

WORKING LIFE ON EQUAL TERMS - A DIVERSITY PROJECT

Introduction

Today some 20 per cent of the Swedish population is made up of persons with a background outside Sweden. These individuals are either born outside Sweden or they are born in Sweden to parents born abroad. This is the commonly accepted definition of an immigrant.

Until recently, the position of immigrants in Swedish society and on the Swedish labour market was regarded by many as an issue of minor importance. Little attention was paid to the fact that immigrants are worse off than most native Swedes - they have worse or no jobs, enjoy inferior housing standards and are generally in worse health. Then suddenly, the notion of integration entered the limelight and diversity became the word on everybody's lips. Diversity in education, at universities, in the labour market, in politics, everywhere.

The buzz has reached all the way to the comparatively conservative environment that is the law firm. We look around at our own firm, at our competitors and at other parts of the legal market, and we realise that there is no doubt that the concept of integration is relevant in our world too. Where is the one-fifth of the population which is made up of immigrants? –They are at least not on the job market for lawyers, which is particularly homogenous. In an increasingly global business environment, this cannot be considered satisfactory, regardless of whether the issue is to attract the best employees or to have the right competence within the firm. It cannot be right that the justice system does not reflect the population at large.

We have decided to do something to address the lack of diversity. Not because we have been good at setting an example in the past, but because we wanted to do something to increase the interest in studying law and in our profession. We hope that this will lead to more immigrants wanting to become lawyers and the job market for lawyers becoming more diversified. This is how Vinge's diversity project came about: we believe that concrete examples are needed to accomplish change. Without employers ready to employ immigrants with relevant education, there will never be any changes, regardless of how much is said and written on the subject. Naturally, there is also a self-interest in the project; we want our firm to be dynamic and to develop in pace with changes in society. We want Vinge to be an attractive



work place that draws the most skilled and dedicated individuals, regardless of background. This report describes our diversity project, its background and why Vinge is taking this initiative.

Why diversity?

Many wise words have been spoken and written lately concerning diversity, and explanations have been given as to why the Swedish labour market looks the way it does. One of the most recent and clearest examples of the general change in attitude is the initiation by the Confederation of Swedish Enterprise of a diversity campaign for economic growth. In a special newspaper report, published earlier this year, the need for diversity in order to accomplish economic growth was emphasised. By exploiting unused competence, economic growth will be assured. In the past, many companies have had a conservative approach to recruitment as far as gender, colour, cultural heritage, age, sexual inclination or disabilities are concerned.

In the newspaper report by the Confederation of Swedish Enterprise, professor of ethnology Åke Daun provides an explanation to the homogenous labour market, namely that Sweden is a “consensus society”. It is important that everyone in a group thinks the same and can quickly reach agreement. According to Daun, Swedish working culture is permeated with the idea that everyone is to get along and agree. It is self-evident that such a view among management does not favour those who stick out from the rest of the work place, regardless of whether that individual is a woman, an immigrant or a person with disabilities.

In this respect, Sweden is markedly different from some other cultures where discussions and different points of view are regarded as assets and not as problems to be avoided. The lack of open discussion can lead to a lack of vision and a loss of creativity.

As long as the labour market reflected a homogenous society - a category into which Sweden fell until recently- there was nothing remarkable about this. But today, when Sweden is no longer a country where everybody shares the same background, a change is needed in our perception of the working environment. Like many others, we believe that a developed society cannot afford to disregard the competence available in groups which are not in demand on the labour market as it currently stands.

The web-site “Competence for working life diversity” (www.mangfald.org), which is backed by certain state agencies, was created a couple of years ago for the purpose of collating the knowledge available in diversity issues. The web-site introduces research and reflects the current debate within this area. It is clear from the web-site that all institutions in Sweden have a program addressing the need for diversification in the Swedish labour market.

Everyone draws the same conclusion: diversity strengthens an organisation. The key is to recruit the best talent regardless of colour, age or gender, but also to take advantage of and develop human resources and potential. Heterogeneous groups often find other and better solutions than homogeneous groups.

The arguments for why more immigrants on the labour market increase economic growth and why more women at top management levels benefit society are thus the same. The parallel is striking: why do the labour market and top management both lack immigrants and women? The answer in both these cases is that those who recruit are looking for the homogeneous and not the heterogeneous. In the words of Åke Daun, this is about making everyone comfortable and quickly coming to an agreement, something which is more easily achieved among similar people and not among those who are different and may create confusion. Until now, the easy option has been not to deviate from the established order; however, we now stand before change.

The job market for lawyers

Vinge is a firm which is active on the job market for lawyers, which means that it is natural for us to focus our engagement to this market, where we have greater competence and may provide influence. And it is not the case that the lack of diversity is less prominent on this particular job market - the reality is quite the opposite.

Last year, the magazine of the Swedish Bar Association, "The Lawyer", devoted one issue to diversity. Although statistics were lacking, the magazine established that the legal system and other parts of the legal profession are an almost exclusively Swedish operation. This situation is explained by the Swedish legal profession and education being traditional and conservative, but also by the legal profession being considered a comparatively "national" profession, which discourages people from non-Swedish backgrounds.

Certainly, there are successful immigrants in the profession, among them Elisabeth Fritz from Lebanon, who during the last few years has attracted attention as counsel in several murder trials involving murders for reasons of honour. However, it is difficult to find more than a few individual examples.

The Lawyer's review of the homogeneous job market for lawyers also points to the internationalisation of the legal profession in recent years. The EU-membership, the globalisation of the Swedish economy, the open borders for capital and other trade flows make the demands on the legal system quite different now as compared to a mere ten years ago. In such a situation, it is both short-sighted and uncommercial not to make use of the language skills and knowledge of other countries held by one-fifth of the population.

Vinge is also very much a part of this globalisation trend. To a large extent, our work consists of advice to clients outside Sweden, or to clients with an international presence, in international transactions.

The job market for lawyers is also in good shape at present. According to the statistics available, the legal market has not been as attractive in a long time. The unemployment levels for newly graduated lawyers are virtually non-existent, and down to a very low 3-4 per cent for the legal profession at large.

The future of the legal labour market seems equally bright. This is due in part to the continued globalisation, and to the Swedish EU-membership, with the implementation of the EU legal system into Swedish law which this has made necessary. Lawyers are needed to implement EU rules and legislation, but also to ensure individuals and companies effective use of their EU rights.

Against this background, we believe that it is not only right but also logical to encourage young immigrants to study law. What we want to do is to break down mental barriers and open attitudes to new possibilities. This assumes, however, that all potential employers, including ourselves, has the capacity to look beyond prejudices and dare to employ people with different names, which are hard to pronounce, people who look different from other employees, people who speak Swedish with an accent, or who dress differently. We hope that our diversity project will inspire others.

Education is the key

When we considered how to structure our diversity project we came to the same conclusion as many others who are engaged in diversity issues. Regardless of what background a person has, a good education is key for entering the labour market. Some young Swedish people may perhaps enter the labour market without education by using existing networks, but for an individual who lacks such networks, education is the safe way. The governmental committee report “Diversity at universities – social and ethnic diversity at universities” (SOU 2000:47) draws the same conclusion. The summary of the committee’s proposals notes that “Higher education is not mandatory in the sense that everyone must go to university. However, in practice, university education is a necessity for an increasing number of people”. The committee goes on to say that when almost 20 per cent of the population has its origin in another country, integration is “the greatest common challenge for our country at this time”.

The diversity committee has also presented a proposal to the effect that a provision addressing the issue of diversity is to be introduced into the Swedish University Act, with a view to encourage the universities to actively support and widen their recruitment base.

Official statistics show that there are fewer young people with an immigrant background than young Swedish people applying to university, although the difference is not blatant. The issue to note is that overall figures for individuals pursuing university studies are low. Of the total population, a mere 15 per cent are university graduates, with the proportion of university-educated immigrants being 9 per cent. Among young people under 25, the proportion starting university education is considerably higher: here the relevant figure is some 40 per cent for Swedish youth, and 36 per cent for immigrants.

Naturally, there are several factors which contribute to many people choosing not to seek higher education. One such factor is the uneven social recruitment, which contributes to children from non-graduate families more seldom seeking higher education than children from families where the parents are university graduates. Another contributing factor is the “education premium”, i.e. the perception of how profitable it is to acquire a degree as compared to starting work immediately after school. In Sweden the “education premium” is low, with salary levels for graduates in many cases being insignificantly higher than for non-graduates, particularly if one considers the so-called “life salary”. A third factor is of course the labour market for immigrants. Unemployment levels are often several times higher among immigrants, even for those with degrees, than they are for more established groups.

The need for role models

Role models are of great importance when young people decide on education. Needless to say, it is more natural for a young person living in a well-off suburb with parents who are university graduates to study at university. The choice comes less natural to a young person with non-graduate parents living in a different suburb.

One source of inspiration for Vinge’s diversity project is Alexandra Pascalidou, the TV host and journalist, whose parents are Greek immigrants. In her newly published book, “Away from Mom’s Street”, she describes her climb of the social ladder and how role models (or the lack of role models) have affected her. She describes how her peers dreamt about becoming lawyers, doctors etc., but how very few of them ever got there.

Alexandra Pascalidou writes about the two ways that were available for achieving a better existence than that of the parents, the downhill- and the uphill route. The downhill route was the quick and criminal way. “Others chose the uphill route, with studies and a continuous struggle to escape the grip of the suburb. It soon turned out that education was no guarantee for another life. Today many of my friends have mountains of student debt but no work. Unusual family names proved more decisive than excellent grades”.

Through her own career as a journalist and TV host, Pascalidou has become a role model for many young people. Within the media industry, we are today used to “strange family names”, which shows that role models are necessary. We are again reminded of the homogenous character of the job market for lawyers. Pascalidou describes how she was discouraged by her career adviser from studying law - she was told this was not an education that suited her!

The lack of role models within the Swedish legal system may also have devastating effects for those immigrants who are on the wrong side of the law. If no judges, police officers or defence attorneys are immigrants, this will deepen the sense among these young people of being outside the established Swedish society. The police force is today strongly aware of this and have initiated programs for increased diversity within the force. Another governmental authority which has realised that creating legitimacy for its activities should be high on the agenda, is the office of the Swedish Enforcement Services Authority in Västra Götaland, which has implemented a recruitment drive aimed specifically at recruiting individuals with an immigrant background.

Working life on equal terms – a diversity project

Influenced by the various reasons noted above, we decided early on that our diversity project should focus on education. To achieve a more diversified job market for lawyers, it is essential that there is an increase in the number of immigrants studying law. In order to increase the number of applicants to law school, it is, in turn, necessary to seek to inform and motivate young people who are still at school to pursue university studies in general, and legal studies in particular.

Official statistics have made it clear to us that there is a distinct pattern to the way in which young people from immigrant backgrounds choose their higher education: degrees which are perceived of as “national” are not ranked as high as degrees which are perceived of as more “international”. Technical and science degrees have a much higher proportion of young people from immigrant backgrounds than for example degrees in social and legal studies. A degree in dentistry is another typical example of an international education. According to recent official statistics, the proportion of immigrants pursuing a degree in dentistry is 57 per cent! This is to be compared to legal studies, including social studies, where some 11 per cent of the students have immigrant backgrounds - this being somewhat less than the average portion of immigrants within the whole of the university sector. The comparatively high proportion of young people from immigrant backgrounds pursuing legal studies is a fairly recent phenomenon, and so it remains to be seen how these young people will be received on the labour market. Vinge promises to keep an eye out for these students!

We decided to select a few gymnasiums, i.e. upper secondary schools or high schools, with a high proportion of immigrant students in Stockholm, Gothenburg and Malmö, and actively encourage students at these schools to study law. The schools we contacted were all very positive to our initiative, and the project encompasses Malmö latinskola, Angeredsgymnasiet in Gothenburg, and the gymnasiums of Tensta, Farsta and Skärholmens in Stockholm.

The basic concept of the project is that Vinge offers each school an individual “package”, which is put together in consultation with the school and which consists of class room education, study visits to get an insight into different legal professions, and scholarships and summer traineeships with Vinge. The study visits are planned so as to include district courts, district attorney offices, as well as visits to Vinge’s different offices. We have also initiated a dialogue with the Law Faculty at the University of Stockholm for the purpose of encouraging university students to participate in the project and provide information on what it is like to pursue university studies.

For each school we have selected mentors in the form of two senior associates with responsibility for contacts with the school. Interest in the project among Vinge lawyers has been significant, and we envisage that as many as 50 lawyers will be actively involved. Total scholarships available will amount to some SEK 500,000. As real changes will take time, we have decided that the project will run for an initial period of three years, after which there will be an evaluation. The project will be initiated in the autumn of 2002.

A question which we have been asked when planning the project is why we have chosen to limit the target group to young people with immigrant backgrounds, there being many other young people who would also benefit from encouragement. We are aware that there are many groups which never pursue higher education, and who would need encouragement and stimulation; however, we have chosen to focus our efforts on schools with a high proportion of students from immigrant backgrounds. Needless to say, we realise that Vinge is not in a position to solve all problems in society and as a result of this we have chosen to limit ourselves to the specific target group which we feel is of particular concern to us. At the same time, we would like to stress that the contributions we make to each one of the selected schools will benefit all students, not only those with an immigrant background. The scholarships, the lectures etc. are aimed at all students and not only those whose background is outside Sweden.

The purpose of Vinge’s project is to show the students at the selected schools that the legal profession is not a national, Swedish profession, but, quite the opposite, an international profession. We would like to show that it is

possible to reach far with a degree in law, in particular if you choose a career as a lawyer at a corporate and commercial law firm such as Vinge. Even if a Swedish law degree is not accepted in all countries and in that sense is national, the career opportunities for many lawyers are truly international. “The education premium” for a business lawyer is also attractive.

We also believe that the project has clear benefits to Vinge. By becoming seriously engaged and by taking positive action in relation to an important issue affecting society, which nonetheless is outside our core practice, we believe that Vinge will continue to change in pace with society at large and thereby be an attractive and dynamic work place which attracts young people.

Practical examples

Vinge would like to be a “role model” and to show that there are job opportunities beyond a degree at university. It is only where employers take responsibility and offer employment to individuals with a different background that role models can emerge, i.e. when young people see their older peers obtaining access to the established Swedish labour market. Statistics and academic reports do not in themselves diversify the labour market.

We do not think that we are unique in any way, but we see few practical examples in the legal community of employers who want to do something concrete to encourage study-motivated young people to acquire an education and offer them a job opportunity after their education.

We would like to see more people like Madeleine Dyhlén, a lawyer and crown bailiff, who was interviewed in Dagens Industri, the Swedish Financial Times, last autumn. Madeleine Dyhlén had grown tired of reading alarmed articles about young people and academic reports concerning uneven recruitment of working class- and immigrant youth to higher education. She has therefore on her own initiative started a mentor project for study-motivated young people.

The daily newspaper Dagens Nyheter has also reported on sociologist Geronimo Unia, who runs a project for purpose of showing to teenagers in Rinkeby, a Stockholm suburb, that university is not reserved for young Caucasian men. By conducting day-long study visits at the university, Geronimo Unia wants to raise the self-confidence and the bar for young people from Rinkeby.

It is with the power that comes from the example that we achieve change – do not what I say but what I do!

Difficulties and obstacles

Of course there is no project that does not entail border-line difficulties or which cannot be criticised from some other point of view. Naturally, to encourage a number of young students to start a university degree will not solve all social and integration issues.

One question which has been asked of us is whether Vinge will now engage in affirmative action. The answer is no. We believe that the diversity target is best achieved if the employed and the employer know that the employee is the most merited applicant. However, during the recruitment process, we will need to be watchful of our own prejudices and make sure that we do not disregard anyone due to the fact that he or she is different. In addition, we hope to be able to get to know a number of people from a different background through the summer traineeships which will be offered to holders of the scholarships after a few years of legal studies. Another issue is whether companies should engage in social sponsoring and where the line for social sponsoring should be drawn, i.e. what should be considered the responsibility of the political system and what companies may do without crossing the line. We have of course been influenced by the debate concerning “good corporate citizenship” or “corporate social responsibility” and we are of the opinion that individual companies can engage in several activities without crossing the line. In our case, we think that the line is clear as we do not interfere with or have views on the education itself, but will adhere to the terms set by the schools.

Neither is it possible to disregard the language obstacles which immigrants can face when they start using a type of Swedish which they have never before come into contact with. Many high school and university teachers confirm the language barriers that exist and the obstacle these can present for further studies. Particular efforts are probably needed to prevent that language becomes the trip-wire, which prevents university studies and thus diversity on the Swedish labour market.

Final words

In the US, which in several other contexts is the role model for the Swedish business community, the notion of “diversity” is not only an established concept but also something providing possibilities for “big business”. Several American companies are today working systematically to recruit people with different backgrounds. The legal community has also come further than in Sweden. The former chairman of the American Bar Association has for example established a scholarship designed to encourage ethnic minorities to study law. Last year, the EU Commission published a so-called green book on the promotion of social responsibility within the EU, “*Promoting an European framework for corporate social responsibility*”. The European

association for the various bar associations and law societies in Europe, the CCBE, has also encouraged its members to work along these lines.

In Sweden too, the ethical and social responsibilities of the business community are issues which no serious company can pass by. Customers, the outside world at large, the media - all want to know which values the company represents, and if these values differ from e.g. those of a prospective customer, the customer will choose another supplier. During the past year, this issue has received attention from different organisations such as The Confederation of Swedish Enterprise, Center for Business and Policy Studies, the Swedish government etc., and has also been addressed in conferences, information materials and in the media. The establishment of the UN Global Compact and Amnesty Business Group also shows that the values are now a part of business decision making. At Vinge, the diversity project is just a first step on this road.

We hope that the diversity project will encourage young people with immigrant backgrounds to dare to take the step towards university studies, preferably in law since this is the sector in which we can make a contribution in order to speed up integration. By meeting the students on their own "turf" and thereafter offering them the opportunity to get acquainted with our environment, we hope that some students choose to take the step into a career which they otherwise would not have chosen. We want to show that our firm is open to everyone and that those with a different background will also have a place here.

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AdvokatfirmanVinge

Vinge is one of the largest law firms in Scandinavia, offering a full range of commercial legal services. The worldwide staff exceeds 440 of which over 275 are lawyers.

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