

LESSONS FROM CHINA

The Glacial Pace of Change Can Obscure Its Inevitability

by KATHLEEN J. WU

There's a scene in the movie "Jurassic Park" where the scientists who cloned dinosaurs explain that the dinosaurs won't be able to reproduce in the wild, because the lab has created only females. At that point, Jeff Goldblum's character, a mathematician, points out that — despite the lab's best efforts to manipulate the dinosaurs into sterility — "life finds a way."

Certain things are inevitable. Fortunately, life and progress are two of them. Change for the better is not easy. Sometimes it seems as if it will never happen and everything is working against it. But it is, nevertheless, inevitable.

It's true in the legal profession, where women have made slow, sometimes imperceptible gains, and it's true in China, where I recently spent two weeks. Seeing the tremendous changes that have occurred in that country — and the high price many have paid and continue to pay for that progress — reminded me of society's inevitable forward march.

Among other areas, my son, Grant, and I visited the Xian warrior burial pits, the Great Wall of China, the sleepy water towns outside Shanghai, Chairman Mao Zedong's tomb, the lush round tipped mountains surrounding the Li River, the Chengdu Research Base of Giant Panda Breeding, and Sichuan province, which was devastated by an earthquake in May.

Admittedly, the country was putting on its best face for the Olympics. But, as even a glance at the news will tell you, China's best face is still fairly repressive. Nevertheless, the anecdotal signs of modernization and progress I saw during my trip impressed me.

In some of the areas we visited, the people there had never seen an Anglo in person. Although Grant looks Chinese to me, the people we encountered in China saw more of my Anglo husband in him than they saw of me. Grant was uncomfortable with the attention, but I reminded him that the people who were so entranced by him were, by and large, older Chinese citizens.

"I bet you these teenagers won't give you a second look," I told him, pointing to a group of teens approaching us. Sure enough, they didn't even notice him.

Anglos aren't that exotic to Chinese teens. Despite



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ensorship, the kids are exposed to more of the world through technology and the media than their parents and grandparents are. Grant looks an awful lot like the faces they see on a regular basis, either in person or on screen. This small bit of progress — someone who looks different being a novelty to one generation but commonplace to another — is an example of its inevitability.

In the art world, signs of headway are more noticeable. In a country where there is, literally, no such thing as feminism, women artists nevertheless are creating some incredibly daring, politically relevant art. In the old China, some of this new work, which powerfully depicts the repres-

sion of the communist government, would have landed its creators in jail or worse.

Now, some of the most prestigious galleries sell the art, demanding top dollar, much to my budget's chagrin. None of the artists whose work I saw were imprisoned or even in danger. This flowering of the arts is another example of life finding a way.

Nobody will claim the Chinese government is encouraging unfettered freedom of expression, and there are still disturbing signs of repression. But the art I saw, the people I met and the conversations I had in some of the most remote corners of that magnificent country all point in one direction: Progress is inevitable in China. It may take a long time before people there have the kind of freedom of expression we take for granted in the United States, but liberty eventually will prevail.

It won't happen by osmosis, though. It will only happen because of the commitment and work of democracy activists and pressure from the rest of the world. That pressure may come from sticks from the international community, but it's just as likely to come from the carrots of a globalized economy.

Coming Home

How does all this relate to women in the legal profession? It reminds me not to give up. What women lawyers face in a profession still dominated by men — sexism, discrimination and the near impossibility of juggling a demanding career with an equally demanding family — are peanuts compared with what democracy activists face in China. Yet they struggle on and don't give up, no matter how many tanks they have to stare down.

I know: It seems like we haven't made any progress. Women lawyers haven't achieved anything near parity in the partnership ranks at major firms. We only have one woman on the U.S. Supreme Court, down from two. To the naked eye, it can seem like we're actually moving backward.

But we're not. Trust me. When Sandra Day O'Connor graduated No. 3 in her class at Stanford Law School in 1952, the only legal job offer she could get was as a secretary. In the 1970s, a group of women law students in Dallas had to sue even to get interviews at firms. When I started in the late 1980s, I wasn't allowed to wear pants to work.

Now, not only can I wear pants, but women are entering the profession at the same rate as men. Some of the largest firms in the world have had female managing partners. And while parity is a long way off, the percentage of female partners has inched up steadily over the years.

The most encouraging trend I've seen, though, is the number of firms that have started meaningful women's initiatives and put real money and political support behind them. These firms are making an effort to recruit, develop and retain women lawyers. While they aren't always successful, and there are lots of structural and cultural hurdles




to overcome before there's real parity, I have to remember that these things move in geologic time. Progress can't be measured in months or years. It has to be measured in decades and centuries.

The sticks that punish the legal profession for its resistance to change — the flight of talented yet discouraged and overwhelmed women from the profession — coupled with the carrots offered by clients demanding diversity in their legal service providers make progress as inevitable here as it is in China.

It's going to take a while, but if the Chinese can keep fighting the good fight, so can we.

Addendum: I've written two recent columns about what women and minority lawyers can learn from U.S. Sen. Hillary Clinton, D-N.Y., and U.S. Sen. Barack Obama, D-Ill., so it's only fair that I note the most significant recent political development: Republican presidential candidate John McCain's naming of Alaska Gov. Sarah Palin as his running mate. This is yet another sign of progress in a year of incredible forward motion on the diversity front.

As I wrote in my columns on Clinton and Obama, regardless of what voters think of their politics, the fact that an African-American or a woman is definitely going to end up as president or vice president in November is nothing short of historic, and it is something to celebrate. [See "What Women Lawyers Can Learn From Hillary," *Texas Lawyer*, March 24, 2008, page 29, and "What Minority Lawyers Can Learn From Obama," *Texas Lawyer*, June 23, 2008, page 26.] An entire generation of young girls won't get laughed at for announcing they want to be president when they grow up, and millions of African-American children have a role model worth emulating. However it turns out, this is a great election year. 

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