

EMOTIONAL INTELLIGENCE AND INCLUSION Briefing Sheet

ISSUE SUMMARY

Emotional Intelligence is “the capacity to be aware of, control, and express one's emotions, and to handle interpersonal relationships judiciously and empathetically” (Oxford Languages Online). It works both internally and externally, helping us understand ourselves better and, by extension, others.

In the context of inclusion, Emotional Intelligence is necessary for inclusion to be meaningful and purposeful, so inclusion is not just a façade. Emotional Intelligence allows us to start thinking from others’ perspectives and realizing that inclusion may not look and feel the same for everyone.

DE&I expert Vernā Myers, founder and president of Vernā Myers Consulting Group who delivered a much-viewed [TEDTalk on overcoming bias](#), explained that overcoming prejudice starts with identifying our unconscious biases and trying to rewire our brains to welcome differences and think more inclusively. As she analogized: “Diversity is being invited to the party; inclusion is being asked to dance.” Some go further, adding that meaningful inclusion means being involved in the party organization committee in the first place.

While acts of inclusion may change from one setting to another, or from one person to another, the feelings that inclusion achieves remain the objectively constant goal. People feel included when they feel comfortable, secure, able to participate, and they can trust one another, including their leaders. While endeavoring to create such an environment, we must recognize that we all (leaders included) have biases, whether conscious or unconscious, and thus our words and actions may not have the same effects on other people that we thought they would. Awareness about our own actions helps us to see from others’ perspectives and consider their feelings and needs, while enabling leaders to anticipate the needs of their team members and to create environments to meet these needs.

This document is intended to serve as a helpful introduction for leaders of legal departments to establish and facilitate meaningful and purposeful inclusion for their team members.

RESOURCES TO EXPLORE

TO READ

- Greater Good Magazine – University of California, Berkeley:
 - [Empathy | Defined](#) - What is Empathy? Why Practice It? How Do I Cultivate It?
 - [Hot to Help - When can empathy move us to action?](#) (Daniel Goleman, March 1, 2008)
 - [Six Techniques to Help You Bridge Differences](#) (Anthony Smith and Jeremy Adam Smith, January 4, 2021)
 - [How to Avoid the Empathy Trap](#) (Robin Stern and Diana Divecha, July 7, 2015)
 - [How to Support the People You Lead in Times of Uncertainty](#) (Ellen Van Oosten, Melvin L. Smith, and Richard E. Boyatzis, June 15, 2020)
- Harvard Business Review: [The Key to Inclusive Leadership](#) (Juliet Bourke and Andrea Titus, March 6, 2020)
- Medium.com: [DEI + EI: Why Diversity, Equity, and Inclusion Would Benefit from Emotional Intelligence](#) (Justin Woods, September 9, 2020)
- *Applied Empathy: The New Language of Leadership* (Michael Ventura, 2018 – book)

TO WATCH

- Greater Good Science Center: [The Roots of Empathy and Compassion](#) (Paul Ekman, June 17, 2020)
- TEDxBeaconStreet: [How to overcome our biases? Walk boldly toward them](#) (Vernā Myers, November 2014)
- TED2012: [The optimism bias](#) (Tali Sharot, February 2012)
- Dare to Lead Podcast: [Inclusivity at Work: The Heart of Hard Conversations](#) (Brené Brown with Aiko Bethea, November 2020)

TO APPLY

- Greater Good Magazine – University of California, Berkeley: [Test Your Emotional Intelligence](#)
- Greater Good Magazine – University of California, Berkeley: [Empathy Quiz](#)
- RingCentral Blog: [Empathy Exercises: How to be empathetic in an increasingly online world](#) (November 18, 2021)

THINGS TO THINK ABOUT

1. How can leaders create an environment of inclusion that becomes meaningful and purposeful?

In order for leaders to foster an environment of inclusion that is meaningful and purposeful, they need to demonstrate accountability by engaging others in a way that shows they are also going to be held accountable for their actions. Accountability at all levels helps increase the integrity and trust within the team. In a team where team members can trust one another, the culture of the team fosters an open and welcoming environment that helps individuals feel supported.

2. How do we break the mindset of exclusion?

We all have biases, whether conscious or unconscious, that shape our thoughts and actions. Unless we identify these biases and understand how they affect our dealing with others, we cannot fully become inclusive. We first must identify our own biases and exclusions, and work to overcome them, before we can start anticipating others' needs, seeing through their lenses, and improving the culture around us.

3. When does empathy become an impediment?

We must seek to use empathy effectively, learning about the types of empathy and how they support inclusion and potential pitfalls – specifically, too much affective (emotional) empathy or too little cognitive empathy (perspective taking). (See, e.g., Greater Good Magazine: [How to Avoid the Empathy Trap](#))

4. How can we practice and promote inclusion of all people when at least a portion of them may subscribe to beliefs reasonably considered as objectively divisive and exclusionary?

Diversity of thought and inclusion are the ideal goals in theory, but achievement of these goals may face seemingly insurmountable challenges on the ground. Establishing ground rules consistent with the goal of creating trust among the group and making everyone be accountable could help guiding difficult conversations that such beliefs could create.

5. In this emotionally vulnerable and volatile environment, how do we guard against the misuse of emotional intelligence or minimize cynicism about it?

To this end, we should consider how to strike a balance between being honest with yourself, in terms of self-introspection, while not completely sacrificing your identity.

ACTIONS TO TAKE

Self-recognize

Recognize, acknowledge, and accept differences in others and value such differences. Have good interpersonal skills to become comfortable with working with people from different backgrounds and effectively use the different perspectives they bring to the team.

Self-motivate

Channel your emotions in a constructive manner, while attempting to overcome potentially counter-productive sentiments such as fear, anger and resignation/inertia.

Self-Regulate

Use active listening and control your emotions as well as attachments in communication with the others.

Cultivate Empathy

Use cognitive empathy (perspective taking) and affective empathy (emotional empathy) in balance.

Carve out a space for others

Allow others to speak freely and share their thoughts and experiences and make them feel welcome and valued.

IMPEDIMENTS TO SUCCESS

Lack of Empathy or Imbalance

- Lack of empathy leads to exclusion, but also having too much affective empathy and little to no cognitive empathy (or vice versa) also an impediment

Unawareness

- Unawareness of one's exclusionary conduct (regardless of reason) inhibits inclusion

Personal reflexive defensiveness

- Reflexive defenses such as "I'm not a racist," "I don't discriminate," "I have a diverse group of friends" when uncomfortable discussions/situations arise prevents (or at least inhibits) the ability to listen and to hear viewpoints of people belonging to groups who have been historically oppressed or marginalized

Inhibitive/ Discouraging Environments

- Work environments that inhibit/discourage (whether actively, subtly or unconsciously) individuals from speaking about inherently emotional viewpoints and experiences

Skepticism

- Traditional desire for tangible short-term results and skepticism that these initiatives do not support employer's work/mission