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TORONTO Black on Bay Street: Hadiya Roderique had it all. But still could not fit in

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My parents moved to Canada to offer me the promise of the North American dream. But on my way to becoming a lawyer, I learned that success isn't necessarily about merit. It's also about fitting in. As a person of colour, that's a roadblock that comes up again and again



Hadiya Roderique is a lawyer who left private practice five years ago. She is now working on her PhD at the University of Toronto. Looking back at her Bay Street career,

she says she misses some things about the legal world, but 'I don't miss the isolation and the nagging sense that other people didn't feel I belonged.'

Photography by Luis Mora

HADIYA RODERIQUE

INCLUDES CORRECTION

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As a kid, I was proud of my name. Ha-DEE-ya. I always loved the rhythmical quality of it, the middle syllable emphasized, almost a "ta-da" in its phrasing alone. I was Hadiya, or, in Arabic, "a gift," the only one in the world, or at least in mine.

Twenty-six years after my parents gave me my beautiful name, I sat in front of a screen in my brightly lit Toronto apartment trying to figure out whether to use it on applications for jobs at Bay Street law firms. Should I use my anglicized middle name Joleene, evoking the white, auburn-haired, green-eyed temptress trying to steal Dolly Parton's man? Or do I choose to show my blackness, own my name and my heritage, knowing what it may invite? Do I include my membership in the Black Law Students Association and point out that I won the Harry Jerome Scholarship? Or do I leave the content more meagre, but whiter? It seemed ridiculous that this was something I needed to consider. My parents, Joseph and Judith, almost named me Jody. Joe and Judy could be a nice white couple from Mississauga, and Jody their equally white-bread daughter. But they chose instead to honour my African and Indian heritage.

My dilemma wasn't unique – these are considerations for many minority applicants at the gates of professional careers. In a recent study, a third of Asian and black participants reported whitening their resumé or covering their minority status. And though it may pain the soul to do so, it works. Black students who whiten resumé get 2.5 times more callbacks. For Jamal to be considered equal to Greg, he needs eight more years of experience. Companies say they want diverse candidates, but the numbers don't bear the claims out. Whitening is just one of the many ways we try to fit into these worlds when we would rather they expand to include us.

I sighed and typed my name in large, bold letters at the top of the page. H-A-D-I-Y-A.

I learned how to make people feel like I could be one of them. I absorbed the importance of upper-middle-class interests and pursuits like ultimate Frisbee, yoga and a cappella. I knew to talk of Glenfiddich and cottages, not roti and park barbecues.

I desperately wanted a big law job. As the black daughter of low-income Caribbean immigrants, a cab driver and a customer service representative, such a job had a special allure. First year lawyers on Bay Street make about \$100,000, a figure that puts them in the top 8 per cent of Canadians earners. Make partner and you're a solid 1 per center. It's a way to leap, instantly, into a different social and economic category. For first-generation children, the weight of our parents' sacrifice is heavy, even when unspoken. That burden can influence our choices. I got a science degree from McGill University

instead of pursuing dance. I quit my band to go to law school. I didn't want to struggle like they did. *I owed it to them not to.*

My parents moved here to offer me the promise of the North American dream, the promise that if I had the brains and the willingness to work hard, I would get what I deserve. But pure merit is a myth. Even in the legal profession, and maybe especially so there, as much as merit may be about working hard, it is more accurately about opportunity, belonging and fit. And as a person of colour, these are roadblocks at every step along the way. Do you fit in as a law student? Can you even go to law school in the first place? Do you get an interview? Do you choose not to apply because you don't see yourself represented? Do you fit enough to get the job? And if you get the job, can you fit enough to remain? These are questions we all ask, black or white, male or female, but the answers are harder for some of us than others.



In her first years practicing law on Bay Street, Hadiya Roderique built a reputation for being smart, creative and anticipating people's needs. But slowly, she says, fitting in became harder and harder.

After firms review applications, each law school hosts interview days for its students in late September and October. Every year, each firm chooses about 40 students from my school, the University of Toronto, to meet with over two days at the Metro Convention Centre. Then, a few candidates are invited to the firms, meeting with lawyers in one-on-

ones and small groups during November Interview Week. Finally, that same week, the offers are made.

Because U of T's Faculty of Law is considered the one of the best in the country, almost everyone in my 190-person class got an interview with at least one firm. My intellect was sufficient and my activities suitably interesting that I made it past the resumé screen for about 10 firms. The only remaining question was: Did I fit the firm culture? Was I someone the associates and partners would want to spend 16 hours with in a boardroom? I scoured websites and read as much as I could find about the people I'd be meeting. I clicked on profile after profile, committing details of the partners to memory – their practice area, law school, boards and volunteer activities. Could I show that I was like them by knowing about them?

I hate malls. But on an early fall day in 2006, I shuffled reluctantly after class to the Eaton Centre, braving the dreaded crowds to outfit myself. As I ascended the escalator from the subway, the air smelled of popcorn and teenage sweat. I walked quickly, ducking around slower stragglers to make my first visit to a Banana Republic.

I prefer clothes that don't look like anyone else's, acquired from vintage stores and thrift shops, complemented with high-end pieces. But here, the suits all looked the same: slim pencil skirt, fitted jacket, three buttons. I filled my arms with two colours – black to blend and the more daring light grey. I added a glittery aqua stiletto heel from Aldo. If I had to look like everyone else, I was going to be a slightly more sparkly version.

Later, a fellow law student, a white woman, asked me if I was going to wear my natural hair to interviews. I hadn't thought of that. I'd worn it naturally since I started university. But how black is black enough, and how black is too much? Should I straighten my hair, which I hadn't done in seven years? I didn't want to work for a firm that wouldn't want me as I am. But I knew this principle might come at a cost. After all, I'd never met a black lawyer with natural hair.

At 7:30 a.m. on interview day at the Metro Convention Centre, it seemed like my entire law school class was surrounding me, a sea of black and grey suits. Firms had set up booths in a maze of temporary dividers, and conducted meetings behind swaths of dark grey curtains that didn't do much to muffle the loud buzz of surrounding conversations.

The interviews were all similar: 20 minutes of unstructured pleasantries about things on my resumé. But anything was fair game. I was keen, for instance, on Cassels Brock, a large firm with a strong entertainment-law department. I arrived at their booth just in time, out of breath and somewhat exhausted, only to have the grey curtains give way more easily than I expected: I catapulted into the company of my would-be employers like an overeager gymnast. "Graceful swan," I muttered to myself, instantly channelling my ballet training to stand up straight, head tall, shoulders back – and quipped that I was so excited to be interviewing with them that I'd changed my shoes. "You're cool enough to get the snakeskin," I said, pointing one toe forward. The head of the student committee tilted her head back and laughed. Ten minutes of discussion about footwear ensued, followed by an analysis of the Leafs. Having never watched an NHL hockey

game to completion on TV, I brought up my fledgling career as a rec-league hockey player in university.

Another partner noticed a cappella and jazz in my extracurriculars and asked me to sing, so I launched into George Gershwin's *Summertime*. I could tell instantly if I was headed to the in-firm round based on my rapport with the interviewer.

I made it through to the November stage for five firms, but Fasken Martineau was one of the highest on my list. It was a down-to-earth firm, and more like me – scrappy up and coming, fighting for a place at the establishment's table. Just before my interview with Faskens, I noticed a tear in my pantyhose. I panicked, only to find a basket of hosiery in the washroom. The interview went well and ended at noon. I attended lunch in a boardroom with other interviewees and articling students. We all ate slowly, to avoid spills – a no-no in the legal profession. Monday concluded with a dinner at a Queen West restaurant with Cassels Brock lawyers, and I tried to maintain my energy and excitement.

On Tuesday, after more meetings, lunches, and breaks in the safety of coffee shops, I attended two cocktail parties. At Gowling, there were stations of food and drink, people mingling and conversing. The din of the crowd was loud – almost no one was silent, except for the wait staff moving stealthily among us. Associates and articling students – those who had previously summered and returned – freely ate food and knocked back drinks, happy to be past this point and into the safety of employment. Meanwhile, interviewees clutched their wine glasses with a nervous death grip, seeking out members of the student committee and senior partners with sway. The tone was Repressed Survival of the Fittest, made more sinister by its false genteelness.

I planned to nurse one glass of wine and had a small sip before joining a conversation with a male partner and two other interviewees, all white men. After the usual exchanges of names, the partner began asking questions. "Where did you go to school?" he asked the young man farthest to my left. After listening to a detailed reply about the student's undergraduate and law school education, the partner's eyes panned to the man immediately beside me. "What about you?" He took a sip of wine and nodded along patiently. But his scan stopped shy of me and he launched into a story about his alma mater, the same as one of the men.

For a while I stood there, dumbfounded by his lack of interest in me. He was clean-shaven in a well-fitting grey suit. He had white hair and blue eyes that ignored me as if I were under a Romulan cloaking device. We were so close I could see the small light blue diamonds on his navy tie and smell his cologne. This wasn't a case of that awkwardness because someone doesn't know what to say. He knew I was there. I just wasn't worthy of his attention. I stepped back, put my full wine glass down on the nearest table, and walked out of the building into the November wind. It was cold out, but I didn't notice. I was hot with indignation. Screw being buttoned up, screw smiling and nodding. I wanted to have real fun.

Ten minutes later at Faskens, I decided I would do this on my terms. I indulged in a full glass of chardonnay, and fluidly joined and exited groups, refusing to be excluded again. I laughed when I found things funny. I approached the chocolate fountain next to a tall, tiered platter piled with strawberries, banana slices and other fruit. Most students were too afraid of spilling, but I speared a toothpick into the largest strawberry, turned it three times to coat it with a respectable amount of chocolate, and ate it in one triumphant swoop. "I don't think I've seen any other student brave the chocolate," said the head of the hiring committee. "Well done."

At 5 p.m. the next day, standing in my underwear in my apartment, tired of being penned in by clothing I would otherwise not have bought, I received a phone call with an offer from Faskens, my first choice. I accepted immediately. I was excited to get the summer position. I felt free at the cocktail party. And it seemed like a place where I wouldn't have to change to fit in.

I had a great first summer and articling year at the firm. I felt accepted. They loved that I was well-rounded. They applauded my participation in extracurriculars and, my other life as an elite ultimate Frisbee player. When prospective students visited, the partners routinely asked me to speak. "This is Hadiya, one of our students," they'd beam. "She's able to balance her work here at the firm, and compete at the national level in her sport."

I worked hard, at times sleeping four hours a night so I wouldn't say no to any projects. The market crash of 2008 meant that the chance of being hired as an associate was no longer as high as it used to be. I was scared. I still had student loans to pay. Had I worked hard enough? When the hiring committee members sat across from my desk in May and offered me an associate position, I teared up with happiness and relief.

People gravitate toward people who are like them. Social scientists call this homophily. We consciously and unconsciously surround ourselves with others like us, who in turn validate our own choices and values. "You are trying to pick candidates from a very, very qualified group of people," a management consultant named Amit explains in *Pedigree*, a book by sociologist Dr. Lauren Rivera that explores professional hiring. "And what separates them ends up being some of your preferences and if you have shared experiences." We end up defining fit, and thus merit, in our own image.

But when a firm is mostly white, who do you have to be and what experiences do you have to have to belong? What does it mean to be like them? The website of any major downtown Toronto firm shows an ocean of mostly white faces, especially at the partnership level. Take Torys, a top-tier firm. Of its 87 partners in the Toronto office, about 10 appear to be minorities. Akkawi is first. Middle Eastern maybe. Amm is followed by Armstrong. I scrolled past the Gs, past the Ns. I reach W. There, I found what appeared to be the sole black partner, Cornell C.V. Wright. McGill undergrad, like me. Law degree from U of T, just like me.

To their credit, firms are aware of their lack of diversity. They plaster their websites, publications and speeches with diversity statements. Brochures often feature a variety of hues of smiling faces, even though they represent a mere fraction of the lawyers. The firms give the appearance of being hungry for qualified and diverse candidates, but their attempts fumble because of a fundamentally flawed process. They hire people who fit into the firm as it already exists.



Hadiya Roderique's father, Joseph, holds his months-old daughter in late 1980 or early 1981. Since she was young, he encouraged her to participate in extracurriculars and

take all the right advanced classes. 'He was savvy enough to know that being able to speak the language of the upper class would be useful one day,' she writes.

COURTESY OF HADIYA RODERIQUE



Joseph and Judith in the summer of 1980, before Hadiya was born. The couple almost named their daughter Jody, but instead, the Caribbean immigrant parents chose Hadiya, a name that honoured her African and Indian heritage. COURTESY OF HADIYA RODERIQUE

I've never fit neatly into boxes or the stereotypes of my gender, my race or my age. At 4, I sat next to my father on the subway, silently reading the Toronto Star. It was a comical sight, since the paper was almost as big as my body. A woman across from us jokingly asked me about the newspaper. I proudly said, "I can read it," and did so aloud.

Her mood shifted. Something was wrong. But I didn't understand. My dad had told me it was good that I could read. Why did it make her mad? She asked my age. "I'm 4. How old are you?"

She didn't answer, her lips pursed. We folded the newspaper and left the train. On the platform, I held my dad's hand, my small brown one in his. "Daddy, why does that lady hate me?"

A pause.

My father and I had a special routine. Every Sunday we went for a walk when I could ask him any questions I wanted. He promised to always answer truthfully. I learned about why birds sing, why the sky is blue, what water consists of, and how my baby sister was made. My questions often made him laugh. Not that day.

"It's because you're black. And some people don't like you just because you're black. And they hate it when you're very bright." My brow furrowed. "But we're nice people. Why should people hate us?" But before he could answer, something new caught my eye. My father was relieved. That was the first time I felt hatred because I'm black. It was not the last.

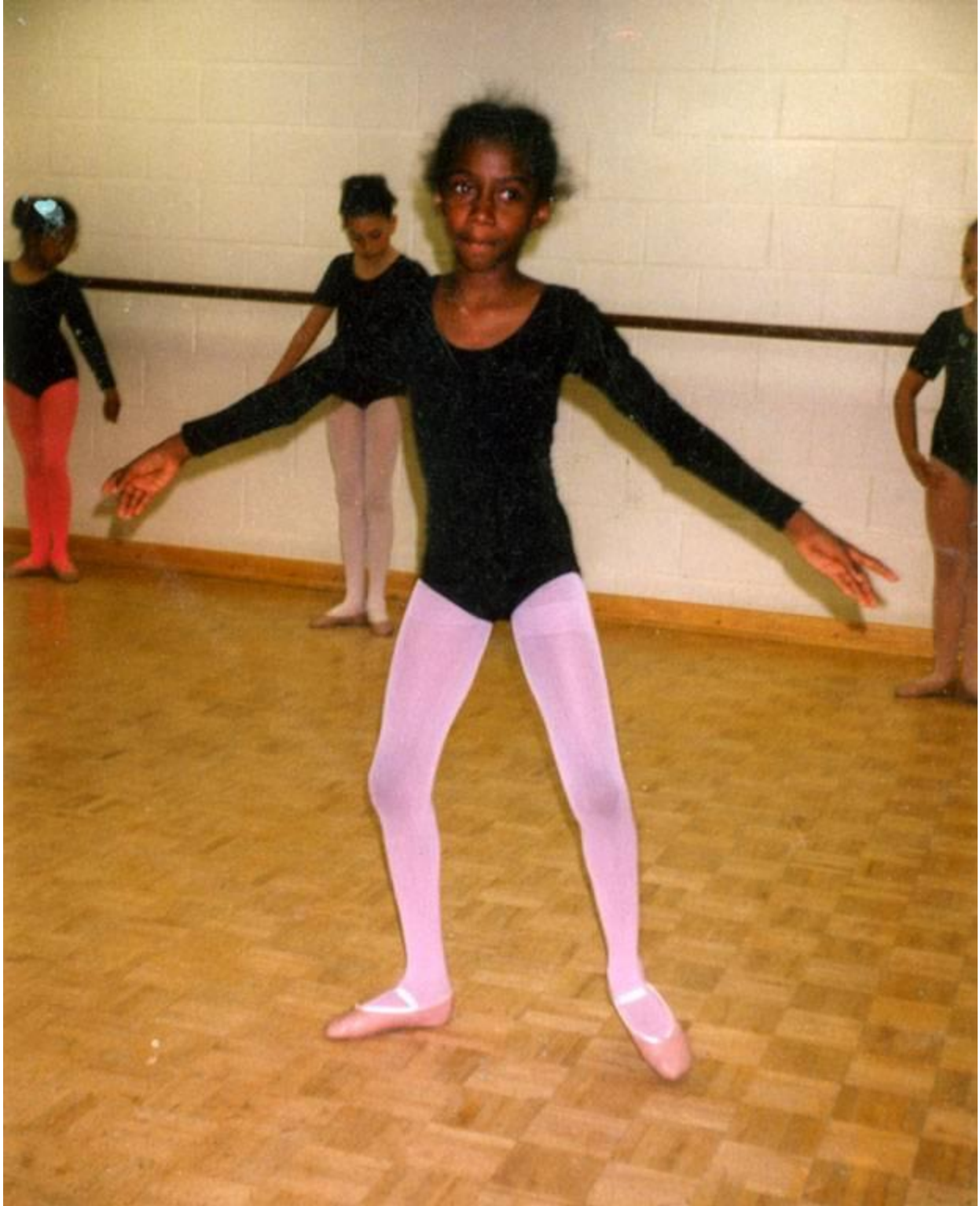
A few months later, my kindergarten teacher told my parents I might have an intellectual disability because I pretended to read books to the other kids in the corner and wouldn't do any other activities, such as putting puzzles together or playing in the sandbox. It was true that I fell in love with the library the second I got there and would not leave. The teacher leaned forward, hands clasped. Her eyes were wide, her voice oozed with supposed concern. My father let her finish her observations, then laughed in her face. "Are you an idiot?"

This was not the reaction she expected. She leaned back abruptly.

"First of all," he said, "even if what you say is true, it shows remarkable intelligence for her to tell a story that will get other four-year-olds to sit still." My father remained calm, his smile menacing, though he was full of rage. "Second, if you paid any attention to my daughter, you would realize that she is reading, not pretending to read." Then he added, "She solves 1,500-piece puzzles at home. She doesn't do your eight-piece puzzles because she can do them in her mind."

The teacher flinched.

When the principal joined the meeting, my dad insisted on having me tested. I was identified as gifted. Recounting the story, Dad mimics the teacher's smug look and then his own facial reactions, though now that he looks like black Santa Claus, complete with half-moon glasses at the tip of his nose, a half circle of white hair and a mostly snow-white beard, it lacks menace. That's still one of his favourite stories to tell.



Ballet class, 1989. Hadiya Roderique learned to excel at extracurricular activities at her performing-arts school, including dance, gymnastics and swimming. COURTESY OF HADIYA RODERIQUE



Graduation from McGill in 2003, with her best friend from ultimate frisbee, Marion Van Horn. Hadiya Roderique continued to play ultimate frisbee competitively during her law career. COURTESY OF HADIYA RODERIQUE

When I was a child, my father told me I could be anything I wanted if I put my mind to it. He always added a reminder that as a black person, I would have to be twice as good to be considered equal. But I learned that other people don't like it when I'm twice as good and am the colour I am. They didn't like my confidence, and they didn't like when I overshadowed their daughters and outperformed their sons without the tutors and the lessons my parents couldn't afford. Invariably, these people would take steps to try to put me in my place. And so, I learned to excel, for me, for my father, but to keep it hidden.

I mastered fitting into places, mostly white spaces. I boxed myself in just enough so others were comfortable. I did it when I was in grade school, growing up in the heart of Mississauga, the only black child in my enhanced class. I struggled with it in high

school, one of about 20 black students, the only one in my year in the dance program at my performing arts high school; and again, as the only black student in my 40-person psychology honours program at McGill; as the only black female competitive ultimate Frisbee player in my city, let alone on my team; and as one of five black law students in my class of 190.

I called my dad a while ago and asked him if he ever worried about me fitting in. He told me that there was a nice young lady in his cab, but answered anyway. "I always worried about that," he replied. He explained that this was part of the reason he put me in arts and sports.

"Did you do anything else to help me fit in?" I asked. I don't remember this part of our relationship, but I knew I must have gotten my chameleon abilities from somewhere.

"I talked to you, about exposing your intellect appropriately and not just randomly. And when you were older, I could see that you were very good at manipulating yourself to the situations that you wanted to participate in."

"Great parenting, Joe!" I said. It was a joke, but I meant every word. Born the same, but to different parents, my life could have ended up quite different.

Sociologist Annette Lareau distinguishes between the approaches of working-class parents and privileged parents. The former tend to adopt a natural-growth parenting strategy, where kids are free to develop without interference in their school lives and extracurriculars. Conversely, privileged parents engage in "concerted cultivation," playing integral and operative roles in their children's schooling and activities.

Despite not having much money, my father took the concerted-cultivation approach. He was savvy enough to know that being able to speak the language of the upper class would be useful one day. My mother focused on making sure we were fed well and chauffeured around. My father's domain was school and activities. He was the classic example of the parent who, when I got 95 per cent on a test, asked what happened to the other 5 per cent. He made sure I took all the right advanced courses and applied to well-regarded programs at excellent universities. From a young age, I participated in after-school clubs and extracurriculars: swimming, dance, gymnastics and guitar, among others. My dad didn't buy a new winter coat for five years, but we had a piano and listened to Coltrane (now, the name of the family dog). My dad knew what to do. Many parents don't.

My father and these experiences taught me how to fit in, not just with kids, but everywhere. I learned how to make people feel like I was just like them, or could be one of them. I absorbed the importance of upper-middle-class interests and pursuits, such as ultimate Frisbee, yoga and a cappella. I knew to talk of Glenfiddich and cottages, not roti and park barbecues; to mention my father's engineering degree, not his occupation. I knew what to talk about to get the job.

Later, I found I myself was not immune to the allure of fit. In 2010, as a second-year lawyer, I was assigned the job of screening the resumés of a fresh crop of students, the newest versions of what I once so eagerly was. I fit in enough to get the job and now I would choose who would fit in. I was to review the resumés of students with last names falling from A to M from my alma mater. Between bouts of billable work, I sorted the applications into one of three: no interview, review again, definite interview.

The training was minimal. I was installed in a boardroom with the other reviewers and given a stack of resumés and a binder with notes of people's previous interactions with the applicants. I was asked to choose 20 people from my batch. There were no objective metrics of qualification beyond good grades and interesting extracurriculars. We were to use our best judgment. The door was wide open for subjectivity and eliminating otherness. I too, gravitated toward sameness, though my "same" was a bit different.

I sat at my desk with the resumés and transcripts fanned out. Everyone seemed to blur together with similar activities written out in Times New Roman and B/B+ grades. An athlete and a musician, I sought out these traits in others. I spotted a candidate who also played ultimate Frisbee, and instantly smiled at the thought of a Fasken Martineau team. I read his resumé a second time, lingering over his experiences and student clubs. He seemed cool. I put his application in the definitely interview pile. He ended up getting the job.

I was also asked to be a first-round interviewer. We had to fill out an evaluation sheet for each candidate, assessing standard criteria such as creativity and capacity for hard work. But there were no standard questions to help us get to those answers. More arbitrary, subjective decisions. How could I glean from Justine's cool story about making french fries for Jamie Kennedy whether she was industrious? How could asking everyone completely different questions yield any fair measure for comparison? Especially when at the end of it all, people would inevitably go back to their desks and say, "Who do I want to work with? Who made me feel comfortable?"

No matter what firms claim, the hiring process is just not set up to test how good a lawyer you might be, whether you'll craft that memo just so, or be willing to work 18-hour days on a pressing transaction. Instead gut feelings and underlying similarity seem prized over all else, a significant disadvantage for those from less privileged backgrounds.

Partners fawn over hockey players and people who've travelled extensively and volunteered in foreign countries – all signs of affluence and privilege. Unstructured chats and cocktail parties test whether you belong with the people that are already there. How can asking me about types of Scotch and shoes be anything but a test of belonging in an upper-class white world?

Firms get excited about black people when they seem like they fit. I can tell when they get the gleam in their eye, when they see me as one of them, but with the bonus of brown skin. At times, it can feel like that's all they see. An acquaintance who recently left law for academia is blunt about the excitement. "They were thrilled to have me. I was

the white black person, the lawyer in the firm with slightly different skin who could be trotted out as an example of diversity." Like him, I was the acceptable Negro. I was to be visible yet invisible. I had to make them believe that I was a black girl they could spend two hours in a car with on the way to a hearing in Barrie, Ont., listening and humming to Bob Dylan and talking about summer vacations, when I wanted to sing along with Nina Simone and talk about inequality.

Some other industries have abandoned this form of social belonging test. Consulting firms seek to test how you exemplify skills such as leadership and team work, how you react to challenges, and how you'll do on a mock case, things more closely related to actual on the job behaviour. Others use structured, behavioural interviews, asking each candidate the same situational questions to allow fairer comparisons. Lawyers face tough situations, time pressures and difficult clients. Firms needed to know how I would fare in this environment. They did not need to know if I supported the Leafs or what my parents did for a living. We did not need to have the same interests. And if I had never heard a Dylan song, it would be okay. I could still do the job.

Nowadays in Canada, overt acts of racism are rare. Instead, the subtle ones tire you out and wear your sense of belonging. They happen more often, more insidiously.

As an associate, things started out well for me. I chose Brian, a white partner, as my senior mentor. He was refreshingly frank, a trait appreciated by both his clients and me. He didn't care what I looked like, just that I was smart. I had two informal black mentors, both named Andrew, that I affectionately called the Andrews. (They were both in the corporate law department, and shared an assistant, which I imagine led to much confusion. "Hello, can I speak to Andrew?" "Which one?" "Uh, the black one?" "Right, which one?") We regularly had what I called black lunch at a nearby restaurant. Another mentor from my articling days, Paul, was someone I could always be myself with – a brilliant, incredibly social lawyer who also loved to dance.

Meanwhile, I was able to balance my work at the firm with my commitment to ultimate Frisbee, dedicating my weekends to tournaments and training sessions. On weekdays, I stepped out of the office at 6 p.m. twice a week for practice, often picking up where I left off when I was done at 9.

I got excellent first-year reviews. As a second-year associate, I brought a client to the firm. I developed a reputation for being smart, creative and for anticipating people's needs. I was told that I worked at a level beyond my years.

But slowly, fitting in became harder and harder, especially when I was no longer in front of the lawyers chosen for the student-hiring process because of their strong social skills. The pressure to belong intensifies as you get closer to the summit, and away from kindred spirits such as the Andrews, Paul and Brian; each raised eyebrow, each slight, each difference felt like a message that I didn't fit. There were two barriers: One was the colour of my skin, the other was my values.

A week into my time as an associate, I wore my new black pinstriped Holt Renfrew suit to work. Two assistants joined me in the elevator. One of them, attempting to be friendly, said "You're new. Who do you work for?"

"I'm in the labour and employment group," I responded.

"I mean, which lawyer?" she replied. I realized that despite my suit, she thought I was an assistant. She hadn't even bothered to look down past my face, hadn't noticed my outfit or the sharp leather briefcase I had rewarded myself with for getting the job.

"I'm an associate," I said, pointedly. She blushed beet red, finally seeing my clothes. Finally seeing me.

Another day, I was in a client meeting getting the background of a case against the company. A senior partner, a white woman, and I were questioning the manager about a series of firings being grieved by the union, partly based on racial discrimination. The senior partner asked about the racial makeup of the workers. The manager said, "Well, they're mostly black," and pointed at me. The white partner froze. I could see the internal struggle on her face.

What I really wanted to say was, "Thanks, I know what colour I am," in the most sarcastic voice I could channel. But I knew it was my job to make people comfortable with my otherness. I asked another question, moving the meeting along, thankful I was wearing black as sweat seeped through my shirt.

Later in the car ride, the "mostly black" moment lingered in my mind. Should I have brought it up? Discussed with the partner what to do in that situation? Would she have even understood how I felt? Or would I have received the stock, "That's probably not what they meant" or "Are you sure you're not being too sensitive?" – the subtle yet constant gaslighting of my experience? I said nothing. I did nothing.

Nowadays in Canada, overt acts of racism are rare. Instead, the subtle ones tire you out and wear your sense of belonging. They happen more often, more insidiously. These acts of discrimination can be more detrimental than blatant racism or sexism. It's easier to point out prejudice when someone is overtly racist. Organizations have policies and procedures for reporting explicit racism and sexism. Others, hearing your story, are suitably outraged. But the underground cracks, passive-aggressive dismissals, the ghostly put downs, are harder to mark.

Yet, each drop in the bucket adds up. How do you report the frosty reaction or the startled pause you got when you were introduced as the associate on file? The confusing silence when you walk over to the corporate defence team, and turn out not to be the black woman bringing the human-rights claim? The assumption that you'd have no interest in a ski trip, when someone "jokingly" says, "I thought black people don't ski?" How do you not internalize these quiet messages that you don't really belong?

I was not alone in these feelings. Ritu Bhasin, a diversity consultant and former legal talent director at Stikeman Elliott, and author of *The Authenticity Principles* says, "People feel they have to change who they are, move away from their authentic self to get ahead. But there's only so much conforming and masking we can do. It eats away at your spirit. And after a while, you'll either be pushed out or self-select out, because it's exhausting to be someone you're not." No wonder so many of us leave.

I was a lawyer and I belonged there. But it felt like I had to prove it more, while others got the benefit of the doubt. Two different fonts on a document would get nary a mention for a white, male associate. When I did it, I earned a sit-down, closed-door conversation about my commitment and dedication. Everyone makes mistakes. But it feels like some of us can make more mistakes than others, a feeling borne out by research that shows that black women leaders are more harshly evaluated for failure compared to white men, white women, and even black men. While black men and white women receive lower evaluations than white men, they both benefit from the primary aspects of their identities: being white or being male. I was neither.

I felt alone in more ways than one. My values also contributed to my discomfort. I was a lefty sitting next to Rob Ford supporters. I was a competitive ultimate Frisbee player, something that was a big part of my life and that I wanted to continue. Law firms focus on extracurriculars during the hiring process, but they want to stamp them out of you the minute you become a full-time lawyer. Now, as an associate, leaving at 6 p.m. twice a week to practice displayed a lack of commitment. But, leaving to pick up kids from day care or relieve the nanny at the same time didn't seem to be a problem. Certain choices were valued over others.

In the summer of 2011, I was competing in the National Ultimate Frisbee Championships in Ottawa. If my team won, we would get to compete internationally as Team Canada. I had let people know that I would be away and set up an out-of-office e-mail message. That week, I received an assignment from a lawyer before leaving, and planned to get it done on Thursday night after competing. I hadn't been given a deadline, but wanted to get it done as soon as possible. That day, I was hit hard, and a teammate suffered a brain aneurysm at the field, so I left it to the next evening. After a full day of games, I returned to my teammate's home around 6 p.m. on Friday, and opened an angry e-mail sent four hours earlier, demanding the work for a hearing on Monday. I responded right away, apologized, and completed the work within a few hours.

I later found out that the partner had been roaming the halls, ranting and bemoaning my lack of commitment when I didn't answer immediately. When I returned on Monday, I had a meeting with him and my junior mentor about my dedication. I sat, confused, as he stared me down, lecturing me about responsibility and my career. "You have to decide whether you want to be a professional ultimate player or a lawyer," he warned seriously. I wondered if any lawyer with a sick child or one with connection issues on a vacation had ever received a similar ultimatum. As I got up to leave, I turned to him and asked, "How was the memo?"

"Very good," he replied. I walked out silently.

At the end of my first-year evaluation, I was given one note of improvement: to stop talking about what I did on the weekend, because it "made other people feel bad." My external accomplishments were not to be celebrated. Once again, I needed to box myself in to fit. I made other people feel uncomfortable, because my actions challenged their choices. I had to be the one to change.

I don't think that the stern partner ever considered the possibility that given the choice between law and ultimate, I would choose the latter.

By mid-December of 2011, I'd finally had enough. Big law could not accommodate the person and the colour I was. I searched for a life line. Four months later, I received an offer from a smaller boutique law firm, and was accepted to the University of Toronto to do my Ph.D. in Organizational Behaviour, where I would be able to study diversity and retention. I had considered academia before law school, having been accepted to Stanford's psychology Ph.D. program. School was always a safe haven. I was drawn to the latter, but I had put so much time and effort into my law career I couldn't just walk away. I accepted the offer from the other firm and tendered my resignation. Later that day, another partner who had questioned my commitment to ultimate and the firm called me from the airport and pleaded with me to stay.

I called my dad. He was at a cab stand and I could hear sirens in the background. I asked him what he thought about me leaving the law.

"I didn't think law was it for you," he said.

"Why not?" This was not the answer I expected.

"I wanted you to be your own boss. I was worried you wouldn't be able to move up the ladder because you're a woman or because you're black." He recounted the racism he experienced as an engineer in Canada in the early eighties with a sad tinge in his voice.

I asked my dad what makes him proud of me. This answer surprised me, too. "It's not your academic achievements. It's your tenacity, the confidence you have in yourself. Your character."

"I got that from you," I responded. I could feel his black Santa smile through the phone.

"You never give up, and the most important thing for you is your happiness."

It relieves some of my first-generation guilt to know that my dad would rather I be happy than wealthy.



Donna Walwyn, a partner at Baker McKenzie, and I were both on the executive of the Canadian Association of Black Lawyers. When I first met her, she was perfectly coiffed in a suit and her hair was blow-dried straight. Ten years later, meeting for lunch at her office, she was a senior partner, head of her practice group, and wore a black wrap dress, her hair finally beautifully curly and freed from the punishing straight iron.

She admitted part of her success was her ability to fit into this upper-class sphere. She was close enough to the Bay Street mould to be palatable – speaking the same, acting the same, dressing the same. She was, however, worried for a black woman who might question whether she was "white enough" to be included in high-profile client meetings, or might consider not including diversity and inclusion activities on her resumé that might signal that she was too angry, too questioning. She asked me, "How much covering – how much do you have to do, to be a low enough risk?" Neither of us had an answer.

Firms should want to be diverse. This isn't political correctness, it's business. Even the mere presence of minorities adds a competitive advantage. Companies in the highest quartile of racial or ethnic diversity are 35 per cent more likely to outperform those in the bottom quartile. But firms still cannot reconcile excellence with making diversity a priority, even though recent research has found that increasing diversity weeds out mediocrity.

The Law Society of Upper Canada, the body responsible for the self-regulation of lawyers and paralegals in Ontario, recently conducted a study of the challenges facing racialized lawyers. The research culminated in series of recommendations to address issues of systemic racism within the profession. Among these is a requirement to write and abide by a statement of principles "acknowledging their obligation to promote equity, diversity and inclusion," which has already received some push-back in the legal community.

And, while these recommendations, noble in their aspirations, may move the needle somewhat, I find it hard to believe that they will have much real sway until there is a clear impact on the bottom line. A statement is great in theory, but how do you objectively measure compliance? What company or person is going to say that they don't currently follow those guidelines? But when *clients* start demanding change, ears will perk up.

Walwyn believes the number of clients taking diversity seriously is increasing daily. Organizations such as BMO are starting to ask law firms for diversity numbers and how they've changed, who's spending time on files, and who's leading the legal team. When clients start to demand that their cases and deals be staffed by equal numbers of men and women, with female partners and minority involvement, and only 25 per cent of partners are women, with even fewer minorities, firms will lose money. And, in turn, they'll lose talent, which will lead to losing more money. Companies have been toppled by lesser things. How will firms meet these targets, when they can't even keep people like me, the ones who are ostensibly closer to fitting in? For starters, they will need to

talk honestly about it. Real diversity acknowledges, celebrates and actually talks about differences as much as it tries to render them invisible in other ways.

In October, 2010, I attended an event called Black Partners on Bay Street. The Canadian Association of Black Lawyers was honouring 17 people for making it to the upper tier, believed to be the only ones among the more than 2,000 partners working at large firms in the Toronto financial core. Waiters moved around the Blake Cassels & Graydon conference room with appetizers and canapes. I ate my first oyster, the taste of horseradish and the sea salty on my tongue.

Amidst the mix of chatter and laughter, I realized it was the first time I wasn't a minority in the room at a law firm. Where I didn't feel like I was wearing a mask. That rare and, until then, unknown sense of lightness told me what corporate life *could* be like for others like me – the same lightness I felt chatting and commiserating with Walwyn about our experiences as black women on Bay Street. Sitting with her, I felt a glimmer of what it would have been like to go through my time at my firm with someone who looked like me, who had felt the same unease. Who wouldn't have questioned or invalidated my concerns.

I still feel some discomfort, guilt and shame about my time at the firm. Uncomfortable that I kept myself boxed in. Shame that I didn't stand up for myself and my values and push the needle on what constituted a good associate. Guilt that I didn't do more to stick around to be there for the next black woman to come up the ranks. I tried to return to the firm, after discovering that the small firm wasn't for me – I missed my friends and colleagues, the bigger files. The same partner who'd asked me to stay argued against my return.

Do you fit in as a law student? Do you choose not to apply because you don't see yourself represented? Do you fit enough to get the job? And if you get the job, can you fit enough to remain? These are questions we all ask, black or white, male or female, but the answers are harder for some of us than others.

Sometimes I imagine what it could have been like if I had stayed and become the partner sitting with the young black lawyer the client pointed at. "We are all aware of what black looks like, thank you," I say, as I gently push down her arm. I turn to the associate and mouth, "I'm sorry." I return to the interview.

As we walk to my BMW – I like German engineering – I ask the associate if she's okay. "Unfortunately, some people are idiots. Are you okay with how I handled it? Is there anything else you would have liked me to do?" We talk about the incident and she feels supported. Like she belongs.

In the car, I turn up the Nina Simone, and we talk about our childhoods. I tell her the story of my dad and the teacher, mimicking his dramatic expressions and hand gestures. She laughs.

But that will never happen for me. That belonging remains out of reach for so many. It's been five years since I left private practice – I eventually left the small firm and have been working on my Ph.D. at U of T since then – and even now I still feel on edge when I find myself at the intersection of Bay and Adelaide, staring up at Fasken's windows. No one slows down or engages with anyone else, motoring forward in a form of Bay Street chicken and dodging only when faced with an equally determined person. I engaged in that battle, noting how often the white person expected me to be the one who moved out of the way, and was surprised when I didn't.

It's a subtle assertion of power here on the sidewalk, same as the right bowtie, a flashy sock, the name-brand purse, the determined march while making a deal on the phone. The assumption that I should be the one to make way is a means of stating that I don't belong down here in the world of power and money. I notice a black man in a sharp suit, and then a black woman talking on her cellphone. We catch eyes, almost as if to say, "I see you," and "We belong here, too."

I do miss some things about being a lawyer: power outfits; coffees with my fellow associates to decompress after a busy morning; nailing a legal argument for a case; Brian taking me to a grocery store in Rosedale to buy my first soft-shell crab after our hearing ended early; the confidence of handing my business card to people and seeing them look suitably impressed. But I don't miss the isolation and the nagging sense that other people didn't feel I belonged. Or the sense that I was once again play-acting at another life, putting on a mask and the body armour of a sharp pin-striped suit to go to work, steeling myself against the discomfort I might face. And, then, when I returned home, unzipping my skirt as quickly as possible, massaging my aching feet after eight hours in heels, sinking into the comfort of my couch and changing back into myself.

RACE IN CANADA: MORE FROM THE GLOBE AND MAIL