



NYSBA International Section – A Diversity Committee Cultural Reflection on Black History Month in the United States and Brazil

To recognize the historical significance of Black history in the United States and Brazil, we asked representative members of the International Section, D.L. Morriss and Robson de Oliveira, to reflect on the following:

Please tell us who you are and what you do at your firm.

DL: I am a civic-minded commercial litigation Partner at Hinshaw & Culbertson LLP. My practice consists of representing companies in commercial contract and business disputes as well as lender financial work out litigation. In 2017, I was appointed Diversity & Inclusion Partner at Hinshaw & Culbertson LLP where I oversee management of Hinshaw’s five affinity groups, mentoring programs and Attorney Life Committee all focused on improving culture firm wide. As part of this role, I facilitate strategic planning initiatives that lead to recommendations and implementation of efforts to increase the firm’s commitment to attorney development, relationship building and community engagement. I am most proud of our recent Hinshaw DEI Matters Rule and Hinshaw Black Attorneys Matter Referendum that demonstrate our firm’s commitment to advancing our Black and diverse attorneys. I am also a member of NYSBA International Section and serve as Co-Chair of the Diversity Committee.

Robson: I am a senior associate at Demarest Advogados, a Brazilian full service law firm and one of the oldest and most respected firms in Latin America. I graduated in Law from *Centro Universitário das Faculdades Metropolitanas Unidas* (FMU) in 2008, where I also completed a specialization degree in Real Estate Law. My practice consists of advising clients in real estate matters in Brazil, including transactional matters involving real properties in Brazil. Over the past 10 years, I have published several articles about Brazilian real estate law issues and also about racial matters. In 2018, I actively participated in the creation of *D RAÍZES*, which is the affinity group dedicated to racial equality at Demarest. As a representative of the black community at Demarest and in the Brazilian law community, I have contributed to the affinity group with the goal to promote equality and racial diversity and to create equal opportunities for all members of the firm, as well as to take a strong position against racism and racial discrimination in all firm’s activities. Because of my performance, in 2019, I was awarded the Chambers Diversity and Inclusion Awards in the Future Leader - Minority Lawyers category.

How is Black history recognized in your country?

DL: Black history and contributions to the world have become increasingly important following the death of George Floyd and the “Racial Awakening of 2020.” In the U.S., nationwide Black history recognition began in

1926 when Harvard historian Carter G. Woodson and Reverend Jesse E. Moorland, who founded the Association for the Study of Negro Life and History to promote the achievements of Black Americans and those of African descent, commemorated the second week of February as National Negro History week. The month was chosen because it coincided with both President Abraham Lincoln and civil rights activist, Frederick Douglass' birthdays. Later, in 1976, President Gerald Ford expanded the recognition to the entire month. We now acknowledge that Black history is more than celebration of a month and recognize Black Americans have created a legacy that benefits this nation and beyond.

Robson: Differently from the United States, Brazil does not have a specific month in which the ancestry and identity of the Black population is recognized. In fact, Brazil has different dates reminiscent of the movements and revolts of the slaves who fought for the abolition of slavery and the emancipation of the Black people. Among such dates, Black Consciousness Day (*Dia da Consciência Negra*) is a special celebration date in memory of Zumbi, leader of the *Quilombo dos Palmares*, a Brazilian community of slavery fugitives, who resisted the system of submission and fought for freedom. The recognition of this date was an initiative by the Unified Black Movement in 1978 in the Brazilian State of Bahia to remember the struggle of Black slaves who rebelled against the slavery system. Zumbi dos Palmares was killed on November 20, 1695, after leading the resistance of the Black people for 15 years. Since 2003, November 20 is officially recognized as Black Consciousness Day.

Describe the experience or your involvement in the legal industry as a Black attorney.

DL: On the lived experience of being a Black attorney in the United States, in some ways it is difficult to explain in emotions and easier in descriptions. It is the experience of walking into a practice group meeting, every seat filled, but there maybe being only one of "you" in the room. As a younger attorney, it is having a question about an assignment and not sure who you might feel most comfortable going to ask a "silly" question. It is having to explain to a client that you are indeed competent when they repeatedly question your strategy on a case and ask to speak to the senior attorney. Even now as an older attorney, it is walking into a small town court room and being called on last even though you were first to arrive. It is having to be conscious of your tone and demeanor in oral arguments so as to not fit stereotypes. These small every day exchanges, interactions, and happenings make the experience of being a Black attorney unique. You often can literally feel the fact that there is only 4% representation of Black attorneys in the United States. And yet you appreciate that your continued practice furthers the legacy of many before you such as Charlotte E. Ray, Honorable Jane Bolin, Supreme Court Justice Thurgood Marshall and President Barack Obama.

Robson: Being a black lawyer in Brazil means facing the same reality in the career as all black professionals who occupy a different social place. Although the Brazilian population is made up of more than 56% of black people, they still occupy the basis of the social pyramid, inserted in the labor market performing subordinated functions. For this reason, the strangeness and surprise of those who don't know me when they see me representing a large law firm such as Demarest is not uncommon. At the same time, I speak regularly at community events and law schools, as well as in the local press to promote racial diversity in the legal sector. I really like my role as a black lawyer because I believe it is crucial to open people's minds for better integration with the black population. In addition, I write, promote and participate in debates and reflections on racial issues in Brazil and in the world, in order to strengthen the identity of the black population and draw attention to the problems arising from inequalities in Brazil. For this reason, I am a reference for present and future generations, who realize that they can and should occupy the spaces as they want. I believe that my experience helps people to be inspired and to believe that it is possible that, someday, we all will be, in fact, equal.

What hopes do you have for the future on issues of Black history?

DL: My hope is that the racial awakening of 2020 continues to build meaningful momentum over the coming years. Now, more than ever, we are globally connected and in agreement on the importance of Blacks to the legal profession and to the world. With continued commitments to be proactively inclusive, I'm confident the legal industry and our respective nations will be that much better for generations to come.

Robson: My greatest desire would be for every day to be a day of *Consciência Negra* (Black Consciousness), so that we could build a society of equal people, equal obligations and equal opportunities. My wish is to see empathy in the eyes and actions of every person around the world and that every day is a day to celebrate, value, respect, raise awareness and guarantee rights to the Black population.

Look out for future Diversity Committee – Culture Reflections – and updates on activities that enrich the International Section. For further questions, feel free to contact Diversity Committee Co-Chairs: Diane O'Connell, D.L. Morriss and Mariana Equiarte.

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