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RACISM, SEXISM, WOMEN'S ISSUES

# Moving From A Values To Value Proposition

Unlocking our potential requires us not to fictitiously choose a portion of who we are. Each part of our identity is integral, indivisible, and inextricable.

By Bendita Cynthia Malakia

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*Ed. note: This column is part of Law School Transparency's podcast mini-series about women in the law. This week's theme is the intersection of multiple social identities. Learn more [here](#).*

In the late 1980s, lawyer, civil rights advocate and academic Kimberlé Williams Crenshaw coined the term intersectionality. She was describing the interaction and impact of multiple biological, social, political, and cultural identities such as race, sex, gender identity, ability, religion, age, and other identity markers on power and experience. In the legal profession, the importance of intersectionality is often underestimated.

One of the most impactful programs I have ever participated in was hosted by the Institute for Inclusion in the Legal Profession, called "Women and Minorities: Willing Partners or Reluctant Allies?" For those of us in conservative legal environments, hell-bent on maintaining political correctness and not raising tough diversity and inclusion issues, the program was definitively provocative and explored tensions between social groups with varying political and cultural power within a law firm or legal department.

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What made the Institute for Inclusion's program so powerful was the skillful moderating and smart panelist selection. The result was an invigorating discussion where we explored how existing social movements and diversity initiatives apply to women of color lawyers. Principally, intersectioned persons' fight for inclusion begins one step back from even those with single predominant underrepresented social identities: recognition of existence.



While one might assume that having multiple identities would naturally provide additional axes of support and inclusivity for an intersectioned person, often intersectioned persons are rendered invisible or are forced to choose a single predominant underrepresented social identity. As a result, intersectioned persons are silenced, often not even seen.

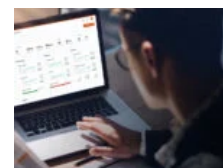
From my experience at an Am Law 100 firm and the legal departments at a Wall Street bank and a multilateral financial institution, whether rendered invisible and/or pulled between multiple dominant social identities requiring or expecting loyalty and support, intersectioned lawyers must employ two strategies to successfully manage their multiple identities in legal environments: assuage and leverage.

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**Assuage.** In her feature on LST's podcast (above), *Multiple Social Identities*, Fatema Merchant, a Muslim litigation lawyer of Indian heritage practicing in Washington, D.C., noted that she feels that she needs to be the best, most agreeable Muslim she can be. This is a sentiment that most people of color I know have had to contend with as well, however discomfiting. Similarly, those in the transgendered community understand how important it is to facilitate others' transition simultaneously with their own. In the same program, Shawna Surrelle articulated her strategies to prepare judges for her transition from a traditionally male gender presentation to a traditionally female gender presentation.

We often fail to see that others don't experience life in the same way that we do. They haven't walked the walk that we walk and do not understand the struggles that, to us, are quite evident. Given our marginalized position, we have the burden and opportunity to educate those in positions of power (including those who maintain a single, predominant marginalized identity) about who we are, how the existing structure writes us out of the narrative and negatively impacts our experience, and how to constructively include us in the legal workplace. Once our presence is known, we can better advocate for diversity, inclusion and equity for others similarly situated.



**Leverage.** Once we've told our stories and facilitated genuine understanding, intersectioned persons can leverage our unique identities to be even more successful legal practitioners. This includes building connections among a niche population to develop business and showcasing how multiple underrepresented social identities can yield creative strategies, solutions and ideas that provide a competitive advantage. As Merchant insightfully notes, diversity is "not just a values proposition, it is a value proposition".

Those of us with multiple identities often surrender to the division. The incomparable Black female politician and 1972 U.S. presidential candidate Shirley Chisholm once said,

“Of my two handicaps, being female put many more obstacles in my path than being black.” On the other hand, many women lawyers of color choose to take up the mantle of ethnoracial diversity and inclusion rather than that of gender. 

But unlocking our potential requires us not to fictitiously choose a portion of who we are. Each part of our identity is integral, indivisible, and inextricable. For me, being a Black bisexual woman lawyer means that I am more than a cobbled together patchwork of Blackness, bisexuality and womanhood, I am the unique synthesis of those identities — and more — forming an inimitable advocate and force of nature.

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***Bendita Cynthia Malakia is a Harvard-trained lawyer with experience practicing finance law at Goldman Sachs, the World Bank Group, and Norton Rose Fulbright. Through the Malakia Movement LLC, Bendita develops, trains and coaches legal professionals and, together with Cognitive Change LLC, has founded the Institute of Excellence to cultivate leaders that transform cultures through world-class experiential, solutions-oriented leadership development training and coaching. Bendita is a member of the Board of Directors of the National LGBT Bar.***

#### TOPICS

Bendita Cynthia Malakia, Critical Race Theory, Intersectionality, Law School Transparency, LGBT, LST's WITL, Podcasts, Racism, Sexism, Women's Issues

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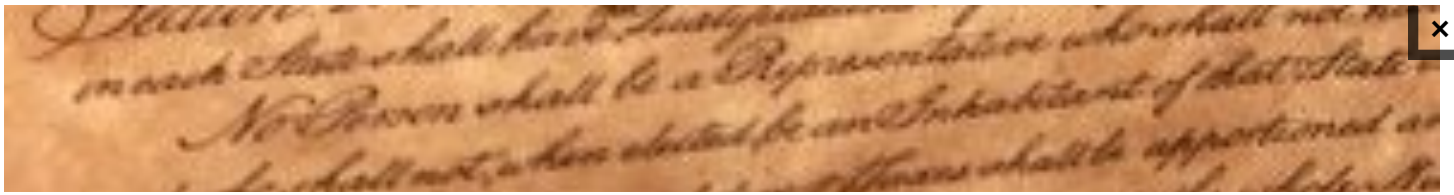
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