-conscious admission program that is narrowly tailored to meet a compelling state interest.

However, Justice Sandra Day O'Connor has deemed that affirmative action will not be necessary in 25 years. Her view raises myriad questions; the Symposium set out to address some of them.

## The Host

The 2004 Diversity Symposium, *Equity, Affirmative Action and Diversity: From Past to Present to a Promising Future*, was hosted by The Alliance, a strategic partnership between The Diversity Collegium and the American Institute for Managing Diversity (AIMD).

In 1991, seven diversity practitioners founded The Diversity Collegium to advance the emerging field of diversity. Since its inception, the group has expanded to 23 members and serves as a think tank to provide thought leadership in the field. Over the years, the Collegium has sponsored symposia and published papers in an effort to deepen understanding and contribute to the body of knowledge about diversity.

One of the Collegium founders, Dr. R. Roosevelt Thomas, Jr., had previously founded AIMD in 1984. It was the first national, nonprofit organization to demonstrate the power and potential of diversity management through research, education and public outreach. AIMD has developed many widely used diversity management tools, books and curricula and has conducted conferences designed to generate a constructive public dialogue around issues of diversity.

The two groups recognized the synergy between them and structured the Alliance to take advantage of their respective strengths.

## Why this topic?

The Alliance selected the topic of affirmative action for its first collaborative effort, anticipating the Supreme Court's controversial decision in the University of Michigan case.

While most affirmative action advocates declared the decision a "win," Justice O'Connor's pronouncement about the waning need for affirmative action deserved some exploration. The Alliance decided to assemble experts and opinion leaders and begin to shape the dialogue about affirmative action's future.

In 1965, Executive Order 11246 created affirmative action as a temporary measure to level the playing field for groups who had been previously discriminated against in employment prior to the Civil Rights Act of 1964, which made such discrimination illegal. It was never supposed to be a permanent program. No time parameter had been attached to affirmative action until O'Connor voiced her opinion in 2003. Even though she merely ventured her own assessment, it is safe to assume that others share her opinion and that many would vote for its immediate end.

The Symposium set about sifting through the wide range of opinions about the need for affirmative action and whether it should inevitably end, at least in its current form. Will there be a need for affirmative action in 25 years? If it does need to end, how can we impact an "orderly" conclusion? What, if anything, might replace it? What are the global implications of ending affirmative action? Leaders and attendees discussed these and other related questions over the two day Symposium.

**Some 130 participants from the United States, Canada and South Africa joined the Alliance to engage in dialogue and debate and to make recommendations on the future of affirmative action.**

## The Process

The Alliance invited three experts in affirmative action and diversity to write or share related papers and present opinions at the Symposium. Attendees received and were asked to read the papers in advance.

R. Roosevelt Thomas, Jr. D.B.A. named by the Wall Street Journal as one of the top consultants in the country, founder of AIMD and president of R. Thomas Consulting and Training, Inc, wrote and presented *Affirmative Action: 25 Years and Counting*.

Jeffrey A. Norris, J.D. president, Equal Employment Advisory Council, and partner in McGuinness Norris & Williams LLP, wrote and presented *The Impact of the University of Michigan's Affirmative Action Decision on the Corporate and Community Dialogue*.

Karen Narasaki, J.D. a nationally recognized expert on immigrant, voting and civil rights issues and president of the Asian American Justice Center, presented *Affirmative Action in a Global Context: Diversity and the Intersection of Civil and Human Rights*.

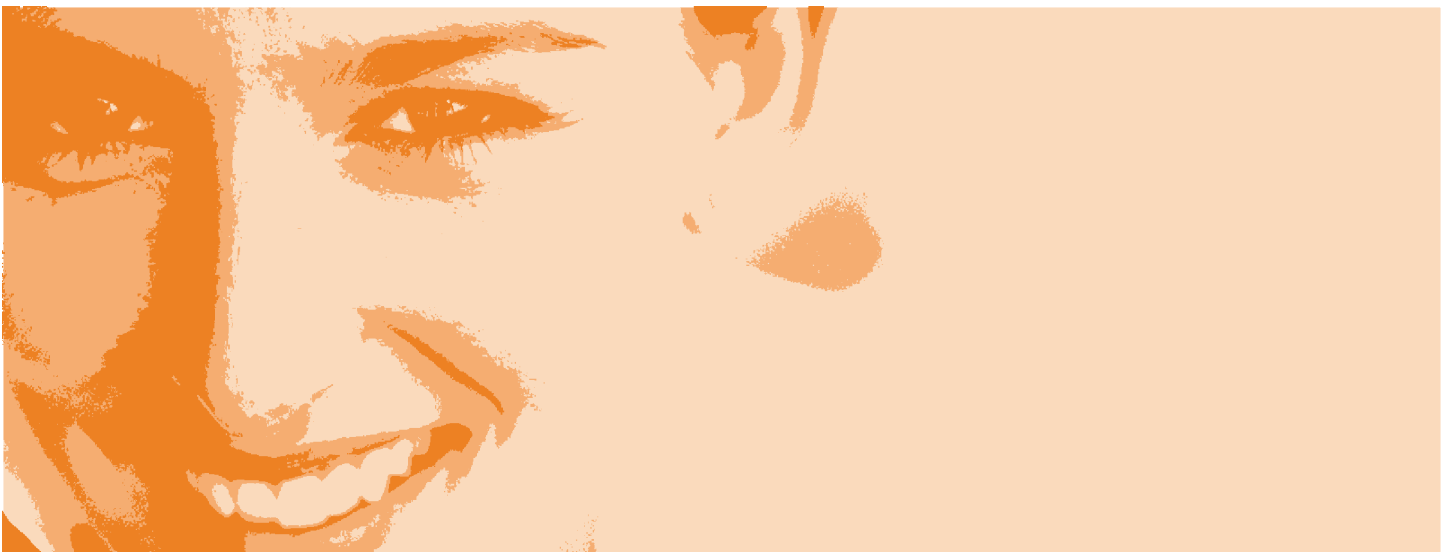
In addition, several Collegium members formed a panel on global diversity.

On the second day of the Symposium, Price Cobbs, M.D. seminal figure in the diversity field and author of several books, including *Cracking the Corporate Code*, and *Black Rage*, presented *Moving Forward by Respecting our Beginnings and Honoring our Endings*, insightful comments and observations culled from the discussions of the previous day.

### Attendees

Attendees were invited to the Symposium based on their depth of knowledge in the field of diversity and affirmative action. Some 130 participants from the United States, Canada and South Africa joined the Alliance to engage in dialogue and debate and to make recommendations on the future of affirmative action.

Attendees listened to the three presenters, the panel discussion on global diversity issues and Cobbs. They asked questions after each presentation and had two opportunities for in-depth discussion during two breakout sessions. Full-group plenary sessions also provided the opportunity for sharing opinions.



# The Outcome

Armed with the insights from the presenters and their own wide-ranging experience, participants engaged in two small-group dialogue sessions.

## Breakout Discussion 1

Participants formed 11 smaller groups to explore the following questions:

1. It is 2028. Affirmative action policy within EEO legislation has run its course. Most individuals and organizations have embraced the values of fairness, justice, respect and equal opportunity resulting in inclusive work environments. What significant actions made this happen?
2. It is 2028 and most industrialized countries have supported an equal employment opportunity principle. However, in some countries, members of minority communities or economically disadvantaged groups are struggling. What systems, policies and practices are unfair? What went wrong?
3. What gives you hope that the spirit and principles of affirmative action/equity legislation will continue?

## These key themes emerged:

- Change will only occur when we become uncomfortable with the current state.
- We have never apologized in this country for past injustices. Before we can move forward, we need to acknowledge the pain of the past.
- We need more authentic opportunity for dialogue about these issues.
- Affirmative action has not been implemented properly; therefore, it is too soon to talk about exiting.
- We should focus on the learning methods of the next generation. One group coined the term *equitize* to describe the need to level the playing field.
- We should embrace the concept of framing affirmative action from a human rights perspective.
- Should we change our language for the convenience of others, or keep the language and educate better? There are unintended consequences for changing the language.
- Another group coined the new term *plout*, a combination of power and clout. Underrepresented groups need both.

- We must perform three key actions to reach “nirvana” by 2028: Acknowledge United States’ past history around these topics; reform education (teach social justice and peace at an early age); focus on youth and values.
- The Pledge of Allegiance could be changed to include human rights.
- There should be a global summit to establish a “Declaration of Respect for Diversity and Human Rights.” People could wear a symbolic bracelet to show their solidarity.
- Equity and diversity are different, but they should coexist and collaborate. Equity is about legislation, and diversity focuses on education, leading to the word, *legucation*.
- If we are not successful by 2028, it will lead to *conflama*, more conflict and drama.

## Breakout Discussion 2

As a result of the first day’s dialogue groups, eight key topics emerged. Guided by their interests and motivations, attendees selected the topic of their choice for the second breakout discussion. Each group developed the following breakthrough strategies and key messages for leaders:

1. **Power and Influence: Us and Others:** There are many different types of power including collective, reward, coercive, economic, personal, charismatic, positional, etc. We need to be more conscious of our power. The vision for 2028: “We have authentic power in all facets of society. We are the leaders we have been waiting for.” The exit strategy: In 2028 we will not exit from affirmative action, but transition from coercive power to the reward and expansion of power.
2. **Privilege and Entitlement:** We are all privileged in some way. The question is what level of privilege are we entitled to as human beings. We should stop positioning privilege and entitlement as an “either-or” discussion, but rather as “both, and.”
3. **Social Justice, Civil Rights and Economic Change:** The focus of this discussion was the impact of anti-affirmative action referenda. Seattle was cited as an example. As a result of dismantling affirmative action, there have been significant declines in minority business development and minority college admissions.
4. **Research, Empirical Evidence of EO/AA impact:** There is a need for qualitative and quantitative evidence of the impact of affirmative action on the corporate world as well as on society as a whole in order to develop an effective exit strategy. The challenge is to conduct nonpartisan research that goes beyond assessing progress in representation but also explores areas such as economic gain, voter registration, home ownership, homelessness, etc. We also need to consider the global impact of outsourcing and immigration.
5. **Personal Transformation:** Diversity practitioners must explore their own blind spots and know themselves very well to effectively impact change in their respective organizations. As experts in this work, we need to understand the competencies required of practitioners. Organizational transformation will not occur without personal transformation. Diversity professionals must “walk the talk.”
6. **Shift in Educational Thinking:** There is a need to form more effective and powerful alliances between schools and corporate



America. Currently schools receive money from corporations without accountability. Students are under-educated and mis-educated for the business needs of the future. Students need training in diversity and inclusion.

- 7. Values, Dissonance and Ethics:** The first step is to better understand our own personal values and then determine how our cultural values may clash with organizational values. The key question is, who gets to decide the values?
- 8. Human Rights:** Diversity should be positioned as a component of human rights.

## Conclusions/Next Steps

**Although affirmative action as a set of legal mandates may end, the spirit and intent needs to live on in new paradigms for achieving an inclusive society.**

Most agreed that we still need affirmative action, however imperfect, to ensure that our institutions represent the increasing diversity in the population. Affirmative action alone, however, is not strong enough to create an inclusive society. Dr. R. Roosevelt Thomas, Jr. believes affirmative action principles (hiring and promotion practices to increase the presence of underrepresented groups) should be integrated into broader concepts such as managing workforce diversity and managing strategic diversity beyond the workplace in areas of customer relations, families and communities.

The groups concurred that we need a new way to frame the spirit and intent of affirmative action. The very term conjures up different, often negative definitions, because in many instances, affirmative action has been ineffectively implemented. The speakers suggested that we should consider finding other less politically and emotionally charged terms to promote the issues of affirmative action, equity and diversity. Most of the attendees, however, felt strongly that we should keep the current language, but do a better job of educating society.

Attendees were enthusiastic and hopeful about introducing the concept of human rights to reposition the principles of affirmative action, as Karen Narasaki urged. Human rights is a term that resonates better globally (although barely used in the United States) than affirmative action and elicits the notion of rights as inherently the same for all people rather than defined specifically for a particular group (e.g. "women's rights," "immigrants rights," etc). Rights should not be defined by a controversial law, but rather by what we believe to be inalienable rights because we are human.



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**The group concluded that the work of diversity, affirmative action and equity professionals in the next 25 years should target the following actions to develop an effective exit strategy from current affirmative action programs:**

- Use human rights doctrine to reframe/reposition the affirmative action/diversity/EEO conversation.
- Develop strategies within organizations to integrate human rights with diversity/affirmative action and EEO initiatives.
- Develop race, gender and ethnicity neutral processes for attracting, selecting and retaining a representative workforce.
- Engage in authentic, consistent and systematic education to clarify goals, objectives, and definitions of diversity, equity, affirmative action and human rights. It is up to us as practitioners to ensure that the general public has a better understanding of these concepts.
- Legitimize the dialogue and debate about alternatives to current affirmative action practices. Encourage forums, think tanks and other conversations to spark innovative and creative new approaches.
- Focus future conversations more globally.
- Conduct research to better understand the impact of affirmative action on society.
- Encourage diversity/EEO/affirmative action/human rights professionals to continue with their own personal growth and development to become more competent in diversity management.








# PROCEEDINGS

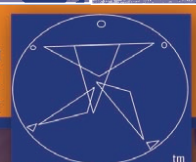
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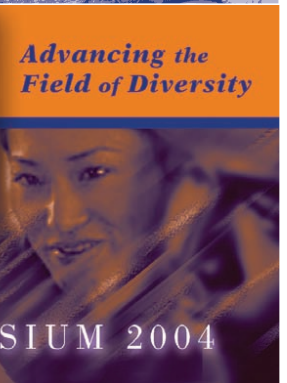




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*Advancing the  
Field of Diversity*

**DIVERSITY SYMPOSIUM 2004**

# Introduction

**The 2004 Diversity Symposium was a collaborative venture of The Alliance, a strategic relationship between the Diversity Collegium and the American Institute for Managing Diversity, to further their missions of providing the public with thought leadership on diversity.**

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**The Diversity Collegium, founded in 1991, is a think-tank consisting of 23 diversity practitioners. The Collegium's mission is dedicated to:**

- Broadening and deepening our understanding of diversity.
- Contributing to a body of knowledge that advances the field and profession of diversity
- Providing an opportunity to share, dialogue, agree with, challenge and learn from each other.
- Enhancing professional development.
- Improving what members do and helping the profession grow.

**The American Institute for Managing Diversity, Inc. (AIMD), a 501(c)(3) nonprofit organization, was established in 1984 and is committed to demonstrating the power and potential of diversity management through research, education and public outreach.**

As The Alliance, the two organizations collaborated to provide a forum where seasoned diversity professionals from all over the world could gather in one place and engage in serious discourse about the future of affirmative action. *The Diversity Symposium 2004: Equity, Affirmative Action and Diversity: From Past to Present to a Promising Future* was the third such gathering since the Diversity Collegium's inception.

From Oct. 6 through 8, 2004, the Diversity Symposium in Lansdowne, VA., drew 130 diversity professionals from both coasts and all the regions in between, as well as Australia, Canada and South Africa. They listened, reflected, queried, commented and finally applied themselves to the daunting task of recommending future strategies to ensure workplace equity.

The topic of the 2004 Symposium focused on the landmark 2003 decision of the U.S. Supreme Court in the University of Michigan case, *Grutter vs. Bollinger*, which ruled that, at least as it relates to higher education, diversity is a compelling interest to the state and warrants the use of narrowly tailored affirmative action measures to achieve those interests. In her closing remarks, Justice Sandra Day O'Connor suggested that affirmative action would not be necessary in 25 years. While the Supreme Court's Decision was declared a "win" for affirmative action, Justice Day O'Connor's 25-year timeline evokes many questions.

- What should we be doing about affirmative action in the next 25 years?
- What, if anything should replace affirmative action?
- How will affirmative action play out over the next 25 years, and who will determine its future?
- Do we just let it run its course, or should we develop strategies for an "orderly" demise?

Now, almost two years after the Court's ruling for educational settings, there continue to be strong opinions arguing both for and against affirmative action. The legislation has been both a milestone and a millstone to champions of diversity, so it is legitimate to ask: After four decades of relying on policy to help level the workforce playing field, where are we now, and what does the future hold for affirmative action in the United States and globally?

In his opening remarks to the Symposium, Collegium member Juan Lopez challenged participants. "Our paradigm has been stuck," he said. "Whether we like it or not, it has been. We have a big task here." He beseeched all the participants to open their minds and their mouths and ask out-of-the-box questions, silly questions, "the kinds of questions that make us think."

The Alliance invited three experts to develop written papers on the future of affirmative action for the two-day event. Having built their case, each speaker's paper was given to attendees to read in advance. Dr. R. Roosevelt Thomas, Jr. wrote and presented "Affirmative Action: 25 Years and Counting." Jeffrey Norris presented his "Impact of the University of Michigan's Affirmative Action Decisions on the Corporate and Community Dialogue." Karen Narasaki presented "Affirmative Action in a Global Context: Diversity and the Intersection of Civil and Human Rights."

After each day's presentations, attendees split into small groups for breakout sessions, each with a note-taker and a facilitator. During the first day's breakout sessions, attendees grappled with the varied challenges and observations each speaker had presented. To build continuity from one day to the next, Collegium members huddled in the evening over the first day's charts and notes in an effort to glean key topics for the second day's breakout discussions. They settled on eight topics that would focus the second day's discussions; the results produced breakthrough strategies and key messages for leaders, all of which are recorded in the Proceedings document.

This document of the proceedings will summarize each speaker's papers and comments, as well as comments and questions from attendees. The paper will conclude with the themes and solutions developed during from the breakout sessions. Appendices contain selected comments from the small group discussions, culled from the note-takers' reports.

## Presentation:

### Affirmative Action: 25 Years and Counting

## Speaker:

**R. Roosevelt Thomas, Jr. D.B.A.**  
Founder of the American Institute  
for Managing Diversity

“to overcome the effects of past discrimination”; the latter comes from science and describes the interactions of different elements in a mixture. This is not how most people process these terms. Nine times out of 10, Thomas says people hear “diversity” as a code name for affirmative action.

The concept of “color blindness” has also been pivotal in the history of affirmative action. Opponents of the directives say they call too much attention to race, which prevents an ideal society that does not need to notice the different colors of its members’ skin, and therefore succeeds without having to acknowledge other differences. A shift away from this view to one of “color consciousness” occurred when passage of the Civil Rights Act failed to generate the desired degree of racial diversity in the workforce.

This failure, caused in part by a lack of diversity management skills within organizations as well as “institutional racism,” led to the creation of affirmative action with color-conscious government directives, guidelines and eventually targeted requirements. A quick-fix, a jump-

**“While opponents view quotas and mandated guidelines as contradictory to both the Constitution and the same civil rights laws that have not achieved mainstreaming, they believe economics, market forces and society at large will naturally bring the most talented workers, regardless of race, forward in society.”**

In presenting his paper, “Diversity Management and Affirmative Action: Past, Present and Future,” Dr. R. Roosevelt Thomas, Jr. reminds us of all the ways people have viewed affirmative action throughout its history.

Stating the majority opinion in the University of Michigan case, U.S. Supreme Court Justice Sandra Day O’Connor said: “25 years from now, the use of racial preferences will no longer be necessary to further the interest (pursuit of diversity) approved today.” Some folks, Thomas writes, feel ambivalent about affirmative action’s presence already; others wish it were possible to be as optimistic as Justice O’Connor. Regardless of so many shades of difference in opinion, Thomas urges leaders to seek alternative ways to achieve the desired racial representation without “race-conscious tools,” such as affirmative action.

He begins his exploration of the evolution of affirmative action with a focus on language—which becomes an important thread throughout all of the Symposium’s presentations and group discussions. Terms such as “affirmative action” and “diversity” have become loaded, feared and misunderstood, Thomas says. The former is a federally mandated series of programs designed to increase hiring of the underrepresented

start to a deep-seated problem, a bandage, affirmative action was limited in its abilities from the start. Today we hear that it fights poverty and that it is good for business, but its original purpose was primarily to bring African Americans into mainstream society. Ultimately, the fact that affirmative action still exists and that people are so at odds over it is a symptom of what Thomas calls America’s “continuing unreadiness for diversity.”

In his presentation, Thomas breaks down the expectations Americans had for the Civil Rights movement. People thought it would lead to desegregation, pluralism, integration and mainstreaming, which leads us back to language: What do all of those terms really mean? “Desegregation” means that the law does not sanction segregation in schools. “Pluralism” refers to having more than one type within each dimension of a mixture; for example, you can have racial, gender, or ethnic pluralism. “Integration” means achieving a connectedness through collective ties that bind. Since affirmative action exists to meet some of these same expectations, many people lump it in with the Civil Rights movement. That, Thomas says, makes it difficult to disengage from using affirmative action as our only tool for managing diversity.

Thomas reminds us that those who oppose affirmative action often support its goals. While opponents view quotas and mandated guidelines as contradictory to both the Constitution and the same civil rights laws that have not achieved mainstreaming, they believe economics, market forces and society at large will naturally bring the most talented workers, regardless of race, forward in society.

Proponents focus on the need to increase diversity in the workforce rather than how to integrate diverse groups into an established paradigm that is foreign to them in too many ways. "I do not believe affirmative action addressed this issue," Thomas writes. "True equal opportunity would have required removing those non-requirement barriers (traditions, preferences and conveniences) that disadvantaged African Americans."

### Thomas summarizes the advocated purposes for affirmative action as these:

- To foster equal opportunity
- To foster equality of results (statistical parity integration)
- To compensate those who have been discriminated against
- To fight poverty
- To create role models
- To do the "right thing"
- To foster diversity

The fostering diversity argument, Thomas says, has only emerged in the last 15 years or so. It contends that affirmative action can bring about racial, ethnic and gender diversity that in turn will foster creativity and innovation. After years of having to prove the need for a diverse workforce, many have fallen into the mind set that diversity must be a positive, beneficial ideal; Thomas cautions against this, stating that diversity is neither good nor bad, but merely reality. Whether or not we choose to make them so, workforces will be diverse, although not necessarily representative of everyone yet.

### Thomas also summarizes the cases against affirmative action:

- It departs from the ideal of a color blind society before the law
- It fosters reverse discrimination
- It is divisive in its insistence on determining who is disadvantaged
- It stigmatizes the beneficiaries and makes it difficult for them to gain respect for their accomplishments
- It has been abused by managers, politicians and others

So where do all of these differing camps leave us today, especially with the ambiguous court judgments of late? Thomas says opponents celebrate that affirmative action is on its way out, whereas proponents rejoice at how long it has persisted. Regardless, Thomas says the politicization of what began as a benevolent idea has hindered not only its effectiveness, but also our ability to move beyond it to develop other tools. He lists these as hindering factors:

- Politicization
- Confusion about its purpose
- Continued tension between gradualist anti-discrimination camps

and those seeking representation of minorities and women through organizational change

- Use of affirmative action to avoid public relations and/or legal embarrassments
- An "affirmative action forever!" attitude in lieu of developing complements and alternatives
- The entitlement school of thought
- The belief that racism and oppression are the only reasons to retain affirmative action
- Preoccupation with workforce issues
- Lumping affirmative action in with the post-Civil Rights movement
- Failure to consider approaches other than managing workforce representation and workforce relationships

### Thomas is particularly interested in this last hindrance. He breaks workplace focuses on diversity into four different stages:

1. Managing workforce representation through numbers, demographics and surveys.
2. Understanding workforce differences by studying relationships
3. Managing workforce diversity, however it exists
4. Managing strategic diversity (even beyond the workplace, such as diversity among customers, families and communities).

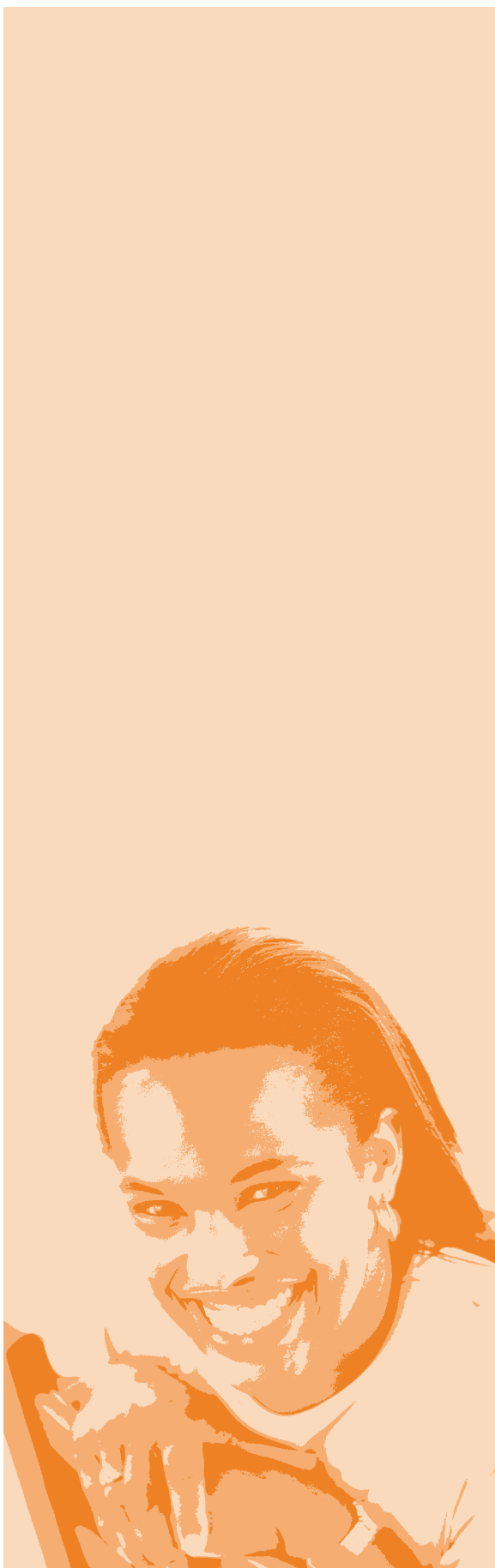
Most organizations get stuck in an endless cycle between Nos. 1 and 2, never realizing that they need to develop ways to perform Nos. 3 and 4. Thomas emphasizes that it's one goal to hire a diverse workforce and then educate the organization about why Employee A and Employee B are butting heads; it's another goal entirely to know what to do when Employee A and Employee B reach an impasse—how to make quality decisions amid tensions without unnecessarily alienating either employee. "We need to find a way to access talent as it comes to the organization, however it comes packaged," Thomas says, adding that this approach is not so much about fixing people as having access to the talents people bring with them. Managing strategic diversity, then, is a framework for making decisions amid differences, similarities, and tensions. It is, says Thomas, "confidence that leaders understand different types of diversity strategies." Without the frameworks of Nos. 3 and 4, diversity initiatives are stuck—as many conference attendees concurred.

There are some facilitating factors for developing alternatives to affirmative action. Thomas categorizes them as these:

- The clock is ticking, since Justice O'Connor's statement in 2003
- Implementation of affirmative action will become increasingly complex as more groups demand inclusion in the mainstream; the burden of complexity will encourage change
- Awareness among managers and diversity practitioners that their efforts are stuck

Both camps have a clear future, Thomas writes. Instead of circling each other as they try in vain to rely on affirmative action as a bandage, it's time for leaders and professionals to look closely at the symptoms of





the dysfunction. Several forward-thinking camps have offered their prescriptions, which Thomas summarizes as:

- Affirm the affirmative (clarify the benefits)
- Acknowledge the abuses of affirmative action and correct these situations
- Abolish affirmative action and enforce anti-discrimination laws
- See individuals as individuals
- Adopt a race-blind, gender-blind, ethnicity-blind approach
- Base affirmative action on social class and income

Thomas finds fault with most of these because they don't go far enough beyond the bandage approach. They oversimplify the problem, overlook the importance of acknowledging differences while steering clear of stereotypes, and fail to address the unintentional discrimination that occurs in organizations built for only one type of person. In short, he argues that the first 40 years of affirmative action did not go far enough, and neither will a second 40 years.

### **Instead, he recommends the Strategic Diversity Management Process for four important reasons.**

1. It offers a context for addressing racial diversity
2. It is race-neutral
3. It can accommodate the gradualists
4. It also can accommodate the interventionists

Instead of abolishing or minimizing affirmative action, he argues for augmenting it with the Strategic Diversity Management Process. In the meantime, he offers a list of actions that can start leaders and executives down the path toward affirmative action alternatives, starting with a simple test. For any new program or policy or principle, ask the following questions:

- Does the program give special consideration to one group?
- Will it contribute to everyone's success?
- Is it designed for "them" instead of for "us"?

### **He also recommends the following steps:**

- Affirm your organization's commitment to racial and ethnic representation in your workforce.
- Work to de-politicize affirmative action within your organization—talk about it, and take it out of the political context.
- Secure commitment for the development of an exit strategy from affirmative action. "Many might react that they never had it in the first place, so how can they exit?" Thomas says. "That is an important place to start."
- Legitimize the dialogue, debate and experimentation that will generate the creativity and innovation needed to develop an effective affirmative action exit strategy. Thomas says there is a resistance to thinking about these issues; most people just want a set of actions. "I don't think everyone thinks there is a need for a think tank," he says. "Most people want to act, not think—even if they don't know what diversity is—I don't want discussion of it at all; just give me five things to *do*." "
- Develop race-, gender- and ethnicity-neutral processes for attracting, selecting and retaining a representative workforce.

Above all, Thomas recommends building a collective and individual diversity management capability. What does that mean, exactly? In short, it means we need to form a framework and the skill-set to recognize, analyze and respond appropriately to diversity mixtures. But it also means that we need to be honest

with ourselves about our limitations regarding diversity. “A lot of people are diversity-challenged,” Thomas says. “Many are reluctant to say they are diversity-challenged and that their organizations are diversity-challenged. To say so, they think, means that they are guilty of the ‘isms.’ ”

Not necessarily, Thomas says. “I am a racist if I believe that my race is superior to the members of another, or if I hate the members of another race. I can love everyone and still be challenged—diversity-challenged.”

Basically, the deep, hard work of everyone getting along is just a starting point. “We have been talking about this for 40 years, so many think there is no need for pioneering,” Thomas says. “In fact, the need for pioneering is just beginning.”

## QUESTIONS AND ANSWERS:

### Where can we read more about managing diversity strategically?

Thomas indicated he was working on the concept in a new book “Building on the Promise of Diversity: How We Can Move to the Next Level in Our Workplaces, Our Communities, and Our Society,” was released in September 2005 by AMACOM.

### How do you separate diversity management from general competency around management, period?

**Thomas:** Recognizing diversity is the first skill. Throw a contest among a room full of people. Give each table a national newspaper. After 30 minutes, each table should identify all the diversity issues in the paper. The table with the greatest number wins. The last time we used this exercise, the number of reported issues ranged from 11 to 35.

Once you get into the throes of diversity tension, it can escalate and get out of hand, as in this case where an employee tries to express a concern to a manager and leaves in tears:

“I can’t express my religion in this organization like I can in others.”

“That’s just you.”

“No, there are others.”

It got out of hand. Step back, recognize a diversity issue and deal with it using a diversity tool kit. Work to achieve these three steps:

1. I can recognize it.
2. I can analyze it.
3. I can give the correct response.

### What should companies who are doing well at strategic diversity management be measuring?

**Thomas:** How diversity-mature are the managers *and* the rank and file? We tend to think that if the management gets this, it’s OK. We are learning that the rank and file should also be on board. What other kinds of issues are they addressing with strategic diversity management? There are a lot of people dealing with customers, diversity or mergers and acquisitions, etc., who never realize that some of these interactions are a diversity issue.



## **Presentation:**

### **Impact of the University of Michigan's Affirmative Action Decisions on Corporate and Community Dialogue**

**Speaker:**  
**Jeffrey A. Norris, J.D.**  
**President, Equal Employment Advisory Council**

and requires affirmative action programs to be “narrowly tailored” and “remedial in purpose.” He notes that the Court did *not* prohibit all race-based decision-making in employment. “The import of the decision was really more in what the Supreme Court didn’t do, not what they did do,” he says. “They have not cleared the way, but they have established a path.”

While the Court considered this country's increasingly diverse workforce and society as well as friend-of-the-court briefs from the Equal Employment Advisory Council (EEAC) and other major organizations, it purposefully confined its affirmative action approval to educational settings. Norris writes that the Court stressed that “context matters,” and that higher education occupies a “special niche” because of our nation’s strong traditions of academic freedom.

This is important for corporations; not only does the Court’s acknowledgment of the need for certain race-based programs apply solely to the public sector, but so also do the restrictions and limitations on said programs. In other words, voluntary private-sector affirmative

**“To wean ourselves from affirmative action as our only tool for achieving diversity goals, we have to ask a lot of questions, reorganize, consider different terms and be clear about our goals. We can rest when fundamental fairness is a driving force for American business.”**

**Jeffrey Norris, like Roosevelt Thomas, is concerned with the impact of recent Supreme Court activities surrounding affirmative action. In his presentation, he addresses two key questions for corporations:**

- 1.** What impact did the University of Michigan case have on affirmative action?
- 2.** What should we do to hasten the day when we no longer need affirmative action or preferences?

The University of Michigan court case refers to the June 2003 affirmative action decision of the U.S. Supreme Court. Norris writes: “the Court concluded that the educational benefits that flow from a diverse student body constitute a ‘compelling state interest’ that makes some race-based considerations in the admissions process lawful under the U.S. Constitution.” As far as impact, Norris says there is not much on private sector employers. The decision applies only to academic settings

action programs are not governed by constitutional limits, but rather by Title VII of the Civil Rights Act passed in 1964. Title VII holds private-sector employers with 15 or more employees to specific non-discrimination rules. These rules have been spelled out further in subsequent Supreme Court Decisions referred to as *Weber* (1979) and *Johnson* (1987).

The ground rules, according to Norris, answer the question, “What can employers do?” The Supreme Court models say employers may voluntarily eliminate a manifest imbalance by not trammeling the rights of non-preferred individuals. That means no quotas, no set-asides and no absolutes. “So, under what conditions can you prefer individuals of a certain race?” Norris asks. “That is the question people ask.”

He writes that Title VII prohibits discrimination in employment on the basis of race, color, religion, sex and national origin, regardless of minority or non-minority status. So, if race or gender is a “motivating factor” in hiring decisions, unlawful discrimination has occurred. Rather than contradict affirmative action legislation, Congress specified in 1991 amendments to Title VII that the amendments would not affect “court-

ordered remedies, affirmative action, or conciliation agreements that are in accordance with the law.”

## So, what are the Weber and Johnson standards for lawful race- or gender-conscious affirmative action (also the guidelines used by the EEAC)?

- The employer must show a “manifest imbalance in a traditionally segregated job category,” usually with statistics.
- In the presence of such an imbalance, employers may follow a “narrowly tailored” program that uses race or gender as only one factor in choosing from equally qualified candidates.
- The program must be limited so that it does not “unnecessarily trammel” the rights of those outside the group it is designed to protect. That means its duration must also be limited only until the imbalance is corrected.

The EEAC promotes these guidelines, but also offers legal defense to employers charged with discrimination who can prove they followed these rules.

With the clear limitations of these standards—to correct imbalances in hiring, but not to maintain, or manage, the diversity after the imbalances have been eliminated—it is clear that employers must take other steps to sustain progress. These steps are the answers to the second key question Norris poses: What can we do to hasten the day when we no longer need affirmative action or preferences? “Employers *cannot* eliminate differences among employees,” Norris says. “Employers *can* strive to establish an environment in which these differences don’t matter, don’t inhibit career aspirations.” Norris starts his list of actions, as Thomas did, with language:

- Eliminate emotionally charged terminology. Norris points to some workplaces that have already replaced “EEO,” “affirmative action” and “diversity” with terms such as “workforce fairness,” “workforce effectiveness” or “workforce strategies.” He points out that changing these terms emphasizes employees’ commonalities rather than their differences.
- Eliminate inefficient management structures. Diversity professionals have been segregated into different departments over the years, with the EEO employees in one department and the diversity managers in another. This makes it harder for the two to share resources. “A lot of companies have recognized that the traditional compliance folks can be helpful for those trying to manage strategically,” Norris says. “Conversely, individuals in compliance find that the diversity programs are good complements for their efforts.” Merging responsibilities, then, is a good start.
- Align affirmative action plans with diversity goals. “Rather than establish goals by location or job group, ask ‘Do we run our business by function, or by geographic location? How do people move in our company?’” Norris says. After answering these questions, he suggests organizing the goals in a more meaningful way.

- Integrate diversity-related metrics into regular performance evaluations. Norris suggests comparing the company metrics to a standard, such as the Census, or to peer organizations in the same industry. He recommends using surveys to discover the workplace climate and asking questions such as, “Are we hiring, staffing and placing at expected rates?” “Are we having a hard time retaining?” “Do we have pipelines for advancement?”
- Link EEO/AA/diversity with strategic business objectives. Companies that are doing this are trying to understand the underlying mechanics of their business: How things happen, how the business was created, how products and services are marketed, how everything works. Once they know these details, they can determine which groups can best meet business and diversity goals. The key is to articulate the linkages so everyone understands clearly.

To wean ourselves from affirmative action as our only tool for achieving diversity goals, we have to ask a lot of questions, reorganize, consider different terms and be clear about our goals. “We can rest,” says Norris, “when fundamental fairness is a driving force for American business.”

## QUESTIONS AND ANSWERS:

### How much of the stall we have discussed this morning is because of terminology? Also, aren’t similarities and intentions as important as our differences?

**Norris:** To get beyond race and gender, we have to take race and gender into account. For many companies, there is such political baggage attached to the terminology, they need to move away from it.

**Thomas:** It’s about simultaneously being color blind and taking differences into account. We need to include other types of diversity. We have to be sophisticated enough to go after differences that matter.

### Does the EEO Agency get in its own way?

The agency is evolving on its attitude toward diversity. The OFCCP would come into a company and ask to see the affirmative action programs. They weren’t done, often. Affirmative action programs were second fiddle to other programs with statistics and thorough documentation. Now that diversity programs do have a statistical underpinning, these programs can accommodate each other.



## **Presentation:**

### **Affirmative Action in a Global Context: Diversity and the Intersection of Civil and Human Rights**

**Speaker:**  
**Karen Narasaki, J.D.**  
**Lawyer specializing in civil, voting  
and affirmative action rights**

But we are also in the dark about what the United States is not doing: We are the only country besides Somalia not to ratify the International Convention on the Rights of the Child. Narasaki says she learned a hard lesson a few years ago: She, like many Americans, thought other countries were the barriers to more effective human rights legislation; it is often the United States that seeks to limit its reach and effectiveness.

So, Narasaki asks, since different countries view rights differently, what are we talking about when we say “human rights”? And how do they link up with affirmative action? “Here in the United States, we are accustomed to separating out rights and talking about civil rights, labor rights, women’s rights, environmental rights and disability rights,” she says, “when all of them can be linked through a basic notion of human dignity and human rights.” The United Nations and other international bodies define human rights as certain international standards, such as the right to self-determination, protection from genocide, etc. Philosophically, Narasaki says human rights are the ones we all share from birth, regardless of who we are and where we come from. Personally, she frames them within the American ideals of “life, liberty and the pursuit of happiness,” dividing them into three categories:

**“Here in the United States, we are accustomed to separating out rights and talking about civil rights, labor rights, women’s rights, environmental rights and disability rights,” she says, “when all of them can be linked through a basic notion of human dignity and human rights.”**

**Continuing the theme of language, Karen Narasaki starts her presentation by asking, “How many people talk about human rights in their companies?” Only a few participants raise their hands.**

Narasaki knows why. While national and international bodies have discussed human rights for decades, few of us understand or even think about how many rights fall under that umbrella. Because of scant media coverage and lack of education about such issues, Narasaki points out that few Americans know of existing human rights doctrines—or how shamefully out of sync the United States is on human rights in the global arena. A 1998 Human Rights USA poll found that 92 percent of Americans had never heard of the 1948 Universal Declaration of Human Rights, drafted in part by Eleanor Roosevelt. According to Justice Ruth Bader Ginsberg, the U.S. Supreme Court has only mentioned this legislation five times since the Declaration’s inception—and only twice in majority decisions. In fact, until recently, the Court hadn’t mentioned it for 29 years.

1. Civil and political: These are core human rights; it’s more about what governments can’t do to you than what they can or should do.
2. Economic, social and cultural: These are more controversial because they say what a government should provide, such as health care, education and housing.
3. “Third generation” rights: Since these rights tend to be globally oriented—the right to peace, a safe environment and adequate development—they require cooperation across cultures, societies and nations.

Economic, social and cultural human rights are hardly thought about domestically, Narasaki says. The United States government does not consider most social and economic rights to be human rights, but rather moral aspirations. But basic health, economic well-being and education are not available to everyone in our society, even though the 1948 Universal Declaration of Human Rights declares that everyone has a right to work, to an adequate standard of living and to education.

Here, education makes its second important appearance in symposium dialogue, this time not as a Supreme Court-sanctioned setting for affirmative action, but as a right every single human being should be able to access. Narasaki points out the irony that the United States still does not consider education a constitutional right, even though 2004 is the anniversary of the landmark case *Brown vs. Board of Education*. “We have to fix the education system,” she says. “Education is a fundamental right.”

Corporations should consider joining in the call to recognize Education as a basic right, since they benefit from a better-educated workforce. Says Narasaki: “If every company stood up and said, ‘We want to make education a priority,’ how powerful would that be?”

Speaking of education, Narasaki contends that we need to be more aware of global treaties signed by the United States that may not use terms such as “affirmative action,” but that mandates the same results. The International Covenant on Civil and Political Rights calls for the elimination of causes and perpetuation of discrimination, even if that means a country has to grant preferential treatment to achieve this goal. Similarly, the ILO Discrimination Convention of 1958 says that such measures in that context are not discriminatory. The Convention on the Elimination of all Forms of Discrimination Against Women also approves of temporary measures for achieving de facto equality across genders.

Basically, if a level playing field is a human right, what some may consider preferential measures are necessary to grant equal access to a decent life for all members of society. By discussing rights in a global, human context, and by discussing diversity in the same way, we are more likely to be understood by a greater number of people. The international community uses different language—and a broader scope. The term for affirmative action is “special rights.” Discussions of discrimination enforcement measures seek criminal penalties as well as civil remedies.

To prepare attendees for her comments, Narasaki distributed Justice Ginsberg’s article, “Affirmative Action as an International Human Rights Dialogue” and the Ford Foundation’s document “Close to Home: Case Studies of Human Rights Work in the United States.” The Ford document makes its case for human rights work here in North America with these major points:

- Our domestic environment is changing, with social justice issues prevailing from a collective viewpoint rather than one group versus another.
- Americans are engaging more with the larger world, spurred by incidents such as the terrorist attacks on September 11, 2001.
- Americans are experiencing an instinctive desire to reassert the common, human dimension of all social justice work, often lost when identifying with just one group.

The document also points out that while the case for using a human rights agenda may sound like simple semantics, it’s an important distinction: “The simple use of the term ‘human rights’ instead of ‘women’s’ or ‘worker’s’ or ‘prisoner’s’ or ‘immigrant’s’ rights, for example, elicits an understanding of rights as inherently the same for all people rather than as defined by this or that particular status.”

Important semantic shifts are already occurring, Narasaki says. “The United States has moved willingly from talking about ending discrimination, to diversity, which is easier to socially talk about,” she says. “But if you do that, will you ever be able to talk about the underlying issues?”

Issues such as: How do we achieve equality across groups when everyone has different needs? “You can treat everyone equally,” Narasaki says, “but is there actually substantive equality, considering people’s different circumstances?”

## The Ford Foundation document identifies several challenges in addition to language that stand in the way of human rights work in the United States:

- Tenacious government resistance to applying human rights law domestically,
- Difficulties for lawyers and activists trying to apply human rights law domestically, and
- The allure of false patriotism.

This last is far more pervasive than it might seem. Many who have fought for human rights in the United States have been accused of being unpatriotic. “When the NAACP sought to petition the government for discriminatory practices in the 1940s, they were branded as un-American,” Narasaki reminds us. “This is one of many reasons we are behind in the United States on human rights.”

## Organizations trying to meet these challenges have a few additional hindrances:

- Institutionalized exceptionism, such as separating funding and departments for human and civil rights,
- Absence of in-house expertise: Domestically, we know little about human rights; internationally, experts know little about human rights in the United States; and
- Lack of dedicated resources

## Narasaki points to several ways in which the United States is becoming subtly more global in scope:

- Companies that appear to be based in the United States are in fact international.
- Companies are employing immigrants, for both temporary and permanent work. More than one in 10 Americans is now foreign born, which usually means they are more familiar with the human rights framework than with the civil rights framework of the United States.
- New technology is helping citizens organize across global boundaries.
- Americans are increasingly aware of global issues, partly because of the tragedy of September 11, 2001, and partly because of conferences, such as the U.N. Conference on Women in Beijing in 1995 and the 2001 U.N. World Conference Against Racism, Xenophobia and other forms of oppression in Durban.

With this inevitable widening of domestic horizons, Narasaki sees human rights as a more accurate context for the diversity movement. "This is an opportunity for using new language," Narasaki says. "Human rights allow you to bridge silos, build more powerful partnerships. Companies would do well to consider what is going on in the field."

## QUESTIONS AND ANSWERS:

**It is scary to introduce a new term into a company. Since America is gradually becoming more diverse, what is a good way to introduce Karen's closing thoughts into a company, to say we have a stake in the game?**

**Narasaki:** What is most convincing to companies are the data and the framing of how they are useful. For instance, a clothing company worries about sweatshops, but they have to outsource. Even though they check and monitor, the sweatshops know when they are coming. How about giving money to human rights groups in those countries and having them check up?

**We know that the data demonstrate that women and minorities are disproportionately also people with disabilities. That is addressed peripherally at best. How do we do something about this? It's absent in the conversation.**

**Narasaki:** Americans tend to think of human rights as the problem over there and not the problem over here. How do we knit all of those issues together into one agenda? Immigrants may not seem like the group you are targeting, but they include women and people with disabilities.

**Comment:** If we distinguish between affirmative action and diversity terms, we also have to stop using language that goes with those terms interchangeably. Also, the Ford Foundation piece says how few of us know what constitutes human rights. ... We need to become informed ourselves. We need to host and participate in forums that increase our literacy in human rights!

**Comment:** I think that one of the things going on in the United States is that we don't have as many rights as we think we do. What would the strategy be for getting the things we are talking about into action, for dispelling some of this notion around patriotism? How do we start talking about rights and expanding what we already have when we talk about discrimination?

**Comment:** We need to remember where we are and all the ways that we can influence.



## **Presentation:**

### **Global Views: Positioning Diversity and Anti-Discrimination Efforts Around the World**

## **Panel:**

### **Diversity Collegium**

#### **Members:**

**Barbara Deane,**  
**Edward Hubbard, Ph.D.,**  
**Alan Richter, Ph.D.,**  
**Lynda White**

#### **Moderator:**

**Kay Iwata**  
**Diversity Collegium Member**

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**Kay Iwata launched the global panel by using a dialogue approach, posing a question to one specific panelist, and then opening the floor to the other panelists for comment. Her questions plumbed the panelists' knowledge of anti-discrimination efforts in other countries in hopes of inspiring new techniques in the United States.**

**Kay Iwata:** In terms of experience with other countries, what similarities and differences are there with the United States regarding diversity?

**Ed Hubbard:** There is the Equal Treatment Act in the Netherlands. They wanted to address discrimination and civil rights through equal treatment. The genesis came from equal pay; that was difficult. There was a lot of struggle around definition. What does "diversity" mean?

**Barbara Deane:** In Latin America, particularly Chile and Mexico, affirmative action is not really in the picture. There are issues around fairness and inclusion of women and people with disabilities in the workplace, but not as much as in Brazil.

**Alan Richter:** I'm originally from South Africa, but I've been to a lot of countries. Cultural diversity becomes very dominant in some countries. Gender as a diversity dimension is a universal issue.

**Lynda White:** Canada is concerned with gender and the context of underrepresented groups designated by EE/AA federal legislation, as well as groups in some provincial jurisdictions. The country also strives for an equitable workplace for other types of diverse groups, as in the United States. Progress typically is greater in urban centers than in rural environments. We have labor laws that force employers to do things differently, such as track hires, promotions, terminations and representation by occupational group. Labor laws create jurisprudence that will carry practices forward, which is very different from requiring companies to change their policies. Awareness building within organizations is huge; the other problem is with the idea of quotas. The third approach is economic: equal pay and access to jobs at all levels. All three work together. The outcome is predicated on the labor legislation working with EE/AA legislation, anti-discrimination laws and economic indicators.

**Kay:** What are other countries doing that could be applied to improve the U.S. model?

**Alan:** If you look at the United Nations, it requires three things: integrity, professionalism and respect for diversity. Shell has adopted the Bill of Human Rights into its company. The UN's development program put out the piece "Cultural Liberty" about how important diversity is in the United Nations. There is one university with a peace curriculum, from math, to geography to whatever is linked to peace.

**Ed:** Education is a focus. The Program of Action Act [in the Netherlands] focuses on building education centers that are sponsored by the government. In Rotterdam, they held a talent event. Each city-service member was responsible for bringing a talent from his or her group. As people came in and checked in, they had people talk about their talent. By the end of the day, they had categorized everyone by means of their talent and hired 600 people based on that talent.

**Barbara:** There are places reserved for black students in some Brazilian universities: 40 percent at the University of Rio de Janeiro and 20 percent at the Federal University of Brasilia.





**Kay:** Looking at this global context, what do you think are some of the undercurrents and dynamics—often unspoken—that affect these policies and practices?

**Barbara:** Mexico has had progressive legislation for years, but it's not implemented and it's not enforced. Class and color are very much a part of how you relate to people and do business. Racial preferences are built into how the society operates, but they are integrated with class. People in the upper classes are usually recognized by their lighter skin color, while darker skin colors are notably found in the lower classes, including working people and the poor. Along with these color lines go cultural norms. A well-defined mind set exists, at least in Mexico, in which a person of lower class, less status, less sophistication, and darker skin color would not challenge a person of higher class with more status and sophistication and lighter skin. In the past, this made it difficult for Mexican policemen, usually from the lower class, to enforce laws over the privileged light-skinned people.

**Ed:** Nothing has been done to be sure that equity in pay has been reached. In many countries, laws are passed, but many years go by before they are actually used. In the Netherlands, there are real issues of integrating gay and lesbians into workforce. You could be a cleaner, but not a social science teacher. There are differences between the law and how it is implemented.

**Lynda:** Three frameworks—labor law, anti-discrimination, affirmative action—unless there is something that offers an audit mechanism, you won't see it implemented.

**Alan:** Global diversity is well understood. The world is shrinking faster and faster and faster. We need to move toward being more global, but we in the United States don't sign treaties and move that way.

**Barbara:** So much effort has been invested in the Latin American countries regarding trade issues—among themselves, with the United States and Canada, and with Europe and Asia. In Mexico, however, there are still some who are suspicious of the United States, sometimes dubbed the “Colossus of the North.” There is a saying in Mexico, “So far from God, so close to the United States.” This statement reflects the cultural tension that often exists between the United States and Mexico, but which does not similarly exist between the United States and Chile, or Costa Rica, for example. It remains a challenge sometimes for the United States to advance its interests in the region and at the same time be cognizant and respectful of the realities of developing economies.

**Lynda:** In Canada, it's the elephant and the mouse. The population of Canada is the same as California. Lots of goods are traded between the United States and Canada, and the two countries are each other's largest trading partners. How is it that we want to be the same and be different? We are open to embracing our differences so we can move forward. Not so much, “Gee, it worked for us; it must work for them, too.”

**Ed:** In the Netherlands, they think we have figured it out when there is still a lot unfinished.

**Kay:** Beyond equity legislation and public policy, how are other countries looking into inclusion? We can look diverse, but that doesn't mean we are diverse.

**Lynda:** In Canada, as in the United States, there are electronic councils, people coming from around the globe and also meeting face-to-face. As we cross these boundaries, we look at values and ethics. Maybe that is how we move forward. Where are people prepared to make recommendations that are a basis for all? When people say, "I'm going to go home and do this in my workplace," few actually do, but such declarations are creating a threshold for people to start the process. I think a groundswell is happening. Will we be calling this field community building in a few years? That is what we are doing: creating communities in which we want to work and live.

**Alan:** Cultural diversity versus ethics—that's the ultimate dilemma, and when they clash, cultural diversity is trumped by ethics and fairness. Now we get to see the prioritization of values.

**Barbara:** The current Mexican president's wife has provided an extraordinary role model for Mexican women. This kind of public definition of an expanded role for women can be very important.

**Kay:** Other countries seem OK with women as president and leader, but not us.

**Ed:** The company, ING, has a set of four principles: respect, integrity, honesty and safety. The company has 70 mediators set up 24-7 to make sure this happens. They have achieved reductions in turnover and absences. CARE (Companies Applying Rules for Equality) really addresses issues of equality in an organized fashion. There is a European movement called "be equal, be different."

**A South African attendee from the audience:** The Employment Equity Act of 1998 borrowed from affirmative action in the U.S. and from Malaysia. The Black Economic Empowerment Act of 2003 was about who owns the companies. They made it so that blacks owned a certain percentage of companies. It was difficult for blacks to get a loan, so they found creative ways to find funding. Leaders of industry stood up and formed sectorized charters. This is how we want to achieve this ourselves. That process created a few black millionaires. So then the companies made it so that you can't buy into a stake until you get together a group of disadvantaged women for the board.

## QUESTIONS AND ANSWERS

**Could you comment on how the morning discussions and afternoon discussion discuss the terminologies, and how they fit with each other or don't?**

**Alan:** All these things are interconnected, and they will continue to be interconnected.

**Lynda:** Affirmative action is anchored under a diversity umbrella. If you didn't get affirmative action right, you wouldn't get diversity right, either. How do we really look at it systemically as well so we can bridge all that we need to bridge?

Lynda spoke about community building. Is there any evidence of successful international models of building communities?

**Lynda:** Beware of "divide and conquer." If we don't listen to the voices that need to be included, we can't speak for the brothers and sisters beside us, let alone others who might not be heard. There must be full participation from the people who are going to be impacted. I am aware that this is currently happening in some international agencies and in the disability community.



# Presentation:

## Breakout Session Summaries

### Day One

# Speakers:

## Designated Attendees

Collegium member Mary-Frances Winters invited attendees to break into groups and discuss what they were learning and what should be done with all of the information. “We don’t have all the answers,” she said. “That is why we are here. We encourage you to discuss what you have heard, what excited you, what you agree with, what you don’t agree with.”

Attendees broke into 11 groups focused by the following three forward-looking questions as well as by the topics that caught their interest during the day:

1. It is 2028. Affirmative action policy within EEO legislation has run its course. Most individuals and organizations have embraced values of fairness, justice, respect and equal opportunity resulting in inclusive work environments. What significant actions made this happen?
2. It is 2028 and most industrialized countries have supported an equal employment opportunity principle. However, in some countries, members of minority communities or economically disadvantaged groups are struggling. What systems, policies and practices are unfair? What went wrong?
3. What gives you hope that the spirit and principles of affirmative action/equity legislation will continue?

After the free-form discussions in the breakout groups, all attendees returned to the main room to hear three-minute presentations from each group, which are summarized as follows:

### Group 1

This group started with a question: Is there anything besides evolution and revolution to help us? What’s in the middle? The progress of

affirmative action/EEO is the product of these two distinct extremes of human behavior. We identified a desire to see more opportunities for dialogue, focused discussions to build community, and even the ability to help all sides reach reconciliation. Some key challenges include Corporate America’s reluctance to admit fault, as well as the lack of time allowed for authentic dialogue, and the complexity of diversity in the United States as generations enter the workforce with no memory of the Civil Rights movement. We concluded that change won’t occur until we experience a heightened emotional state—usually uncomfortable—that will lead to insight. We need to create a common vision and common goals that can unite people but will do no harm. As for the harm that has already been done to people in this country, we realized we don’t have a way to apologize. However, the work we are doing is very soulful work that involves change on a level of the psyche. Because of that, we must keep ourselves honest as diversity practitioners.

### Group 2

This group started by wondering if it is premature to plan an exit strategy. Affirmative action hasn’t been implemented properly in the first place. We need to affirm a commitment and explore other areas, such as the concentration of power and wealth. If you grab corporations in the wallet, their hearts will follow. We also need to challenge our underlying assumptions of similarity. The differences cause the challenges: Even if we somehow exhibit our commonalities, the fact that we look different leads to dissension. Do we have a common vision around diversity? Could we agree in this room, in the United States, about what diversity is? We need to deal with the symptoms of the problem, not the source. Our country’s white supremacist construction disaffects all of us. Demonstrating the cost is the flip side of economic gain. And finally, we wonder what would success and improvement really look like? We can’t get to the similarities because of the barriers of our differences.

### Group 3

This group decided to forget about all of us in our generation and focus on children, specifically on their learning process. We arrived at the concept of inculcating into children what we want to see in our future. We created a word, “equitize,” which means to help a person move forward, even if they have fewer talents to offer. It won’t happen as long as we are a world of haves and have-nots. Why won’t this work? We never dealt with the systemic “isms”; we haven’t gotten anywhere with existing issues. If we could all answer the question, “What is it about my brain that makes me hate, not love?” we could get somewhere.

**Attendee:** “Don’t we have to look at the legacy we are going to leave them? We could leave them a much bigger mess than we have now.”

### Group 4

This group was intrigued with the idea of using human rights as a way to address discrimination and inequity issues worldwide. We saw three barriers:

1. We are already doing a lot—the so-called Community Investment Act that gives money back, scholarships, etc.
2. We don’t explain very well what is in it for the corporations and leaders.

**We concluded that change won't occur until we experience a heightened emotional state—usually uncomfortable—that will lead to insight. We need to create a common vision and common goals that can unite people but will do no harm. As for the harm that has already been done to people in this country, we realized we don't have a way to apologize. However, the work we are doing is very soulful work that involves change on a level of the psyche.**

**– Group 1**



### **3.** Sticking our necks out might come back to haunt people in power.

We were left with feelings of mixed hope and not so much hope. We also realized that we can't look at this issue of human rights from the point of view of how we would want to be treated, but instead the way others want to be treated.

#### **Group 5**

This group started by talking about impressions from the day's presentations. Our gut feeling is that issues related to women and people of color will be an ongoing topic. We may make people uncomfortable with our language, but do we collude, or do we embrace our terms so that people can get from there to here? We also discussed our global presence. Who gets left behind as we become more global? For instance, African Americans vs. others of African origin—are these different experiences? We concluded that we must infuse diversity into the strategic planning process. We must legitimize the conversation to make it more comfortable. We need to tie Strategic Diversity Management to business goals, without losing the fundamentals of EEO. We're hoping that we can engage corporations to influence our community and our education system, and then get them thinking about human rights. The driving force for achieving goals by 2028: an alien attack!

#### **Group 6**

This group appreciated pulling the lenses way back on terminology. We found ourselves stuck on the unintended consequences of changing

language, i.e., that we lose focus and energy. The group tried to tackle Question 1: What would 2028 look like if affirmative action succeeds? We used scenario planning and simulations to try to envision the future. We also came up with a new term: plout, a mixture of power and clout. Usually there is a tendency for a certain few to acquire power and clout, and we need to help those who don't naturally have plout to get it.

#### **Group 7**

This group had lots of discussion about using the term "human rights." By and large, the Americans in our group felt that it would lose its impact and become just another term. Some members with a European perspective thought it was the right term to use. We must keep a clear historical perspective. Then the group approached the question, "What would be the actions that would take us to nirvana in 2028?" We determined several main actions: First and foremost, the people of the U.S. must acknowledge and internalize their history. Second, the education system must be reformed. Social justice and peace initiatives should be taught at primary and secondary levels. And third, we need to focus on youth and values, instilling in them early an understanding and respect for human rights. (The Web site [www.livingvalues.net](http://www.livingvalues.net) details 15 values culled from a study of some 80 different cultures.) And finally, power would be shared. There would be no haves and have-nots.



## Group 8

### With respect to the questions on what might have gone right or wrong by the year 2028, four themes emerged:

1. The need to openly acknowledge past wrongs and inequities;
2. The need for personal and systemic pain in order for change to take place;
3. The need for individuals to explore their own attitudes, and, thereby, be better equipped to have honest dialogue;
4. Pessimism about the possibility of true inclusion by the year 2028.

Even though we do the work around EO, are we really getting there? We need to examine in-depth the environmental impacts inside an organization. How do our organizations treat employees? We talked about how to begin that conversation about human rights. These are issues that have been looked at for 15 or more years; how do we bring them across to business practices? For schools, we need to look at early on how to be a partner in creating new curricula. We need to determine what economic changes are needed along with behavioral changes. We could change the Pledge of Allegiance to include human rights. What does it mean to be a good person—the character issue. “Good” is assumed to apply to people of privilege; “bad” is assumed for minorities. We need to help others transform what we already transformed for ourselves. We know we can’t do this work unless we go within, and we can’t think we are done because of a transformation. As for the question about what might cause affirmative action to fail in 25 more years, we think it could be because the United States is losing power and may no longer be No. 1.

## Group 9

To avert a major societal crisis (the State of the Dream report, [http://www.unitedforafaireconomy.org/press/2004/StateoftheDream2004\\_pr.html](http://www.unitedforafaireconomy.org/press/2004/StateoftheDream2004_pr.html), shows that minorities are not better off now than they were 30 years ago), we need a breakthrough for change. To address the question, “What gives you hope that the spirit and principles of affirmative action/equity legislation will continue?” this group called for a national summit or coalition of members from government, the community at large, education, media, not-for-profits, and the private sector. The objective would be to establish a “Declaration of Respect for Diversity and Human Rights.” Specific targeted interventions would be implemented to bring this vision to fruition. Getting to this crisis point is how revolutions and changes have occurred in the past. We need to reach out to children—we have a real opportunity for change if we work with the next generation. As for institutionalized racism, we need to do our own work as leaders in this area. People could wear a symbolic bracelet to show their solidarity.

## Group 10

This group thought about 2028, and then did a shift to remind ourselves of the purpose of the session. We need to be clear about what affirmative action is and isn’t. We should keep affirmative action, but strengthen it. Dismantling it would be more harmful than helpful. Term changes have created confusion. Individuals who were not competent diversity

professionals have saturated the market with misinformation. “Isms” are alive and well, and diversity professionals shouldn’t be diluting the discussion. Equity and diversity are different, but they should collaborate and coexist together—one is for legislation and the other is for education. We need to “legucate” (combination of legislation and education) what it means for organizations to be successful and individuals to be successful within those organizations.

## Group 11

This group discussed the papers and panels, 9/11, and the Civil Rights movement, and realized the need to think in a larger context. To get to the vision of Question 1 by 2028, we would need major paradigm shifts in health care, housing, spiritual transformation. Oppression is built into our system. Diversity is in our own best interest. There should be a fundamental focus on education. First, we would have to address issues of diversity at the earliest age, and then teach people how to think critically. Speaking to the idea that we need to address these things before they become conflicts, we created a new word: conflama, the conflict and drama that would ensue later in life if this is not done.

# End of Day 1

**After the last report, the excitement in the room was palpable, even at the end of a long day. People were laughing, hugging, smiling with spirited eyes. A term used earlier within a discussion group could sum up the day: It was filled with “loud brilliance.”**

One sobering thought: When someone asked how many of those in the room sit on the board of a Fortune 500 company, not one hand came up. The person asking the question reminded everyone that the boardroom is where these issues are being discussed.

To gain greater insight into the discussions in the breakout sessions, please read Selected Comments of each group in the Appendices.

**Presentation:**  
**Moving Forward by Respecting  
Our Beginnings and Honoring  
Our Endings**

**Speaker:**  
**Price Cobbs, M.D.**  
**Internationally Recognized  
Psychologist and Management  
Consultant**

"As we talk about exit strategies, one of the things we are afraid of is that our histories of oppression will be forgotten," he continues. "We want to have—indeed, we need to have—a sense of the present, but you never have a true sense of the present until you understand the past. As we sit in this room, I ask you to ponder what, for you, have been the historical beginnings of your sense of the meaning of diversity and truly valuing differences? We have to listen to our inner voices to determine how all of us got here."

When he poses this question, Cobbs emphasizes that he is not asking for vivid descriptions of battle wounds and war stories. He reminds us that our paradigms of the past have proven to be an ineffective communication tool for progress in diversity. "It is a trap when we compare our scars and are made to choose who has been more oppressed," he says.

Cobbs begins the conversation with his own history. "When I was a kid growing up in L.A., I wanted the American Dream," he says. "I incorporated all of it. Beyond the rhetoric, as I got a bit older, I became aware of an entrenched, interlocking set of attitudes, stereotypes and beliefs about people like myself. The America I knew was infused with a

**"Of course, we must understand the past, but we will not be effective in this new millennium just by focusing on what we did in the past. Moving forward is going to call for new ideas, new resources and new coalitions."**

Dr. Price Cobbs wants us to think about what most people consider when moving from one place to another: what to keep and what to leave behind. For example, we are in one place as a result of civil rights legislation and affirmative action, but we may need to consider moving to a different place. "We have to face a reality, however unpleasant," Cobbs says. "And that is that affirmative action might certainly go away in the year 2029, or, if the backlash against it prevails, before then."

Stark realities about change are not always welcome or easy, but Cobbs encourages us: "When we occupy that narrow ledge between intellectual tension and conflict, we do our best work."

paradigm of white superiority and black inferiority. Even at a young age I was aware of it, whether the terms were used or not. It was in the very air I breathed.

"The paradigm that I discovered continues today, but in a more muted fashion," Cobbs says, "and we struggle with its aftermath in this room. Much of our struggle today is about finding a focus, which we had during the glory days of the Civil Rights movement. Because of that focus and the energy and direction it provided, we continue to hold on to the language and imagery of that period, and we don't (or won't) allow ourselves to look forward. Frankly, I could not do what I do if I did not look forward."

"Of course, we must understand the past, but we will not be effective in this new millennium just by focusing on what we did in the past," Cobbs continues. "Moving forward is going to call for new ideas, new resources and new coalitions."

"We continue to tiptoe around certain conversations," Cobbs says. "We are pros in this room. We have illusions about how open and honest we are with each other. Compared to the dialogues of other groups, that may be true, but we are a long way from being open and honest with each other. One of the major impediments to deeper dialogues is that we remain mired in identity politics. Beneath the surface, there is a feeling that whatever we get or someone else gets is at the expense of another group. We are not going to move to the next level until we get off eggshells, discuss this destructive competition and realize that the world in which we function is not a zero-sum game."

"In this regard, power is not a word we use, or, all too often, not a concept we understand. But there is no change without the exercise of power. I ask this room, what does power mean for us as a diversity community? How do we acquire it? How do we use it? How do we understand it? The power of our ideas, associative power, developing relationships with people who are unlike us ... If we are going to make our ideas prevail, if we want to move to the next level of change, we have to understand power."

That said, Cobbs asks attendees, "What does this trigger for you?"

**Attendee:** "I use the government as power; I default to the legislation. That is not good. I just realized that I should not do that."

**Cobbs:** "I hear the echoes of powerlessness in this group. 'You're the conscience of the organization,' we are told. All of us who came from outside groups remember when we were apologetic. Then there is the moment when we realize, 'Wait, I am entitled to be here.' I understand anger and rage. Our task is not 'How do I ignore it?' but rather 'How do I fuel it into my intellectual efforts?' Make it work for you, not against you."

**Attendee:** "Once you understand what your weaknesses are as well as your strengths, you will have access to so much more."

**Cobbs:** "The more light is shed on places that we know nothing about, the broader and deeper we become about our own work."

**Attendee:** "I notice that 'power' is a word that is not comfortable to me. There are so many places we can't go in dialogue, even in corporate America."

An attendee recommends the book "Men and Women of the Corporation" by Rosabeth Moss Kanter. The author contends that power is the last dirty word. "We have to break through because we can't do good things until we have power. Whatever we have to do to struggle our way through that, we have to do it."

**Attendee:** "Two things come to mind when you speak about power. First is integrity. If you have integrity, you don't have to say a word, you just have power. As a black consultant practicing in South Africa, I seek the power of empowering myself so that I give discrimination no chance. So, second is the ability to constantly reinvent yourself."

**Cobbs:** "Have you been following me around? I firmly believe in reinventing yourself. I am worried that too many of us are standing on

a ledge where we feel like we are about to dive off. I would encourage us in our historical perspective to see how far the human condition has come. Too often we have a sense of doom and gloom in doing this work. We have to have the optimism of a possibility rather than a fear of something going away."

**Attendee:** "Many of us don't have our lives on the line. Most of us have built fairly successful careers that pay us good money. What are we willing to risk? What do we risk by aligning ourselves with other groups?"

**Cobbs:** "Yes, we can take ourselves so seriously that we are unable to step back and say, 'Wait a minute.' Personal transformation starts once you figure out who you are, where you came from. This allows you to understand in a much broader way and then let go of the things that make you narrow. Part of being a leader is you either leave your community or you bring it along. Some of our diversity work is allowing us to reconfigure our stereotypes and inform us, but they are stereotypes nonetheless. What we are trying to do is understand each other individually."

**Attendee:** "In forming new coalitions I risk not being understood and not being seen as myself. That confuses me about how I can and should use power. Can I trust this much, what happens when the land I am standing on is always moving? Can you talk about the dynamic of power and trust?"

**Cobbs:** "Ah, the fears of vulnerability. At some point we all have to declare that we are all raggedy. The greatest power is being able to bond across lines of difference. It lets us know what we are missing. We have got to risk vulnerability. True diversity is the ability to form bonds across lines of difference."

He adds that derivative power is not the same as true power, such as being on boards, being ourselves, not imitating the power of others.

**Attendee:** There are politics of fear because of 9/11. The power of a collective vision, of seeing us in a better place than we are today, is important and is missing today. We could smartly stage an effort.

**Cobbs:** "We must push ourselves for breakthrough thinking. People without a vision perish."

**Attendee:** I am on the bleeding edge of gay rights in Massachusetts. I've been with my partner for 20 years. I find in the gay community, this is an indiscussible, it's an ugly thing, and I'm going to bring it up: In all of these communities, we don't let gays and lesbians in."

**Cobbs:** "We pay insufficient attention to the residual effects of oppression on us personally. At some point, as we go on, we get in touch with those residuals. We kid ourselves if we don't acknowledge that it is better today. We do have more to do, but it is progress. We are inching forward, but it is forward."

# Presentation:

## Breakout Session Summaries

### Day Two

# Speakers:

## Designated Attendees

With the results of the first day's breakout session in hand, Collegium members caucused at the end of the day to uncover the key threads that would form the fabric of the second day's discussion groups. Huddled over notes and charts, the caucus gleaned eight key themes that permeated the first day's discussions. To the Collegium members, these themes represented the core issues at the heart of the future of affirmative action. From these themes, they believed, would emerge the beginnings of potential solutions and interventions.

Attendees were invited to divide themselves among the eight topics according to their interests and passions. Each group's challenge: to determine breakthrough strategies and key messages for leaders.

### Topics included:

1. Privilege and Entitlement
2. Human Rights Group
3. Values, Dissonance and Ethics
4. Research, Empirical Evidence of EO/AA impact
5. Social Justice, Civil Rights and Economic Changes
6. Personal Transformation
7. Power and Influence: Us and Others
8. Shift in Educational Thinking

At the end of the breakout session, attendees reassembled in the main room, and each group gave a summary of its discussion, focusing on key findings and messages to leaders. Here is what they said:

### 1. Privilege and Entitlement

"A lot of people think 'privilege' equals 'special.' We are usually blind to the levels of privilege we have. We all get special treatment. The question is: What level of privilege are we entitled to as human beings? We need to get rid of the 'versus,' as in Privilege versus Entitlement.

We can build coalitions—maybe we cannot make the change ourselves, but we can get someone else to. We can build relationships with people who have the CEO's ear. We also need to think about the worker bees. Unless we are bringing these ideas to the rank and file and giving them ways to give input, we are not doing the work thoroughly."

### 2. Human Rights Group

We discussed how to frame human rights and decided they are the basic rights of a human being. We put the word 'inalienable' in parentheses so the definition is not just American. Basic rights include: housing, equity, legal counsel, ability to perform labor, health care, education, safety, etc.

To achieve sustainability across cultures, we need to acquire and exercise the power to bring about the necessary changes. This is a requirement! We need to have and share knowledge of what is going on. Educating the public is vital. Once we have the knowledge, we must act. We can spread information through the media and public dialogue. There are activities that we can tie into. We are not aware of all the activities at a local level that are being addressed under the human rights umbrella.

This group believes that diversity work should be appropriately positioned as a component of human rights. Each of us is responsible for maintaining the health of the spiral of development—as things go away as they may, there must be enough healthy stuff left to keep us moving forward. Raggedy wisdom can be good wisdom.

### 3. Values, Dissonance and Ethics

Values are all in the interpretation. What takes priority—what trumps what? How do you work within the framework, especially if the cultural values are against the organizational values? Who gets to decide what the values are? We must do personal work first and bring to consciousness our personal values. Then we must look at the organization's values process and realize that it's an iterative process—not just for the organization, but also for the individual.

### 4. Research and Empirical Evidence of EEO/AA and Diversity Impact

This group had a lively discussion. We realized that the focus of a corporation driven by revenue might not see the same impact as society at large. We need qualitative and quantitative evidence for corporate impact, but how do we make the connection between EEO/AA and societal impact? We need evidence. Our challenge is to perform a nonpartisan national study looking not only at representation but also at the societal impacts of EEO/AA legislation in areas such as economic



# Who are we trying to influence and how are we going to do it? What do you and I need to do? Power is very powerful.



gain voter registration, home ownership, homelessness. Only then can we make recommendations. We must have a strategic plan for monitoring and tracking, and we must also consider the global impact of outsourcing and immigration.

To have an exit strategy, we must have data to analyze the impact of EEO/AA.

## 5. Social Justice, Civil Rights, Economic Change

The anti-affirmative action movement has already had a significant impact on social justice, civil rights and economic change. This group decided to frame what happens when anti-affirmative action referendums occur. Seattle is living proof of what happens when affirmative action is gone. In this case, the anti-affirmative action initiative impacts public housing, education, contracts, etc. The state of Washington enacted Initiative 200 a few years ago, and the result is significant drops in minority business (down 50-70 percent), decreased minority college admissions (down 50 percent) and more. The minority community, initially shocked by the vote, has responded to this setback by using various forums to put the dialogue about race back on the table—White People Against Racism meets on a regular basis to talk about what has happened and their part in it. The hope in the community is a repeal of Initiative 200.

## 6. Personal Transformation

This group had an illuminating, rich and engaging discussion among five very opinionated people. We ended in laughter because we had taken

ourselves too seriously. For us to be more personally effective in our organization, we must be in tune with our own selves. If we know our blind spots in how we engage with other people, does that allow us to help others in the organization? We are not qualified to force a change unless certified in psychoanalysis. We can lead people to the right resources, but that is all. We need to know the diversity competencies required of us as diversity practitioners.

**Do we as a collective group of professionals have the necessary competencies, and are they in our personal portfolio? If so, they should be:**

- Basic understanding of human behavior and psychology
- Good understanding of organizational behavior
- Good written, verbal, other communication
- Valuing diversity

There can be no organizational transformation without individual transformation. It is particularly important that diversity professionals work at this transformation and awareness before beginning their work. This is because many diversity professionals are not as respectful of all types of diversity as they think they are. We must, in short, “walk the talk.”

## 7. Power and Influence

Who are we trying to influence and how are we going to do it? What do you and I need to do? Power is very powerful.

### We have:

<i>The power of vision</i>	<i>Interpersonal power</i>
<i>Collective power</i>	<i>Positional power</i>
<i>Reward power</i>	<i>Knowledge power</i>
<i>Coercive power</i>	<i>Task competency power</i>
<i>Economic power</i>	<i>Conscious and unconscious power</i>
<i>Personal power</i>	<i>Need to become more conscious of our power</i>
<i>Charisma</i>	<i>Power of choice</i>
<i>Power of implementation</i>	

### If we are going to be powerful, we need these values:

<i>Authenticity</i>	<i>Grace</i>
<i>Honesty</i>	<i>Passion</i>
<i>Humility</i>	<i>Transformation</i>
<i>Integrity</i>	<i>Power to empower others</i>
<i>Courage</i>	

Our vision for 2028: We have authentic power in all facets of our society. We went with the hope and prayer. We are the leaders that we have been waiting for.

Finally an exit strategy: In 2028, we will not exit from affirmative action, but transition from coercive power to the reward and expansion of power.

## 8. Education Shift

Call Dr. Page. We have a message from the National Conference Center for corporate CEOs. Your education sponsorships in no way provide us with the core competencies we need to teach people who are different.

You give money to schools without accountability. The labor shortage is increasing, and there are fewer people graduating. The under-education of our students and the insufficient education of everybody results in diversity problems when you get our graduates.

We get a lot of computers we don't know how to use. We get consulting that might work in corporate America but not in the schools. We get a lot of short-term grants that have short-term effects. Take for example the Multicultural Days: You give us \$10,000 to eat tacos and sushi, but you don't give us money to buy textbooks.

It is unacceptable for you to allow teachers to teach for two years, get tenure and then sit there and read a book in class. We need partnership between schools, corporations, etc. Start to form those partnerships before you get on the plane.

## Breakout Sessions Summary: Day 2

### These are the breakthrough strategies for change that surfaced from the eight sub-groups:

1. Accept that we are all privileged in some way and not juxtaposition privilege with entitlement. Privilege is not "bad." We need to better understand how we are privileged and as humans what are our entitlements.
2. Diversity work should be positioned as a component of human rights.
3. Examine personal values, cultural values and organizational values and recognize that values development is an iterative process.
4. Research qualitatively and quantitatively the impact of affirmative action and EEO on society in areas such as economic gain, voter registration, home ownership, etc. An exit strategy from affirmative action must include a national study of the impact of affirmative action and EEO.
5. Examine what happens when affirmative action is eliminated. Communities such as Seattle have had to experience the downside of not having affirmative action such as decreases in new minority businesses and college admissions. The repeal of affirmative action in Seattle has allowed new conversations with coalitions in support of affirmative action.
6. Recognize that diversity practitioners have their own blind spots and need to do their own work in personal transformation. Practitioners need to develop their own diversity competencies.
7. Hope that we will not exit from affirmative action, but rather transition from coercive power to reward and expansion of power.
8. Forge stronger, more varied partnerships between educators and the corporate world. If we are to eliminate the need for affirmative action, we need to address the under-education of students that results in diversity issues when they enter the corporate world.

Throughout the two days of discussions, attendees repeatedly mentioned language as either a hindrance or a powerful tool for change. Some argue that we should continue to embrace the current terminology, such as "diversity," "affirmative action" and "EEO," and not succumb to the nay-sayers who think such language is divisive and off-putting. Those who support the current language say we should do a better job of educating people as to what the terms really mean because changing them just adds more confusion. For example, "equity" is more about legislation, and "diversity" is more about education. Several groups independently created new words in the spirit of breakthrough thinking. For example, "legucate" pairs the meaning of equity and diversity. Using all of the new words, Collegium member Mary-Frances Winters summed up the sentiments of attendees: "We must legucate in such a way that we will be able to equitize our power with as much plout (power and clout) as possible in order to reduce the conflama (conflict and drama) in our lives."

To gain greater insight into the discussions of the breakout groups' discussions on Day Two, please read Selected Comments of the participants in the Appendices.

## Presentation:

### Diversity Symposium Wrap-Up

## Speaker:

Lynda White and others

**“We heard more and more about the global context, the sustainability of human rights. What is a civil society? What does a civil society look like?”**

We do have breakthrough thinking on power ...”

**Attendee:** “Living in the Chicago area, I would like to take this information to the financial executives. I will ask the same questions of them. If I have permission, I will present that to the Collegium.”

**Attendee:** “I hear calls to action. How do I prioritize? I don’t want all of this to rest in this room. This information has the potential to influence power brokers.”

**Attendee:** “Power was a major focus. Willpower. That’s what got us here today, that’s what got change. It’s absent on our minds and on the charts, although it’s in our hearts. Anytime willpower is in conflict with imagination, the latter will always win. Maybe the starting point for all the *aha*’s are to come up with new imagination. Our intentions drive our attention.”

**Collegium member:** “The Collegium is not an organization, and so it has a difficult time getting things done. If you are inspired, the Collegium

**“Prejudices cannot be removed by legislation ... they yield only to patient toil and education.”**

**– Mahatma Ghandi**



“We need community dialogues, global dialogues. How do we live our values? How do we stand up and be counted? Are people speaking out of both sides of their mouths?”

“We learned the importance of looking back to look forward, of needing to look at where we have been so we can see where we need to go. We are a testimony to where we can go—changing coercive power to a reward of power.”

**Collegium member:** “Vision without action is a dream. Action without vision is a train wreck. And vision with action can change the world.”

**Collegium member:** “In the work that we have done today, there is potentially a model that would put all of this together. What have we heard? What has happened here? So what? What clear issues have taken root?”

**Attendee:** “We are always pumped up at these conferences. But really what we do from this day forward is what we do, how we get unstuck.

will encourage and advise, but you have to do it yourself. There is no structure, no bureaucracy, we just hang out and think.”

**AIMD member:** “The Institute is an organization set up to respond to these challenges. It will do its best to get the funding to do these things. If we can energize the spirit we have in this room, we can make changes. There are resources necessary, no matter who does it. If this weren’t an Alliance project, it would not have happened.”

**Attendee:** “I don’t think conversations cost money. They cost time, but they don’t cost money. I got an incredible gift in these two days. I got to look 25 years out—I don’t think that far out. I am so happy this conversation is going to a global level. Another way to define a non-organization is as a network of conversations.”

**Attendee:** “This is the first conference of this kind for me. Since I walked in the door, I felt love and welcoming. It will be hard to go back to work with the other white men.”

**Attendee:** “When I read Thomas’ paper on being stuck, I could have just placed South Africa there. The importance of having the Institute is the need to exchange information.”

**Collegium member:** I’ve heard some real calls to action. We’ve talked about evaluative research, both anecdotal and empirical, and of the impact of EEO and AA. We’ve talked about personal choices. We need to change things with schools. We have a lot of work to do coming out of here. I’ve heard regional opportunities also identified.”

**AIMD member:** “Go home with an energy, something new, something different.”

## Epilogue

Injustices and Inequities exist everywhere in the world. Equal and human rights advocates continue their valiant efforts to ensure that all people are able to reach their full potential and not be excluded from full participation due to race, gender, age, sexual orientation, ethnicity, religion, as well as many other aspects of identity. Legislation and regulations have been helpful in removing some of these barriers. But regulations and legislation can be changed as we anticipate with affirmative action in the United States. Anti-affirmative action legislation already exists in two states in the United States: California and Washington State.

We believe that the way to sustain and advance progress in equal and human rights globally is to keep the dialogue alive, to increase the number of participants in the dialogue and to focus on educating so that legislating will not be as difficult or as necessary. Gandhi put it this way: *“Prejudices cannot be removed by legislation ... they yield only to patient toil and education.”*

The Diversity Collegium, whose primary purpose is to serve as a diversity think tank, decided at its February 2005 meeting to dedicate the next year of its work to the study of human rights as a construct that may guide the future workplace and society on fairness and equity. Out of this process, we hope that the next opportunity for our collective dialogue will emerge.









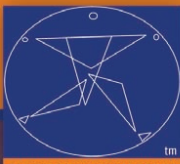
# APPENDICES

## 2004






**THE ALLIANCE**




THE DIVERSITY COLLEGIUM  
AMERICAN INSTITUTE FOR  
MANAGING DIVERSITY INC.

*Advancing the  
Field of Diversity*



DIVERSITY SYMPOSIUM 2004



# Appendices

## BIOGRAPHIES OF SPEAKERS

**R. Roosevelt Thomas, Jr. D.B.A.:** Author of five books, the president and founder of The American Institute for Managing Diversity has just released his sixth book about Strategic Diversity Management™, *Building on the Promise of Diversity: How We Can Move to the Next Level in Our Workplaces, Our Communities and Our Society* (AMACOM, 2006). One of the top 10 consultants in the country according to the Wall Street Journal, he also serves as CEO of R. Thomas Consulting & Training, Inc.

**Jeffrey A. Norris, J.D.:** As a partner in McGuinness Norris & Williams LLP in Washington, DC, Norris counts among his clients the Equal Employment Advisory Council and the HR Policy Association.

**Karen Narasaki, J.D.:** A nationally recognized expert on immigrant, voting and civil rights as well as affirmative action, Narasaki serves on the board of the Lawyers Committee for Civil Rights, among others, and is president and executive director of the Asian American Justice Center (formerly the National Asian Pacific American Legal Consortium).

**Price Cobbs, M.D.:** For his excellent contribution to the psychology field, the Association for Humanistic Psychology awarded Cobbs the Pathfinder Award. A seminal figure in the diversity field, he has built his work on the Civil Rights movement and has written several books, including *Black Rage*, *The Jesus Bag* and *Cracking the Corporate Code* (which will soon be a documentary). His memoirs have just been released (*My American Life: From Rage to Entitlement*, ATRIA BOOKS/Simon & Schuster, Inc., 2005).

## BIOGRAPHIES OF GLOBAL PANELISTS

**Barbara Deane:** As vice president of The GilDeane Group Inc. in Seattle, Deane and the firm's president, Carlos Gil, have trained and prepared U.S. officials and personnel to work in Latin American countries. She also edits DiversityCentral.com and the Cultural Diversity at Work Archive.

**Edward E. Hubbard, Ph.D.:** The founder of Hubbard Diversity Measurement and Productivity Institute, Hubbard has written more than 40 books and is one of the first metrics authors in the field of diversity.

**Alan Richter, Ph.D.:** The founder and president of QED Consulting in New York, Richter has worked closely with organizations in Africa, Asia and Europe as well as the United States. He has also created several training and assessment tools for global diversity.

**Lynda White:** Based in Canada, White is the president of McLeod White and Associates, a consulting company that has done work in the private, public and nonprofit sectors of North America and other countries. She is past chair of the Canadian Bankers Association Standing Committee on Employment Equity, and has done much diversity work with Royal Bank of Canada Financial Group.

# Breakout Sessions, Day One: Selected Comments

## Focus: Day One Questions

*Although the Breakout Groups were to focus on three questions (see p. 23), each group exercised a creative approach to their deliberations.*

### Group 1 (10 participants)

"Diversity skills seem to be put over here in this box as specialized skills. Can't we begin to say that pluralism, cross-cultural sensitivity, and corporate competence are life skills? You can't succeed if you don't master them. If we make it mysterious, it holds us back."

"From reading those assigned papers, I take it that we are looking for an idyllic environment where these painful things do not exist. We can't get there until we can say what we need as a woman, as a person of color, as a gay person, as a person with a disability. Now it's more painful for some people than for others. That is where we are stuck."

### Group 2 (9 participants)

"We want to engage paradigms like this assumption of similarity, when what we need to do is deal with an assumption of difference. We walk in a room and assume there is difference and try to locate it. Similarity is unattainable and leads to stickiness. It reduces our humanity."

"We haven't dealt with reparation for the last 300 years. Affirmative action was to open the door, not for us all to be the same."

"Dr. Thomas spoke about managing diversity strategically: People of difference are defined as 'not that,' where 'that' is the mainstream case. For affirmative action, we may need multiple parallel strategies."

"As we move forward, the law could prohibit any kind of race-conscious measures. If not affirmative action, then what? The tension between law and diversity is real. How much are we colluding to keep our organizations safe?"

"Affirmative action is not just a remedy, not just representation. We can't talk about an exit strategy without new tools. Perhaps going to Mars is easier because we have the will to go there."

"The PBS 'Illusion of Race' videos analyzed how a common vision to create America was important, and it led to assimilation. Now there is a fear of all the differences in this country. People can do positive things with a common mission. Around diversity, we haven't reached a common mission."

"I struggle with the economic argument because some companies are still so successful without progress."

"The human rights model would not work in most companies because it would be alien to shareholder value."

### Group 3 (9 participants)

"There must be strategies to make the business of diversity integrated into the business of the business—not a stand-alone, not a system, but a practice. This needs to be part of the vision/mission statement, not a separate diversity mission/vision statement."

"The presenter talked about the idea of color blindness. I take issue with that. No matter how much we want color blindness, diversity and affirmative action, it will require that we embrace color. Without doing so, we will continue to get stuck. Those of different color are the ones who don't benefit from affirmative action. Look at the low end of need. White females have made significant progress. Being a black female, I find that others tend to be more comfortable with white females. This then allows real/other diversity issues to get watered down."

"Some of us have issues with commercializing/selling everything. There is always a profit motive. What about doing it because it's the right thing?"

"It's culture-dependent. Organizations and corporations do the things that will make, and allow, others to like them. The bottom line is what matters; social justice is not what is embraced, except on Martin L. King day. What's missing is the strategy for incorporating these issues into the daily operation, and avoiding 'the (special) day' mentality, which is not affecting systemic issues."

### In response to Question No. 1:

"Corporations can become more involved in the educational process. Are corporations the dominant influence of culture? Yes, but just because they have the power to make things happen, they don't always act on it."

"From childhood, my role and attitude has been 'with privilege comes responsibility.' The issues may not be in my world, in my neighborhood, but I ask, 'How do I give back?' We need to reinforce this early so that by the time the child is at the corporate top, he or she won't be inclined to run a sweat shop. How does Generation X embrace (or not) these perspectives? What about the younger kids? They're growing up with a much more diverse world."

"We should be looking at how children learn. We should be teaching a multicultural curriculum and strategies in each class. By 2028, let's not be teaching it, but have taught it. The students of 2028 understand globalization, and that differences are commonplace. They don't skirt issues; they are willing to focus on the issues and deal with them directly."

"People won't ever have equal access. People bring different gifts. Sometimes it is one gift, for others it could be 10 gifts. It's not about equality—equitization occurs when each person brings what they have to the world."

"Gatekeepers won't allow a person with just one gift to compete with a person with 10 gifts. What do we do? Brazil is a model for addressing this concern."

### In response to Question 2:

"The problem is, the systemic issues are not going away—are we stuck because we as the practitioners haven't done our jobs? Are we stuck because the system has deemed that stuck is where we will be?"

"Yes, but you are talking about this the same way I would talk about a computer, like it will not do anything unless it is programmed to do it. This is a very limited way of thinking about 'the system.' "

We want an upside-down triangle, not a bigger triangle. This is striking a nerve—I, as a corporate executive, don't want to give that up. Flipping the triangle will mean that there will be more people at the top and fewer with the least."

"It won't change until people like us are frankly discussing power. Get off of the eggshells. The 2 percent at the top have power."

"We need to get corporate cultures working in the community. We need to 'spin' in a way that allows corporate people to address their bottom line needs while working with people of color and related issues."

"Spin is OK, but we may be doing a disservice to diversity by approaching diversity as something we must sell to corporations. Is it really the business bottom line here?"

"America is a market economy and probably won't change. How do we get the nanotechnologists and physicists to appreciate how they can make our world, our community different? Diversity concerns are not the kind of issues they think about everyday—but we must have everyone on board."

### Group 4 (9 participants)

"I didn't come away with any new ideas or *aha's* from the morning. I thought power and privilege were really the keys. The issues around diversity are issues that we have inherited by design. It's not about bad people versus good people, but about systems in place right now and who has the power. How can we influence the systems—not necessarily change them?"

"Organizations let short-term pressures overcome long-term objectives—they have many competing interests."

"Is money the only reason businesses exist? We need to broaden our value set beyond money."

"How do we define human rights?"

"We need to challenge ourselves not to be egocentric because we tend to see things from our viewpoint only."

### Group 5 (8 participants)

#### **Impressions from the morning:**

*Privilege and Entitlement vs. The Legitimate Expectations of People of Color and Women*

We are concerned about the perception that affirmative action creates a burden on the "privileged" and that underrepresented groups rely on an entitlement mind set rather than address their own legitimate expectations as people of color and women.



*"Creating an environment without differences mattering"... Is this the goal? Or is the goal to value differences ... really!*

Differences do matter. It is appropriate to be color blind in terms of not discriminating against others, but the goal is to recognize, understand and value differences.

*Diversity language may make others uncomfortable, but do we have to collude?*

The content is the content. Regardless of what it is called, what counts is accountability.

*Excitement about the human rights platform, but how do we take it to corporations?*

We need to unify the issues and be global in our approach. The mind set "because you are a human being" rather than "because you have been discriminated against" is an interesting and compelling approach.

*As we become more global, who gets left behind?*

People who come from the U.S. experience of being in underrepresented groups remain there. People from different countries who are classified as minorities are treated better than those from the United States in the same identity groups. Minorities from other countries tend to react differently than those from the United States in the same circumstance. An African immigrant from South Africa might not perceive an interaction as negative, whereas an American-born African American from Georgia might.

## Solutions

**Infuse diversity into every strategic plan and process in the organization instead of holding diversity outside in its own silo.**

We need to weave diversity into every facet of the strategic goals of the organization.

**Legitimize the race/oppressions tension conversation across lines of diversity—race, gender, level, culture, etc.**

We need to make this kind of conversation part of skill building within organizations. The discussions need to be focused and structured so people can learn from each other and deal with diversity tensions openly and honestly.

**Tie Strategic Diversity Management to business goals.**

Use Strategic Diversity Management skills to marry business outcomes to diversity, including EEO and affirmative action goals. This creates a competitive advantage. Work needs to be done on how to integrate the human rights platform into this approach.

**Community and education outreach**

We need to engage corporations first on a community level and then through education outreach to get them thinking about the human rights platform.

**Group 6** (8 participants)

"There wasn't a lot of information or talk about building intercultural skills."

"I'm curious about diversity goals that are qualitative, relating to what Jeffrey Norris was saying."

"As for changing the term 'diversity' to 'X,' I think it is a way of constantly making people feel good. But it makes it difficult for people to know what needs to be done when you change the name."

## It is the year 2028: What significant actions took place?

- The force of the demographic base is forcing diversity
- There is a lot of consumer action around supporting diversity
- The leadership is committed
  - o They have dealt with resistance
  - o They understand and can articulate the importance to their stakeholders and the public
- There is a deep commitment to education, on several levels:
  - o Corporate
  - o Government
  - o Non-profit
- Educational systems and processes make sure that not only kids, but also adults have needed skills.
- Leaders have the foresight to advance people already in the organization to the skill levels needed to move into the future.
- People are involved in the voting process.
- The have/have not issue has been resolved.
- EEO/AA/Diversity credos have become the fabric of the organization, starting with values.
- The tension between fear and hope helps us keep moving forward.
- American exceptionalism is resolved.
- People are being developed to get them into the pipeline.
- Leaders articulate and model all of these beliefs.
- Shareholder and stakeholder activism compels leaders to step up to the plate.

**Group 7** (11 participants)

"As we become global, it's not just a black-white issue anymore. Human rights issues become much more important with workers in different communities around the world."

"In 2028 when minorities are the majority, will we be ready? We don't have talent and succession plans that will ready us for this demographic shift."

"We're coming from a place of anger. Everyone here is passionate, but we also need a historical understanding of what has happened. Let's acknowledge the civil rights movement for the plight of certain groups. Are we placating people in power to do diversity and affirmative action in organizations? Are we diluting different minority backlashes by calling it diversity inclusion?"

"Look underneath the human rights strategy. If you expect to be a player in those marketplaces, you need to know the human rights issues of different countries."

"Shareholder advocacy groups are asking for more diversity. So when we are more diverse, companies will be less likely to be unethical. Analyzing what got a company in trouble means they start waking up."



## Response to Question 1:

"We have to acknowledge and internalize our history and implement social justice curricula, like Bosnia."

"It's all hi-tech and high-touch, so people are becoming closer globally through the Internet."

"Corporations may realize they are global citizens."

"We could amend the Constitution to include the Bill of Rights."

"We could revamp our educational system and let education be a human right."

"Health care would be universal."

"There could be balance between the right thing and the business case, and everyone would subscribe to it."

"International markets could dominate our success as a country, so other countries would have more impact on the United States. The minority would now be the majority. The House of Representatives would be 50-50 men and women."

"Major U.S. companies would no longer be owned by Americans; these changes would be driven by diverse corporate management and boards."

### Group 8 (12 participants)

#### With respect to the questions on what might have gone right or wrong by the year 2028, four themes emerged:

1. The need to openly acknowledge past wrongs and inequities.
2. The need for personal and systemic pain in order for change to take place.
3. The need for individuals to explore their own attitudes and thereby become better equipped to have honest dialogue.
4. Pessimism regarding the possibility of true inclusion by the year 2028.

"Whatever happened to the idea of redressing the injustices of the past? We can't move forward or exit affirmative action until that is done."

"Even though we have the skills for managing diversity, it will mean nothing until the wrongs are acknowledged in a way that can be heard, understood and felt."

"Corporations do not feel the responsibility to address issues of social justice and human rights. Is it appropriate for us to expect them to act on these issues? How can we have a conversation around these issues in the corporate setting?"

"Corporations must feel pain (i.e., loss to their bottom line profits) that is somehow related to human rights before they will act on these issues. What if, for example, there was a worldwide boycott of U.S. goods in protest over the abuse of Iraqi prisoners?"

"We may need legislation to bring about the necessary 'pain.' "

"Unconscious oppression will continue until the oppressor takes ownership of his/her role and responsibility in the process."

### Group 9 (8 participants)

"We're at a crisis point: Business as usual won't work anymore."

"More and more people get less and less. We are getting worse, not better, on a society level—we're more divided. The State of the Dream Report found that people are not better off now than they were."

"The system perpetuates this. We must understand the dynamics of the dominant culture and collusion (we are all part of that). What are the root causes and issues—we need to have a different conversation."

#### We need a Declaration of Respect for Diversity and Human Rights, perhaps through a national summit or a coalition of:

- community
- government
- not-for-profits
- academia
- media
- private sector

#### Interventions should be targeted at:

- **Education**
  - o Pre K – as well as K-12
  - o Add diversity, social justice to curriculum
- **Media**
  - o Positive messages
  - o Avoid reinforcing stereotypes/violence
- **Business** (as a vehicle for social justice)
  - o Remove institutional/personal bias
  - o Persuade senior leaders to leave their legacy
  - o Emerging leader focus/succession
- **Benefits**
  - o Triple bottom line: People-Planet-Profit
- **Personal responsibility** (We need to do our own work)
  - o Dynamics of power and privilege (internalized oppression)
  - o Recognize and avoid collusion with the system
  - o Have difficult conversations (race, dominance, subordination)
  - o Personal awareness of bias
  - o Influence our spheres of influence
- **We need common language**
  - o We aren't focused on critical concerns.
  - o Diversity means so much (too broad a concept) that it loses meaning.
  - o We aren't dealing with the real problem because we keep changing the nomenclature instead of addressing root causes.

"Our obsessive fear of terrorism may get us back to the riots. If you deny people human rights—global laws, global environment—that's what happens."

"It will be a breakthrough when business leaders sit in a meeting like this and ask the questions we are asking."

- Leaders need to recognize the business case.
- Some senior leaders fear opening the field of opportunities because there would be more competition.

"We need more coalition building between public and private enterprises."

"What role in society do corporations have to play?"

"We need to legislate that corporations fund schools."

#### **Group 10** (8 participants)

"Just the fact that we emphasize different things from different camps comes across as minimizing the other camps."

"I would like to see any area in the world, colonized or not, that has pulled this off. If we don't even have an example from history, and past behavior is an indicator of the future, how can we do this in 25 years?"

"If you have 10 white males, you still have diversity, and yet the culture of U.S. business is assimilation. We have not had the dialogue about assimilation. The work is deeper. We need to understand white male culture."

"We can't be gender-race neutral. We have to appreciate how each person can retain culture as an asset. Affirmative action could help us pay attention to our differences."

"Neutrality minimizes differences. Roosevelt speaks to maximizing the mix."

"Are we talking about race, or just good management?"

"Affirmative action and diversity can coexist, but we need to have well-trained people who will not muddy the waters."

"We should legislate on the affirmative action side and educate on the diversity side; competence has to be two-sided."

### **AA Language Terms**

"Affirmative action without diversity does not work—words are just code."

"Physicians don't change their diagnostic terms. I have a problem with changing terms for political correctness."

"Have we disempowered ourselves by changing the language? We are lacking the clarity we used to have."

### **Intercultural Competence**

- Should there be a new model for what this means?
- We have to deal with the formal and informal systems together.
- We need a hierarchy for organizations, but also for individuals, because individuals are faced with moral and ethical decisions.

### **Collaboration**

"Affirmative action and diversity are different; we shouldn't back away from affirmative action. Can we make progress without backlash?"

"Maybe we get more backlash because we are not clear and we are not strong in where we stand. Maybe a lot of that comes up because people think we can be attacked ... sometimes I think we have become apologetic."

"We can move people in a developmental way without backlash using Diversity Management strategies."

"We need to strengthen affirmative action. If we don't monitor and audit our progress, we won't succeed. Let's create a legal precedent using the strong systems we have in place now."

"The United Nations has articulated the Top 10 global issues. We should look at those in the context of this discussion."

#### **Group 11** (11 participants)

"We could partner with schools to try to close this cycle. For the past 15 years, we haven't heard anything new coming out of corporate—it's the same lack of knowledge, capability—you're getting the same product out of the school systems."

"Related to the Ginsberg paper: Narasaki said we need to get back to education—that's where we started with *Brown vs. Board of Education*. Early Civil Rights leaders were clear about issues—they risked their careers and lives for what they believed. To what extent have we meshed our personal and professional lives—what if we were willing to risk our careers? Human rights raises the stakes."

"Corporations will have to face human rights issues. Companies are confronting global issues faster than they can deal with them."

"Leaders have an emotional, visceral reaction to affirmative action. They are afraid to look at it in a broader context."

"We can ask very pragmatic questions through the human rights rubric. For example, 'What are the ramifications for dropping waste into X community?' "

"What we're not saying is the word 'power.' "

### **Response to Question 1:**

- Every child has the finest possible health care and education. If that requires redistribution of income, so be it. We test at the top of the quartile.
- Community building has wrought developed, sustainable communities.
- Fairness, justice, respect and EEO are tied to the bottom line. You can't be successful and not do these things.

"Part of dismantling is looking at how aggression in civil society is embedded in the Constitution."

"We don't know how to talk about values. We don't have the language."

Dismantling the Constitution would be very radical. We would hit resistance.”

“We are not teaching critical thinking skills. We are not progressing because we don’t have the thinking skills.”

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## Breakout Sessions

### Day Two, Selected Comments

#### Focus: Breakthrough Thinking/Messages to Leaders

##### 1. Power and Influence

“Power is the ebb and flow of energy unrestricted en route to your intended goal.”

“We need to celebrate power—getting it, taking it, having it.”

###### Sources of power:

- Power of Vision
- Collective Power
- Reward Power
- Coercive Power
- Economic Power
- Personal Power
- Charisma
- Implementation Power
- Interpersonal Power
- Positional Power
- Knowledge Power
- Task Competency
- Conscious Power
- Unconscious Power
- Power of Choice
- Willpower

“We are the power that is transforming our society toward actualizing human rights, diversity, and inclusion.”

“We can achieve power with vision—inner vision, outer vision, greater vision.”

“By 2028, we will see authentic power in all facets of our society—corporate, political, economic, academic.”

##### What is authentic power? Power that uses values, such as:

- Authenticity
- Humanity
- Honesty
- Integrity
- Courage
- Grace
- Transformation
- Passion

**Message to leaders:** “We are ready to take our place in leadership, shoulder our share of the responsibility, and be held accountable. What opportunities are you willing to create and sponsor for us to demonstrate our readiness?”

##### How about:

- Reward those who are working toward the diversity/people vision/value.
- Measure corporate social responsibility.
- Treat people with compassion.

Effective leadership is sharing and developing power and responsibility for diversity work.

Leaders should become more civil and treat people with compassion. That creates power for everyone.

**Exit Strategy:** In 2028, it won’t be an exit from affirmative action, but rather a transition from coercive power (AA/EEO) to the reward and expansion of power.

##### 2. Values, Dissonance and Ethics

We need: A working definition of values: attitudes and common beliefs that guide behaviors; standards that we live by, such as:

- Justice
- Personal freedom
- Choice
- Fairness
- Equality

1. What are global values? How do they get interpreted in different cultures? How are they prioritized?
2. If we are going to share this world in a peaceful way, how do we interpret ethics globally?
3. If there is value dissonance, but the person in power makes the decision, how does that get worked out?

“Dissonance and dilemma is when you have two values that clash. Different cultures prioritize values differently. That’s where there are troubles.”

“What does each value look like in different parts of the organization? In what way do values manifest differently—‘what does respect look like to you?’ ”

“The big dilemmas are for companies choosing between customers and integrity.”

“When there is dissonance between values as written versus values practiced, what are the rules of the game? Within society, within an organization, individually, what trumps what?”

"We have to wade into the dissonance and live with the discomfort of that dialogue. Establish rapport, things in common. Understand the underlying beliefs."

"As a tool, we could do an assessment of global leaders and have a cross-cultural team look at that. Have them write down 8 or 10 values. Tell them they have to help people out, but each time it will cost two values. This forces them to prioritize values. Continue the game until they only have two values left."

### 3. Personal Transformation

"There is a difference between awareness issues and real mental problems. I have been in organizations where doors were opened because of people's rage, unresolved issues, etc. Your role is not to go through those doors if that is not your expertise."

"You cannot do this work unless you have the courage and the willingness to work on your own stuff. You can't understand others if you don't understand your own weaknesses."

"Diversity practitioners like to think we are incredibly diverse. Each of us is diversity challenged. We're not as diverse as we would like to be."

"We are not as open to diversity as we think we are. Religion. Politics. Gays and lesbians."

"There are people who do believe in the diversity message but still have their blind spots."

**In short: Not everyone who attempts diversity work has the skills and awareness to execute it responsibly and effectively.**

- Some have no awareness of their biases and personal agenda.
- Some have poor communication skills.
- Some have little knowledge.
- Some attempt to "psychoanalyze" people despite the fact that they have little knowledge in that area.

"Do we need to have lived the other person's life in order to understand what they have been through?"

"Maybe organizational transformation doesn't have to involve personal 'work.' Instead, it can begin with the resolution of practical and specific problems. Example: Managers who do not perceive and evaluate diverse applicants accurately."

"Is there a danger of diversity professionals beginning transformational work with individuals in the workplace only to leave the process incomplete? Might this result in more harm than good?"

"Awareness of why one is afraid takes the edge off the fear and, thereby, makes us more receptive to those who are different from ourselves. This is a form of emotional intelligence."

### 4. Shift in Educational Thinking

"Young black men being taught by middle-class white women is an area that needs to be addressed. Because the teachers don't understand the culture, the kids are labeled as ADD or troubled for being aggressive and assertive."

"There should be training involved when getting certified so they understand kids with diverse backgrounds."

"Companies give money, but they don't hold the schools accountable for including diversity in the curriculum."

"Corporations do not ask the right questions of students or companies. They have every right to ask these questions."

"Perhaps diversity managers at companies can offer money or time to campuses and schools to discuss diversity topics."

"The diversity manager will fail if they don't have a background in teaching. We've got to look at the years of teaching and credentials. A lot of times we bring in people in these situations only because we see ourselves in that person."

"If there were the ability to put a diversity officer in the school, they could take the noise out of the way. The only thing that is stopping us is money. If private money were pooled, we could get somewhere."

"What about the National Parent-Teacher Organization—Is there anything in the charter that mentions diversity? They should have some responsibility."

"Recruitment should include teachers that are diverse, not only middle-class white females."

"We look askance at schools with diverse populations and predominantly white teachers, but they do a great job."

"Who determines that someone is a good teacher? The parents? The students? The schools?"

"To achieve true diversity—white-black-Hispanic-etc.—we need to give teachers the space to talk about who they are and how they got there."

"A possible solution is for teachers to go through diversity training at an off-site location within an international situation. They would be out of their element and would go through a personal transformation. But the program has to have credibility, incentives, etc. The goal is for them to look at the world through a new lens, and then teach that to the kids."

"We need to add core values to curricula—you won't make it in the world if you can't tolerate gays and lesbians; you won't make it in the world if you can't work with people from other countries."

"We need to give teachers back the authority to manage their classrooms."

"What's scary is the dropout rate. That's not because people are getting shot. It's because they were not treated right from Day 1—the skills,



the competency, the curriculum. Now they've got terms like 'emotionally handicapped,' which means 'I don't know what to do with you, so go over there.' "

"Teachers need psychological training as well as diversity training to be able to deal with the issues of today."

"Corporations should take a look at the student populations first-hand for their own self-interest."

"We need State of Urgency reports that indicate the educational system is headed for disaster."

"Perhaps a loan program would work—an executive would be on loan to the schools to understand the whole situation and bring back information."

"It's in CEOs' best interests. They need to be the ones to pull people and resources together to make this happen."

## 5. Privilege/Entitlement versus Legitimate Expectations of People of Color

**How can privilege, entitlement and legitimacy lead us to the future?**

- Reframe privilege as positive
- Stop zero sum game approach
- Say yes to special treatment

"We have to ask what privilege means. We are all privileged in some way."

"White-male privilege needs to be acknowledged. They do not know they are privileged."

"We are not aware/conscious of our own privilege. We need to understand how we act out of our privilege. Privilege is always wrapped around white males; entitlement refers to people of color—'You owe me something.' "

"Privilege and entitlement have to be extended ... if you get it, it's entitlement. If I get it, it's entitlement. It's all about the power structure."

"We should reframe entitlement in connection with human rights. As humans, we are all entitled, so what is the minimum amount of rights we deserve as humans?"

**"We have power, we have privilege. It's not positive or negative. How do we use it to effect change?"**

- Demonstrate and influence leaders.
- Model our own behaviors.
- Build coalitions.
- Be the flea that makes the gorilla move.
- Build relationships with people who have leaders' ears.
- We only need 10 percent effort to influence change. Do we have the 10 percent coalition?

- Should we hold onto the hierarchy (ladder) instead of bridge?
- Remove atmosphere of "struggle" around power and privilege.
- Move away from being accusatory.

## Messages for Leaders

"Being a mentor is a critical role for supporting the next generation(s). As we get older, we take more risks and encourage younger people to take risks."

"We should acknowledge the pain in the room. We can't change history, but we can acknowledge pain now and move forward together."

"We have to make sure it is okay for everyone to be in the conversation. We can't exclude white men. We should make sure they are connected to diversity initiatives, that the conversation isn't just among elites."

## 6. Social Justice, Civil Rights and Economic Change

Case study: The conservative movement has been funding anti-affirmative action initiatives since the early 1980s. In the state of Washington, construction contractors hoped to do away with affirmation action "set-asides" and lobbied to support Initiative 200, which passed and did away with affirmative action in public education, contracts, etc.

**As a result:**

- Minority contractors have lost 50 percent to 70 percent of their business and many have been driven out of business.
- Minority admission rates have dropped 50 percent in the college and university system.
- The minority community feels it has lost some hard-fought gains.
- People are feeling marginalized, disenfranchised and alienated.

**In response, the community has created various forums to get the issue of race and inequality on the table:**

- Monthly speakers (Maxine Waters, Morris Dees, Bill Bradley, Julian Bond)
- "White People Against Racism" group
- Engagement from the mayor of Seattle and his office
- Community awareness and communication to public agencies about minority businesses ready to work
- Partnerships for survival between small contractors

The community hopes to use dialogues on race and inequality to repeal I-200.

## Open dialogue:

**Conservative reactions to affirmative action:**

- The playing field is level, if you aren't advancing it's because you are not competitive (subtext: You are not so good/smart).
- You (minorities) don't take care of your community: crime, drugs, dropout rates, etc.
- How conservative politics cause confusion about affirmative action:
- Loaded wording, such as "preferential treatment," masks issues and sounds anti-meritocracy
- People don't know what they are voting on sometimes
- Communities turn against themselves: Politics can mobilize blacks

against Latinos by saying immigrants are taking their jobs.

- People never really anticipated the anti-affirmative action vote although they had two years to prepare for it. (50 percent of white women voted for I-200.)
- When we (the minority community) get comfortable, we lose focus and we lose ground.
- There's a white superiority issue floating around, and we don't go right at it. This concept is ingrained in us, and we don't address it."

## 7. Research and Empirical Evidence of EEO/AA and Diversity Impact

**Discussion: What areas need both qualitative and quantitative measurement to show impact of EEO/AA?**

- How many evaluations lead to upward mobility?
- What is the company's diversity management capability? (This will help companies develop intercultural competence.)
- How many promotions, transfers, opportunities are there?
- Is there an improvement in cycle time?
- Do EEO/AA employees create the best products on the market?
- What makes a high-performance team more effective?
- What is the market penetration? How much has market share increased?
- How does customer satisfaction break down by demographic group?
- What are an organization's individual needs?

**Discussion: What about measuring the societal impact of EEO/AA legislation? How does it impact:**

- Education
- The world outside of organizations
- Economic gains
- Business start-ups
- Societal participation
- Income data

**As for implementation, we need to:**

- determine where to enter an organization by conducting a needs assessment.
- frame questions to impact results when conducting assessments.
- ROI
- pay attention to retention.
- measure organic and institutional changes.
- monitor and track.

**Discussion: If we do the research and the evidence shows little impact from EEO/AA, then what?**

- Move society forward.
- Look for a breakthrough.
- Conduct a nationwide survey.
- Act as if we only have two years.
- Form a vision for the future.

## Breakdown of measurements of EEO/AA impact

- *Organizational:*
  - o Representation, head count
  - o Promotions, retention
  - o Qualitative, quantitative assessment
- *National:*
  - o Level of violence going down
  - o Level of education going up
  - o Change in the number of complaints and litigations

## Breakdown of measurements of diversity impact

- *Individual:*
  - o Changes in income levels
  - o Number of businesses owned
- *Organizational:*
  - o Human growth index
- *Are we safer?*
- *Supplier diversity*
- *Educational access*
- *Global:*
  - o Improved economic relationships
  - o Inclusion and stability

## 8. Human Rights

"Domestic law is about protecting the status quo and the privileged. Not signing up for international law puts the United States outside the global community, leaving us one down from other countries."

"We should build relationships with indigenous communities so that groups are not only engaging in environmental policy, but are also moving into social responsibility. There is quite a bit of shareholder activism, so shareholders beg to question social practices."

"You just can't go in and carry your way of operating; you have to understand and learn about what individuals in that country want. Human rights help you get at that in a universal way."

"If you can only do one thing in a country, raise the educational level of women, raise the nutritional level—that gets you out of the zero-sum game trap."

"We need to relate to the rest of the world with principles of respect and dignity."

## Message to leaders

**Rather than corporate and community leaders, our message is to other diversity professionals. We must be responsible for self-transformation before we can lead the transformation of organizations, society, the nation and the world. We serve as a conduit to influence leaders in these domains.**

- Diversity work is a component of human rights work.
- We must maintain the health of the entire spiral (affirmative action, equity, human rights).
- We must use our power wisely, even though we are all raggedy.
- Positioning our work in the context of human rights empowers everyone.

## Resistance factors

- We are perceived as having the power to implement.
- We'd have to give up a familiar rationale for our work.
- We may not want to grapple with our own stuff (including the people we don't like).
- This requires a personal transformation.
- Lack of knowledge about international laws, etc., allows inaction.
- Such responsibility requires a degree of learning.

## Strategies

- Form partnerships.
- Create a global dialogue with practitioners in other parts of the world.
- Connect the dots so that we can influence/explain to leaders, influence media, foster global dialogues. (Example: Getting statistics into the media on a regular basis.) (Reference: Ford Foundation report on human rights, [http://www.fordfound.org/publications/recent\\_articles/close\\_to\\_home.cfm](http://www.fordfound.org/publications/recent_articles/close_to_home.cfm))
- Design and implement personal transformation work.
- Share our technology. We should make it a goal to grow our industry, not just our company. That brings a larger share of the global market.

## Results:

- Sustainable communities all around the world
- Ability to empathize with people who are different from ourselves and living in conditions different from our own

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