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What's Diversity Got To Do With It?

Derrick Bell[1]

Those who have experienced the pleasure and pain of romance understand why Tina Turner's famous song is titled "What's Love Got to Do with It." Those committed to diversity—like those involved in romantic relationships—can testify to the wide variety and great volatility of the experience. Emotional involvement, the feelings of joy and fulfillment, tend to trump careful consideration, even good sense. The outcomes are unpredictable, but statistics reveal that ongoing pleasure and satisfaction are less likely over time than a range of disappointments which are no less painful because seldom fully acknowledged.

The desire for a racially diverse community, particularly a diverse school community, is, like the desire for romance, attractive to consider in the abstract. Isn't this supposed to be the American ideal, seldom achieved but always sought? Its potential benefits are great, but the obstacles to its achievement and their continuance are also great. And as with any romance, the resistance tends to increase when a specific plan is put forth and actually implemented. Reality is the enemy of any romance. Opposition exists not to the concept, but to the plan's asserted inefficiency, to its unfairness, and to the threat it poses to the educational well-being of the school system and to particular individuals who, as it turns out, are quite satisfied with the prediversity status quo.

There is, in the subtext of this opposition, the seldom expressed but generally believed sense that minorities, deemed the motivation for diversity plans and the real winners, should make it the old-fashioned way, by hard work the way the diversity opponents did. The hard work recalled is often real, the breaks based on connections and status and race are

forgotten or simply assumed. So longtime, stable diversity is as hard to achieve and maintain as longtime romantic love.

The diversity activist, like one involved in a romance, needs something beyond the primary objective—gaining the commitment of the loved one, or overcoming the objections of diversity opponents. There must be an appreciation of the value in the effort to achieve a goal deemed worthy. Someone said about love that there are two years of bliss and the rest is working out karma. It is the same with diversity. Even if you achieved the degree of diversity sufficient for even its strongest advocates, such perfection—hard to even imagine—would not last without continued repair and reinforcement.

The search for love, for diversity, is really the search for fulfillment in self that comes not from achieving the ideal, but from the commitment to search for the ideal. As an example of the latter, there was the black farmer in the Deep South who left his fields in order to join the voting rights march from Selma to Montgomery. Along the march, he was asked whether he thought the marchers would be able to win in Montgomery. He responded directly and simply: "We won when we started."

The winning was not in Montgomery, but in the overcoming of fear and disillusionment and likely failure that led them to face danger along the march on a hot day. Whatever happened on the road and in Montgomery could not deprive them of their victory. The Selma march, romantic love, diversity—they all offer opportunities for personal life victories. They are vehicles, means, and motivators that allow us to see ourselves through the worthy goals and objectives they provide.

Diversity is, then, not about the faculty composition or the school system's structure. It is about the self. Can I become more insightful, more risk-taking, more self-sacrificing for others through my efforts on this issue? Can I hear opposite views and rethink my own positions, altering them to better align them with the truth as I understand it? In this process, we may become better people; we surely become more human—not the

original goal, but an important one—out of which unexpected, unpredictable successes may come.

I am applauded because I left my tenured chair at the Harvard Law School some eighteen years ago over an issue of faculty diversity. I have to remind folks who hail my action that I did not move the faculty to hire women of color. Indeed, my protest likely sidetracked my goal for several years. For some, the protest, though it did not succeed, became a positive example of standing up for the diversity cause. Even now, I meet Harvard students, and they tell me that they wish I was still teaching there, but they know why I am not. My protest, they say, moved them to read some of my writings, and those writings gave them much to think about. A teacher can know no greater satisfaction.

What I experienced in the diversity effort at Harvard, you can experience with diversity or any of the challenges that life presents to us all. It is in our tradition, but hardly of the danger or difficulty of those enslaved who risked all to gain their freedom and those who risked almost as much to create and maintain the means of that escape.

We need not brave the taunts, the battering, the arrest and jail of those, white as well as black, who challenged Jim Crow practices on the ground—even after segregation had been struck down in law. Striving for diversity is not comparable to what the civil rights protester, the Underground Railroad conductors, and the slaves seeking freedom did or tried to do, but neither is it easy or certain.

Keep in mind that none of us are mandated to create a school or a school system that looks like the society. We need to recognize that the barriers to providing equal educational opportunity are difficult. And we need to know that we have both the opportunity and the obligation to challenge the barriers to this worthy goal with energy and skill and persistence. We must even consider that racial diversity is a snare, and not an efficient means of achieving effective schooling for children who are poor or minority group members.

Disconnecting the two—diversity and effective schooling—may not be the ideal, but rather a necessary separation. As always, the commitment to social reform requires getting rid of inflexible thinking. There is no single means of effectively educating those who most need it. Recognition of that fact is essential in a society built on exploitation and inured to injustice. It will be difficult to prevent the forces resisting change from transforming our efforts into new, more sophisticated, more subtle methods of maintaining the status quo.

That, you see, is the real risk of working for social reform in any of its forms. Failure, though, is not the inability to achieve great things, but failing to try to do small, ordinary things. Indeed, the danger is that in our despair at the difficulty of achieving great social reforms, we neglect the possible. Until we understand this, we cannot know why we are here in this life that will end at some point. Indeed, at some level we all know this. The difficulty is acting on what, despite desperate efforts at suppression, we know.

But knowledge of the fragility and impermanence of life is precisely what we must keep in mind as we seek to rise to the challenge of these diabolically complex injustices that seem beyond repair—racial, sexual, economic, religious—and all the human misery they cause. With a firm understanding of our real role, these challenges are not less welcome simply because there are all manner of indications that we will not be able to eliminate or even dent the evils of racism, poverty, and inadequacy. For again, our mandate is not to guarantee reform, but to recognize evils in our midst and commit ourselves to ending them.

This is neither a prescription of despair, nor a counsel of surrender. It is not an approach without fears quite like those we must face as we seek the salvation in life that comes when we accept the reality of death. But, you may ask, if death and racial subordination are inevitable and unavoidable, if all our efforts and accomplishments will come to nothing, then what is the meaning of life and the worth of working for reform?

As discouraging as that sounds, it seems to me that when we ask that question aloud, we are dealing directly with the unstated question that has bedeviled us all along. Out in the open, we can forthrightly look at the dilemma of "meaning" and come to realize that meaning is gained through meaningful activity: "Meaningfulness is a byproduct of engagement and commitment."[2]

Both engagement and commitment connote service. And genuine service requires humility. Once we recognize and acknowledge (at least to ourselves) that our actions are neither likely to lead to transcendent change nor, despite our best efforts, to be of more help to the system we would reform than to the victims of that system we are trying to help, that realization (and the dedication that we develop *despite* that realization) can lead to policy positions and campaigns that are less likely to worsen conditions for those we are trying to help, and more likely to remind the powers that be that there are persons like us who are not on their side and are determined to stand in their way. But there is more here than confrontation with those we deem our opponents. Continued struggle can bring about unexpected benefits and gains that, in themselves, justify continued endeavor.

This is the belief that Mrs. Biona MacDonald showed me down in rural Mississippi back in the hot Summer of 1964, more than forty years ago. She was one of a small group of beleaguered blacks in a rural Mississippi community. During the early 1960s, they sought to desegregate their public schools. By then, it was their right under the Constitution, but it was no less an affront to a white power structure quite ready and willing to use any means to keep their Negroes in their place. Those blacks involved in the freedom effort had lost jobs, had mortgages foreclosed, had loans called in. In case economic pressure did not convey the message, some blacks' homes were shot into late at night.

When I asked Mrs. McDonald how she and the others could stand up to pressures that, at that point, the federal government was doing next to

nothing to alleviate, she told me, "Derrick, I can't speak for the others, but as for me, I am an old woman. I lives to harass white folks."

The very idea that this woman, or for that matter, anyone in that community, could effectively harass whites seemed bizarre. They, not she, had the economic power, the political control, the guns. But Mrs. McDonald chose her words carefully. She did not even hint that her harassment would topple whites' well-entrenched power. Her goal was defiance, and its harassing effect was likely more potent precisely because she did what she did without expecting to topple her oppressors. Mrs. McDonald avoided discouragement and defeat because at the point that she determined to resist her oppression, she was triumphant. Her answer to my question reflected the value of that triumph and explained the source of courage that fueled her dangerous challenge to the white power structure of that rural Mississippi county. Nothing the all-powerful whites could do to her would diminish her triumph.

We can recognize miracles that we did not plan and value them for what they are, rather than measure their worth only by their likely contribution to our traditional goals. There is, then, good news that is like water to a thirsty soul. It is the opportunity existing all around us to recognize the injustices that exist and to accept the challenge to make things better. Success is not guaranteed, and failure is all but certain. But the victory goes to those who accept the challenge and, against all the odds, go forward.

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[1] Visiting Professor of Law, New York University. This article is based on a lecture delivered on October 24, 2007, during a faculty summit at Seattle University School of Law.

[2] IRVIN YALOM, LOVE'S EXECUTIONER & OTHER TALES OF PSYCHOTHERAPY 12 (1989).