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STRUGGLING TO ENJOY OURSELVES OR ENJOYING THE STRUGGLE? ONE PERSPECTIVE FROM THE NEWEST GENERATION OF WOMEN LAW PROFESSORS

Melissa Cole*

ABSTRACT

To a new woman law professor, the continued struggle of her mentors is at first puzzling. Law schools appear to have changed significantly in the decade or so since the newest generation of women law professors were students. Women have attained greater representation, both in the student bodies and on faculties. Courses emphasizing gender issues regularly appear as part of the offered curriculum. The issues of representation, pedagogy, and respect central to the agenda of women in legal academia seem to have been addressed; the law school feels like a welcoming place for young women professors.

This very acceptance, however, masks a deeper problem, one that becomes more entrenched as women in legal

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academia continue in the same vein that has characterized their struggle in the recent past. The primary problem is that women law professors are now valued precisely for their contributions as women, as people providing an "alternative" to the "real" or "neutral" law professor. They have gained acceptance as women, but not inclusion in the fundamental concept of law school. The solution to this problem is to shift the terms of the struggle from one about women to one about people, to resist categorization and therefore force a similar shift in the concept of what a "law professor," as opposed to a "woman law professor," is. By refusing to provide an alternative to neutrality, women in legal academia can better foster the understanding that a law professor can look and act like any person and, in turn, that women are fully a part of the institution.

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I. REFLECTIONS

It is a hot New York afternoon some time during the last week in August, 1990, my first week of law school. I have sought refuge, not from the heat, but from the school, with two other women whom I met at a cocktail party the night before classes began. I do not recall whether it was Sandra or Jennifer who made the observation that there were a lot more men in our section than women, but I do remember my initial disbelief. An hour later, lunch over, I am sitting in the dark, chilled lecture hall, scanning the hundred students surrounding me. First I feel shock, then a twinge of something I can only later identify as loneliness. Within seconds, however, I feel an urge to fight against minority status, as if my female voice in the classroom can substitute for the absence of female bodies.

Now it is second semester. I have learned to fight with my voice, my presence, and my opinions. First day of a new class. The professor (they are male, all white this semester) is taking volunteers, trying to learn our names. He calls on a man: "Mister?" "Smith," comes the reply. "Smith," the professor repeats, committing the name to memory. Another, "Mister?" "Brown." "Brown." Then me. "Miss?" I don't hesitate. "*Ms. Cole.*" "*Miss Cole,*" he replies with a smile. I believe he enjoys the fact that I fight him from that day forward.¹

August 1999. I stand in front of my first large section of first-year students.² I am scanning the room again, but this time I am pleased by the mix of faces and determined that class discussion will mirror this mix. More importantly, I feel that I belong in front of this room. The comparisons to that first week of law school are inevitable. I am no longer "Miss" Cole, exhausted by the battle to be taken seriously on my own terms. I am Professor Cole, not only taken seriously, but valued on the terms I have set.

The obvious differences between the law school I see now and the one I saw ten years ago, and the evidence that the changes transcend my own particular experiences, reflect profound progress that took root well before I attended. My position as a law professor and my comfort in that position are miles away from the not-so-distant "Ladies' Days," a practice dedicated to singling out women students who otherwise were ignored in class.³ I am teaching Civil Procedure on the tenure track, while twenty-eight years ago, Justice Ruth Bader Ginsburg was allowed only a clinical course.⁴

Recognizing the changes that have taken place is not to deny that inequality persists in legal academia. I do not doubt the still grim statistics, the dearth of women, particularly women of color,

1. As a result I earn myself a place on students' "Turkey Bingo" cards. "Turkey Bingo" is a game played by students to stigmatize frequent class participants. See Catherine Weiss & Louise Melling, *The Legal Education of Twenty Women*, 40 STAN. L. REV. 1299, 1325 n.88 (1988).

2. I did teach first years as an adjunct professor at William & Mary Law School, but in small, relaxed groups and not in core courses.

3. Nancy L. Farrer, *Commentary: Of Ivory Columns and Glass Ceilings: The Impact of the Supreme Court of the United States on the Practice of Women Attorneys in Law Firms*, 28 ST. MARY'S L.J. 529, 544 (1997).

4. See Ruth Bader Ginsberg, *Introduction*, 1 COLUM. J. GENDER & L. 1, 3 (1991). I do not in any way mean to denigrate clinical teaching positions. Rather, my point is that the institution — Columbia — did. Justice Ginsburg's daughter is now a tenured professor at Columbia.

in the more prestigious positions, or the law school environment in which many women students continue to feel excluded. But the expectation that I, as a new woman law professor, continue to struggle, leaves me wondering for what exactly I should be struggling. As I see the fatigue of the generation of women law professors who mentor me, I begin to wonder whether in some way my friends enjoy, or at least need, the struggle, whether it has become so internalized that, for them, it is part and parcel of being a woman in legal academia.

Something stops me from dismissing this internalized struggle as merely the product of generational differences. As I examine my own position more closely, I realize that my feelings of belonging have shallow roots. My colleagues at St. Louis University Law School ("SLU") accept me as a woman law professor with all that I embody in that role. Most, although plainly not all, of my students do as well. Yet even here at SLU, tradition, manifested as the "masculine" law school that alienated me as a student, is occasionally questioned, but never ignored. Ranking matters. Respect matters. And we understand those terms as they have been passed on to us, in the very system of legal academia that women have struggled for so long to change.⁵ As a woman law professor I am often (though not always) warmly embraced, but I am embraced as an outsider. I bring that "add-woman-but-do-not-stir" diversity to the law school,⁶ enhancing, without changing, tradition.⁷

5. As Richard Delgado has explained, "Merit is what the victors impose. . . . Those in power always make that which they do best the standard of merit." Richard Delgado, *Rodrigo's Tenth Chronicle: Merit and Affirmative Action*, 83 GEO. L.J. 1711, 1721 (1995).

6. Cf. Deborah L. Rhode, *Missing Questions: Feminist Perspectives on Legal Education*, 45 STAN. L. REV. 1547, 1564 (1993) (describing the "add woman and stir" approach as often passing "curricular diversity [as] an occasional case or reference to gender, race, or similar issues" and as a simple "acknowledgement of difference [not] an exploration of the processes that give rise to its social meaning and consequences").

7. When I am not the "woman" added, I become valued for those qualities that are recognizable in all law professors. These qualities are comprised of traditional expectations that are "natural" for the majority, but must be learned by those of us who are different. See Weiss & Melling, *supra* note 1, at 1320 ("The momentum of law school, rather than self-generated forces, at times pushed us toward the image of Lawyer. When we moved too close to that end of the spectrum, we became alienated from — unrecognizable to — ourselves."). Thus, to be "neutral" as a woman law professor is, in many ways, to be invisible as a woman. See PATRICIA J. WILLIAMS, *THE ALCHEMY OF RACE AND RIGHTS: DIARY OF A LAW PROFESSOR* 119 (1991) ("What the middle-class, propertied, upwardly mobile black striver must do, to accommodate a race-neutral world view, is to become an invisible black, a phan-

So, it appears, the generation of women before me have brought me acceptance, a position at the edges. They have not, however, been able to bring me belonging, a place in the center. Nor, it appears, will they ever, if the struggle continues in the same vein. All the hard work has paid off in the form of the understanding that legal academia must, at the very least, tolerate women and any nontraditional pedagogies and perspectives they bring with them, but the payoff stops short of making us a part of the whole, something more than an alternative to tradition.

For all they have offered me, I hope to offer something to the women who paved the way for me. For their gift to me, I wish to return another. From my perspective as someone who benefited from, rather than engaged in, the struggle for acceptance, I believe I am able to begin to separate what has been gained from what remains unchanged.

I suggest, not that we give up our struggle, but that we rethink it. We deserve to enjoy the benefits for which past generations have fought so relentlessly. We have earned the opportunity to enjoy ourselves. But we should do so mindful of all that remains to be done and with a reconfigured focus on how to do it.

II. REMEMBERING MY DAYS AS A STUDENT, OR, GEE, THERE'S A WOMAN TEACHING THAT CLASS

During my second semester of law school, someone handed me a copy of *The Legal Education of Twenty Women*,⁸ a groundbreaking essay documenting the experiences of twenty female students in the Yale Law School class of 1987. After countless in-class and after-class arguments with other students who demanded that I justify my protest against the strictures of “thinking like a lawyer” as it was being taught to us,⁹ I felt a palpable sense of relief reading about these other women’s “sense that

tom black, by avoiding the label ‘black’ (it’s all right to be black in this reconfigured world if you keep quiet about it).”).

8. Weiss & Melling, *supra* note 1.

9. By now, I had assumed “the burden of being the woman-who-talked” and discovered the loneliness that comes with that position. For reports of similar experiences, see *id.* at 1334.

[they] were alienated because [they] were women and therefore outsiders."¹⁰

The reason women law students were "outsiders," the article posited, was because the ways of reasoning and expressing ourselves that are typically considered "feminine" were devalued in law school education.¹¹ To correct this disempowering differential, the authors recommended hiring more women faculty;¹² including more specifically gendered classes such as feminist theory in the curriculum;¹³ infusing gender recognition into supposedly "neutral" classes like torts and criminal law;¹⁴ and legitimating more communication-oriented classes such as mediation and negotiation.¹⁵

The Yale women's article may, of course, have been preaching merely to the converted like myself. It admittedly proceeded from the supposition that "men and women experience law school differently."¹⁶ *Becoming Gentlemen: Women's Exper-*

10. *Id.* at 1300. The essay apparently still resonates with discouraged women law students. See Paula Gaber, "Just Trying to Be Human in This Place": *The Legal Education of Twenty Women*, 10 YALE J.L. & FEMINISM 165, 165 (1998) ("From the first sentence of the essay . . . I felt a tremendous sense of what can only be described as relief.").

11. See Weiss & Melling, *supra* note 1, at 1309; see also Carrie Menkel-Meadow, *Portia Redux: Another Look at Gender, Feminism, and Legal Ethics*, 2 VA. J. SOCIAL POL'Y & L. 75, 77 (1994) ("I persist in my view that care is gendered in our culture and that its expression in the law and legal ethics will continue to be disproportionately, but not exclusively, expressed by women and other 'subordinated' people.") [hereinafter Menkel-Meadow, *Portia Redux*]; Leslie Bender, *Teaching Torts as if Gender Matters: Intentional Torts*, 2 VA. J. SOC. POL'Y & L. 115, 163 (1994) ("There will never be a better time than now to begin to teach, learn, and practice tort law as if gender matters."); Carrie Menkel-Meadow, *Portia in a Different Voice: Speculations on a Women's Lawyering Process*, 1 BERKELEY WOMEN'S L.J. 39, 41-42 (1985) (assuming that gender differences exist and arguing "that as long as such differences exist, studies of the world — here the legal profession — that fail to take into account women's experience of that world are incomplete, and prevent us from having a greater repertoire of societal as well as individual choices") [hereinafter Menkel-Meadow, *Voice*].

12. See Weiss & Melling, *supra* note 1, at 1356.

13. See *id.* at 1357.

14. See *id.*

15. See *id.* at 1358.

16. *Id.* at 1300. So, too, did more methodological studies. See Janet Taber et al., *Gender, Legal Education, and the Legal Profession: An Empirical Study of Stanford Law Students and Graduates*, 40 STAN. L. REV. 1209, 1212-14 (1988) (expecting to find gendered differences in responses to moral reasoning hypotheticals modeled after Carol Gilligan's work, but not finding expected response); Suzanne Homer & Lois Schwartz, *Admitted but Not Accepted: Outsiders Take an Inside Look at Law School*, 5 BERKELEY WOMEN'S L.J. 1, 23 (1989-90); see also Taunya L. Banks, *Gender Bias in the Classroom*, 38 J. LEGAL EDUC. 137 (1988); Robert Granfield, *Contex-*

iences at One Ivy League Law School, a 1994 article on the University of Pennsylvania Law School¹⁷ attempted to avoid this bias by answering a still-skeptical establishment with a more “scientific” — that is, a more traditional — approach to the problem. Based on both quantitative¹⁸ and narrative data,¹⁹ the study concluded that “the law school experience of women in the aggregate differs markedly from that of their male peers”²⁰ in terms of academic performance,²¹ attitudinal changes during the course of law school,²² and response to the traditional pedagogical technique of the Socratic method.²³ With this more “acceptable” (i.e., empirical) basis for their conclusions, the authors made recommendations similar to those proposed by the Yale women in their article: reconsider the way the law is taught — that is, the overwhelming reliance on the Socratic method²⁴ and the “adversarial model of problem-solving”²⁵ — and otherwise “investigate further the ways in which [law school] students best learn.”²⁶

tualizing the Different Voice: Women, Occupational Goals, and Legal Education, 16 LAW & POL’Y 1 (1994).

17. Lani Guinier et al., *Becoming Gentlemen: Women’s Experiences at One Ivy League Law School*, 143 U. PENN. L. REV. 1, 20 (1994).

18. *See id.* at 21–41.

19. *See id.* at 41–59.

20. *Id.* at 2.

21. *See id.* Columbia Law School, which I attended, has reported that during the early 1990s its women students performed as predicted by their proportionate representation. *See* Marsha Garrison et al., *Succeeding in Law School: A Comparison of Women’s Experiences at Brooklyn Law School and the University of Pennsylvania*, 3 MICH. J. GENDER & L. 515, 541 (1996) (citing Chiu-Huey Hsia, *Men, Women Perform Equally Well, Study Says*, COLUMBIA SPECTATOR, Mar. 20, 1995, at 1, 5). It is unclear on what basis Columbia came to this conclusion.

22. *See* Guinier et al., *supra* note 17, at 3.

23. *See id.* at 3–4. *But see* Orin S. Kerr, *The Decline of the Socratic Method at Harvard*, 78 NEB. L. REV. 113, 132 (1999) (asserting that the authors’ recommendation that law schools rethink the use of Socratic method “appears to be based on an outdated understanding of the prevalence of the Socratic method,” and that “most students may experience very little (if any) traditional Socratic teaching”).

24. *See* Guinier et al., *supra* note 17, at 93.

25. *Id.* at 95.

26. *Id.* at 97. Not surprisingly, outsider status imposes other difficulties on all law students of color. A number of studies have revealed “a correlation between ethnicity and [law students’] dissatisfaction.” Phyliss Craig-Taylor, *To Stand for the Whole: Pluralism and the Law School’s Professional Responsibility*, 15 NAT’L BLACK L.J. 1, 8 (1997–98) (citing Paul Carrington & James Conley, *The Alienation of Law Students*, 75 MICH. L. REV. 887, 894 (1977)); *see also* Banks, *supra* note 16; Kimberle Crenshaw, *Foreword: Toward a Race-Conscious Pedagogy in Legal Education*, 11 NAT’L BLACK L.J. 1 (1989); Homer & Schwartz, *supra* note 16; Randall L. Kennedy, *Racial Crises of Legal Academia*, 102 HARV. L. REV. 1745 (1989); Weiss & Melling, *supra* note 1. Women of color are especially implicated by this outsider status, since they are not only outsiders racially, but also in terms of gender. These studies sug-

It was in the face of these grim statistics and reasoned recommendations that women law faculty defined their struggle. Like their students, women law professors found themselves treated as outsiders, largely because, in an institution where the law has been considered "masculine," and where "feminine" problem-solving and communication have been denigrated,²⁷ "many students expect the law to be what has been traditionally associated with males" and therefore "also expect the law professor to be traditionally male."²⁸ They conducted "[n]umerous studies [which showed] that women [law professors] are perceived as less competent than men and that the same work is evaluated more critically when it is thought to have been done by a woman than by a man."²⁹ The problem continues to be exacerbated for women of color, for whom underrepresentation simultaneously creates lowered expectations of competence and unrealistically high expectations of token overachievement.³⁰

gest that the experience of an individual law student can neither be predicted nor categorized based on group identity. See, e.g., Kimberle Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color*, 43 STAN. L. REV. 1241, 1252 (1991) [hereinafter Crenshaw, *Intersectionality*].

27. See Menkel-Meadow, *Voice*, *supra* note 11, at 50-51; see also Katharine T. Bartlett, *Feminist Perspectives on the Ideological Impact of Legal Education Upon the Profession*, 72 N.C. L. REV. 1259, 1263 (1994); Kathleen S. Bean, *The Gender Gap in the Law School Classroom — Beyond Survival*, 14 VT. L. REV. 23, 32 (1989) ("[A] woman who is not acting like a woman — which includes me, and every other female in the law classroom — is a threat to the power and position of men."); Carrie Menkel-Meadow, *Mainstreaming Feminist Legal Theory*, 23 PAC. L.J. 1493, 1536-37 (1992).

28. Bean, *supra* note 27, at 26. Kathleen Bean describes how, the moment I walk into the classroom . . . [a] lack of credibility [is] presumed because my sex [that] is a major part of the gender gap in the classroom. . . . [T]he students' lack of faith in my credibility interferes with learning, can appear in lowered student evaluations, and is an example of one of the simplest forms of sexism. . . . Because most students have some level of expectation of their teacher being a man, and because this expectation is violated by the appearance of a woman, the sex of a female teacher is consciously noted and highlighted.

Id. at 29; see also Christine Haight Farley, *Confronting Expectations: Women in the Legal Academy*, 8 YALE J. L. & FEMINISM 333, 339 (1996) ("Women [law professors], in order to succeed, have to figure out a way around the mismatch between the ideal law professor and the ideal woman.").

29. Haight Farley, *supra* note 28, at 334.

30. See Donna E. Young, *Two Steps Removed: The Paradox of Diversity Dis-course for Women of Color in Law Teaching*, 2 AFR. AM. L. & POL'Y REP. 270, 278-79 (1995); see also Pat K. Chew, *Asian Americans in the Legal Academy: An Empirical and Narrative Profile*, 3 ASIAN L.J. 7, 37 (1996) ("The achievements of some Asian American faculty may merely allow society to camouflage the discrimination that Asian American faculty experience. . . . Thus, only those Asian American candidates with extraordinarily impressive backgrounds receive one of the few admis-

Because the problem against which women struggled was created by our absence — as the authors of the Yale³¹ and the University of Pennsylvania studies³² recognized — the obvious solution was to make women a presence. Indeed, the focused efforts of women in legal academia have led to greater representation. In 1986, 41% of first-year law students were women, but only about 20% of full-time law faculty were women, many of them in lower-paid, nontenure-track positions.³³ By the 1997-98 school year, women comprised 51.1% of assistant professors and 44.2% of associate professors, a sign that they are being hired in significant numbers.³⁴ In a few law schools, women have attained fairly proportionate faculty representation, although studies conducted at these schools do not entirely indicate the predicted concurrent rise in women students' performance and decrease in their alienation.³⁵ Importantly, these figures are sig-

sion tickets [available in a de facto quota] to law school teaching.”). Lesbian law professors face an additional and unique set of expectations and tensions, which further complicate the attempt to summarize the experience of “women” in legal academia. See generally Patricia A. Cain, *Lesbian Perspective, Lesbian Experience, and the Risk of Essentialism*, 2 VA. J. SOC. POL'Y & L. 43 (1994).

31. See Weiss & Melling, *supra* note 1, at 1356.

32. See Guinier et al., *supra* note 17, at 45, 77–80.

33. See Marina Angel, *Women in Legal Education: What It's Like to Be Part of a Perpetual First Wave or the Case of the Disappearing Women*, 61 TEMP. L. REV. 799, 801, 803 (1988).

34. See Association of American Law Schools, *Statistical Report on Law School Faculty* at tbl. 1A (visited Oct. 21, 2000) <<http://www.aals.org/statistics/t1a9798.html>> [hereinafter AALS, *Statistical Report*]. However, women are still not being hired in the numbers that their qualifications would suggest. See Carl Tobias, *Engendering Law Faculties*, 44 U. MIAMI L. REV. 1143, 1146 (1990) (“This lack of progress in appointing women to law faculties is surprising because many women graduates have credentials that law schools traditionally have valued: degrees from prestigious schools, law review participation, high grades and other academic honors, and judicial clerkships.”).

35. See, e.g., Garrison et al., *supra* note 21, at 1518, 1520 (noting that “Brooklyn Law School, as compared to other American law schools, has a large proportion of women faculty” — 37% of tenured/tenure-track and 45% of full faculty — but that “Brooklyn women reported significantly less voluntary classroom participation and more discomfort with their level of participation than did Brooklyn men. Women also reported significantly higher rates of anxiety, depression, sleeping difficulties, and crying”). But see Judith D. Fischer, *Portia Unbound: The Effects of a Supportive Law School Environment on Women and Minority Students*, 7 UCLA WOMEN'S L.J. 81, 112, 114-15 (1996) (examining Chapman Law School during its first years of operation, where “Chapman's faculty was 50% female” and positing that “a faculty that looks more like the student body it serves has a dramatic positive impact on the self-esteem of traditionally underrepresented groups”).

nificant only for white women, who comprised 73.9% of the female assistant and associate professors.³⁶

Law school faculties continue to become more female, and most, if not all, schools recognize that their faculties ought to contain more color as well.³⁷ Furthermore, once women began to attain a presence in front of the classroom, they sought to change the classroom they faced, incorporating different pedagogical approaches and challenging the traditional Socratic method criticized by the University of Pennsylvania study.³⁸ With their separate experiences of exclusion because of sex, they also recognized how and where they were excluded because of the combination of their sex, race, and other characteristics, and incorporated these dimensions of exclusion into their expanding struggle for acceptance.³⁹

It thus appears that the foremost goals of my predecessors are, in an admittedly imperfect way, being achieved. I believe it is a mistake to ignore this progress that we have made. The impact of our voices, it seems to me, echoes even louder than our growing numbers, a testament to how forcefully and how long the women who preceded me have been arguing, demanding, and making their voices heard.

III. BENEFITING FROM THE PAST, BUT STILL NOT THERE: THE VIEW FROM WHERE I STAND (LOOKING BACK)

As a new woman law professor, I can attest to what feels to me like a different institution, a difference that reverberates be-

36. See AALS, *Statistical Report*, *supra* note 34.

37. See Derrick A. Bell, Jr., *Application of the "Tipping Point" Principle to Law Faculties' Hiring Policies*, 10 *NOVA L.J.* 319, 321 (1986). As Bell points out, "[M]ost law school deans and faculty concede the inadequacy of the token one or two minorities on their faculties, but claim they simply cannot find qualified minority candidates." *Id.*

38. See Deborah L. Rhode, *Whistling Vivaldi: Legal Education and the Politics of Progress*, 23 *N.Y.U. REV. L. & SOC. CHANGE* 217, 222-23 (1997) [hereinafter Rhode, *Whistling Vivaldi*]; Rhode, *supra* note 6, at 1554-63; see also William F. Kullman, *Feminist Methodologies in the Law School Classroom: Listening for a Change*, 4 *TEMP. POL. & CIV. RTS. L. REV.* 117, 126-29 (1994). See generally Kerr, *supra* note 23.

39. See Patricia A. Cain, *Feminist Jurisprudence: Grounding the Theories*, 4 *BERKELEY WOMEN'S L.J.* 191, 206 (1989-90); Menkel-Meadow, *Portia Redux*, *supra* note 11, at 91; see also Tessie Liu, *Teaching the Differences Among Women from a Historical Perspective: Rethinking Race and Gender as Social Categories*, in *UNEQUAL SISTERS: A MULTICULTURAL READER IN U.S. WOMEN'S HISTORY* 571 (Vicki L. Ruiz & Ellen Carol DuBois eds., 1994).

yond the obvious comparisons between where I went to law school and where I teach.⁴⁰ My students regularly exhibit their respect for my position and appreciation of how I manage my classroom. I have never felt myself losing control of the class, nor has anyone ever suggested to me that I have. Most importantly, I enjoy teaching and interacting with the students and regularly receive the type of support and appreciation that makes me smile and remember why I teach.⁴¹

Nor do I find anything lacking in my relationships with other faculty members. I am respected, included, encouraged, and treated as equal to my male colleagues who were hired concurrently with me. Male and female, the faculty here have praised my work, engaged me on it, and reported favorably when observing me in the classroom. I feel able to be myself, not constrained to deflect my sex and my youth with sensible shoes and traditional pedagogy.⁴²

Admittedly, I am lonely sometimes, unable to avoid frequently noticing that I am the only woman at the table, in the room, at the event. Women are underrepresented on our faculty, and women of color even more so. Nonetheless, the ability to be myself in a way I never could in law school or in legal practice convinces me that the women who came before me have blessed me with the benefits of their struggle. In fact, I could almost

40. In 1999, St. Louis University reported that the middle range of its student body had LSAT scores of 148 to 157 and GPAs of 3.0 to 3.57. See AMERICAN BAR ASSOCIATION, OFFICIAL AMERICAN BAR ASSOCIATION GUIDE TO APPROVED LAW SCHOOLS 367 (1999 ed.). Columbia reported LSAT scores for the middle range of its students of 156 to 171 and GPAs of 3.39 to 3.71. See *id.* at 153. One might argue that, based on higher admission requirements, schools like Columbia, Yale, and University of Pennsylvania attract a different student body from less prestigious schools like St. Louis University. I join those who dispute the measures of "prestige," and suggest that the main differences in these schools is to be found, not in their student bodies, but in their faculties' approaches toward legal education.

41. Some of my biggest smiles appeared when the women in my first-year class who had attended a Women Law Students Association barbecue at my house gave me a thank you card expressing their appreciation and when I received a number of emails from women and men in my first-year class during exam period expressing their support for my teaching.

42. I wear my youthful appearance as a welcome to the women students who should not have to "look" like "lawyers" (male lawyers) in order to feel like them and as a lesson to anyone who thinks my appearance belies my relative experience and academic abilities. In this way, I differ from Christine Haight Farley, who has characterized comments about her youthful appearance ("You don't look like a law professor") as "one of the most subtle ways of undermining my credibility." Haight Farley, *supra* note 28, at 343-44. I smile when I receive such comments, because, undeniably, I *am* a law professor.

conclude that I will never relive the alienation I felt while attending law school, that it is finally okay to stop struggling and simply enjoy myself, and it is okay. My mentors have earned me that right. But the more I try to enjoy myself, the more I wonder why they are not as well. Why do they continue to struggle to allow me to be happy?

The answer is that the gains they have achieved are limited. Women have gained acceptance as a presence in legal academia. Certainly, the degree of acceptance varies from institution to institution, but few of our male colleagues would claim that we and our unique ideas, perspectives, and approaches have no place in law school. In fact, many value us for our contributions.⁴³ We should not fight this fact; we should revel in it.

The trick is to separate this glorious truth from the knowledge that acceptance is not the same thing as alliance, that recognition does not necessarily imply incorporation. If we accept greater representation of women on law school faculties in general as our goal, then the way to gain greater influence in the institution itself appears to lie in a more refined approach to representation. Now, according to the old logic, our representation must grow from mere presence to positions in senior professorial and administrative ranks.⁴⁴

Indeed, "women . . . still begin teaching at significantly lower ranks than men and are significantly less likely than men to obtain jobs at the most elite schools."⁴⁵ During the 1997-98 school year, women comprised only 19.7% of full professors, a modest increase from 14.9% in 1992-93.⁴⁶ The dearth of women in full professorships is even greater for women of color, who continue

43. See, e.g., Tobias, *supra* note 34, at 1143-44 ("Women professors act as role models for female students and make law faculties more representative of the profession and of society.").

44. As Herma Hill Kay has stated, the idea "that women flourish as scholars in institutions where a sufficient number of senior women hold positions of power that enable them to influence the school's atmosphere in a positive and caring way" is "intuitive." Herma Hill Kay, *The Future of Women Law Professors*, 77 IOWA L. REV. 5, 18 (1991); see also Rhode, *Whistling Vivaldi*, *supra* note 38, at 219 ("Female faculty are also underrepresented in positions of greatest power, status, and security."). Carl Tobias argues that women can become "full participants in the law school intellectual community" if "tenured faculty serve as mentors for junior women professors" and "[m]ore women [are] appointed to tenure committees and to important administrative posts in law schools, especially as deans and associate deans." Tobias, *supra* note 34, at 1153-54.

45. Deborah J. Merritt et. al., *Family, Place, and Career: The Gender Paradox in Law School Hiring*, 1993 WIS. L. REV. 395, 395 (1993).

46. See AALS, *Statistical Report*, *supra* note 34.

to be vastly underrepresented. Of the women who were full professors during the 1997-98 school year, 86.7% were white.⁴⁷

I agree that an increase in the number of untenured women on law school faculties does seem to address our struggle for real representation as members of the law school community, but I do not agree that this increase will satisfy our desire to change the institution itself, to gain inclusion into the core as opposed to a presence on the periphery. More women on law faculties does not ensure our influence on students and on the development of the law,⁴⁸ nor, certainly, on the legal academic institution itself. I do not believe that we will be in a position to make these changes until the struggle for representation becomes more than that. We must recognize that representation is simply the first step in changing the legal academic institution, not the sum total of our struggle.

IV. BENEFITING FROM THE PAST, BUT STILL NOT THERE: THE VIEW FROM WHERE I STAND (LOOKING FORWARD)

Although it has become the central focus in women's struggle to gain acceptance in legal academia, representation was never intended as a goal, merely a means to the more important goal of inclusion.⁴⁹ As Deborah Rhode recently summarized, "[f]aced with lingering, largely unconscious stereotypes, and a climate that often feels unwelcoming, [men of color and women students of all races] have adopted various strategies of acculturation. . . . [Yet] [t]rue progress will require changes in the legal academy rather than in the groups that it traditionally has excluded."⁵⁰

Representation alone has not and, I believe, will not, change the legal academy; only inclusion will. The difference is both obvious and subtle. On the other hand, it is not difficult to see how representation can slip into tokenism, a connection usually made in terms of hiring people of color. For example, in 1984, the Soci-

47. See *id.*; see also Hill Kay, *supra* note 44, at 15; Young, *supra* note 30, at 275.

48. See Hill Kay, *supra* note 44, at 15-16.

49. See, e.g., Rhode, *supra* note 6, at 1547 ("In legal education, as in other contexts, feminists are demanding that institutions change to accommodate women rather than the converse.").

50. Rhode, *Whistling Vivaldi*, *supra* note 38, at 217; see also Haight Farley, *supra* note 28, at 335 ("[W]omen are still affected by their status as tokens, and full participation in the academy remains elusive.").

ety of American Law Teachers (SALT) issued a Statement on Minority Hiring in AALS Law Schools, recognizing that faculty members of color had become "token presences on their campuses, assuming the multiple burdens of counselor to minority students, liaison to the minority community, and consultant on race to administrators and colleagues, while working to establish themselves as effective teachers, productive scholars and congenial colleagues."⁵¹

The even more troubling result in terms of changing the legal institution through representation alone is that token representation also serves as a reason not to make any deeper changes in the institution. As Derrick Bell points out, "it is unavoidable that [the law professor of color] is less a pioneer blazing a trail for those who follow than an involuntary barrier whose token presence has removed whatever onus is borne by an all-white institution."⁵² Bell utilizes the theory of the "tipping point" — "a specifiable numerical ratio of blacks to whites beyond which the rate of white migration out of a transitional area will increase rapidly, eventually yielding a predominantly black community"⁵³ — to illustrate why predominantly homogeneous law faculties adhere to the traditional concepts of qualifications and merit that describe themselves.⁵⁴ In short, according to Bell, hiring too many professors who contribute to the diversity of the faculty "will alter the school's image and jeopardize its recruitment of students, faculty, and its alumni support."⁵⁵ Bell's point can be taken a step further: if too many people who do not look like law school professors are represented on the faculty, the school will cease to be a "real" law school.

Yet it is the more subtle difference between representation and inclusion that concerns me and, I argue, ought to concern other women in legal academia. Most law schools and their governing bodies recognize and support the need for law faculties to include more women of all persuasions.⁵⁶ The problem is that these women are valued precisely for their contributions *as wo-*

51. SOCIETY OF AMERICAN LAW TEACHERS STATEMENT ON MINORITY HIRING IN AALS LAW SCHOOLS: A POSITION PAPER ON THE NEED FOR VOLUNTARY QUOTAS 1 (1984).

52. Bell, *supra* note 37, at 323.

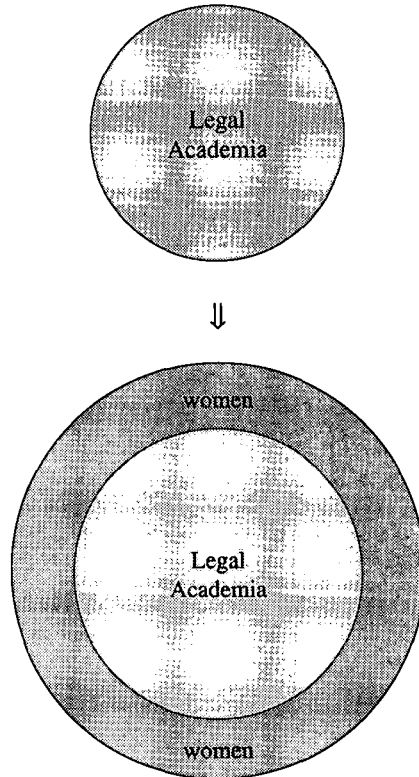
53. *Id.* at 324.

54. *See id.* at 324-25.

55. *Id.* at 323.

56. In fact, the theme of the American Association of Law Schools' Annual Meeting this year was "A Recommitment to Diversity." AMERICAN ASSOCIATION

men. Thus, they provide an “alternative” to the “real” (male) law professor,⁵⁷ a necessary sprinkling of diversity that enhances tradition but does not change it (a donut with sprinkles, after all, is still just a donut).



I find this position fraught with moral and spiritual ambiguity. As a young woman law professor, one of the most important personal choices I have made has been to provide an alternative to tradition. Just as I used my voice to change the classrooms in which I sat as a student, so I now use my very presence, position, and being to change students’ (and other faculty members’) concept of what constitutes “law professor.” I do not wear suits (as one of my female colleagues remarked, “If I wanted to dress like I work in a law firm, I’d work in a law firm”). Nor do I wear

OF LAW SCHOOLS, 2000 ANNUAL MEETING PROGRAM (Washington, D.C., Jan. 5-9, 2000).

57. See Haight Farley, *supra* note 28, at 336 (examining student course evaluations that “reveal that women, regardless of any other traits they may possess, are seen as ‘women’ first and foremost”).

sensible shoes. I did not cut my hair short when I accepted this position, nor do I pull it back into unstylish but functional ponytails. I wear make up. I work out at the gym every morning. I look younger than my age rather than older.

In the classroom, I make a genuine effort to introduce non-traditional ways of learning while still trying to ensure that students will acquire the practical skills they must possess as attorneys, regardless of whether that skill set is generally more easily acquired and/or utilized by men or, ultimately, more beneficial to them. Remembering how alienated I felt by the Socratic method,⁵⁸ I aim to have conversations with my students.⁵⁹ Recalling my outrage at how disengaged judicial opinions seemed from people's lives, I use role playing, props, and my own sense of drama to animate the underlying legal doctrines. Harkening back to my frustration that I had no sense of what lawyers really do, I assign students to represent the parties in cases and consider their positions.⁶⁰

At the end of my first semester teaching Civil Procedure, I found that these choices allowed me to accomplish my goal of providing an alternative. I also found that they made me, in the eyes of some of my students, a young woman law professor, not a law professor. Although a very large proportion of the class commented favorably on how well prepared they felt for the final examination and how accessible and well prepared I was, more than a few made comments about my appearance (such as "She'd never dress like that in a law firm. Why should we take her seriously?" and far more disrespectful statements) and my nontraditional pedagogy ("We're in graduate school, not elementary school").⁶¹ In line with this experience, Christine Haight Farley,

58. See Kerr, *supra* note 23, at 121 (crediting feminist legal scholars' "critique of the [Socratic] method based on its adverse impact on female law students"); see also *id.* at 129 (describing Harvard Law School professors who have consciously rejected the Socratic method as "counter-traditionalists" as similar most notably in that "they all developed a strong distaste for the Socratic method when they were law students").

59. Carrie Menkel-Meadow describes her classrooms as spaces for conversation. See Carrie Menkel-Meadow, *Feminist Legal Theory, Critical Legal Studies, and Legal Education or "The Fem-Crits Go to Law School,"* 38 J. LEGAL EDUC. 61, 79-80 (1988).

60. See, e.g., Catharine W. Hantzis, *Kingsfield and Kennedy: Reappraising the Male Models of Law School Teaching,* 38 J. LEGAL EDUC. 155, 162-63 (1988).

61. Notably, the student evaluations for Disability Law, the upper division course I taught, contained no such disrespectful or demeaning comments. Perhaps this difference is partially due to the students' summer experiences working with a

in a comparison of student evaluations of male and female law school professors, discovered that “[c]omments on [women’s] appearance, pieces of ‘advice,’ and vicious personal attacks are not uncommon.”⁶² Furthermore, “[w]hereas men are most often praised for their ‘mastery of the subject matter,’ women are usually praised for being enthusiastic and approachable.”⁶³ I hardly believed these results would apply to me when I first read her article last October; I am still, in some ways, shocked that they do.⁶⁴

The unmistakable message is that, the more I try to change what a law professor is by consciously using my gender to offer a different model, the more my gender informs that model — I am a woman law professor, a female alternative to tradition. This message does not arise solely from student evaluations, but in different forms from other faculty members here and elsewhere, from casebooks, articles, and symposia. I find myself in a quandary: my personal and pedagogical choices, while offering a valuable alternative to the expectation of what a law school professor is, also reinforce my position as “alternative” and do not seem to affect the core. The more I am myself, the more I become a woman law professor.

The fact is that I, like the women before me, have joined a male institution. At present, I cleave to the institution as it has been defined, a woman who can change something of the face but little of the character of the law school itself. If the law school can be given a concrete manifestation that represents the traditional bundle of physical spaces, policies, and human interactions, then I, as a woman who cannot fit within tradition, have been given my own annex, a space within the larger complex but separate and apart from the main building.

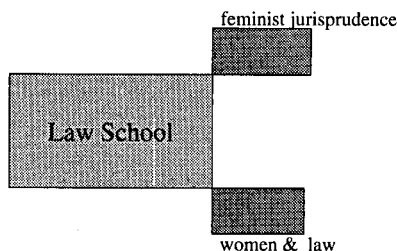
Representation was surely a well-reasoned and important first step in our struggle. Women in legal academia have constructed multiple and impressive annexes, through which students and other faculty members circulate on their way back to the baseline of tradition. In accepting the separate space that has

variety of attorneys, or perhaps to the fact that the class consisted of many older students with prior careers.

62. Haight Farley, *supra* note 28, at 334.

63. *Id.* By contrast, in Disability Law, the majority of my students rated me very positively *both* for enthusiasm *and* for mastery of the subject matter.

64. Like Donna Young, “it was not long before I was made aware that my presence at the front of the classroom was affecting the classroom dynamic in some of my courses.” Young, *supra* note 30, at 275.



been allotted to us as women, however, we also implicitly accept our position at the periphery of an unchanging core. Henri Lefebvre explains that space itself is constructed along the lines of political and social power, so that "it [is] possible for a certain type of non-critical thought simply to register the resultant 'reality' and accept it at face value."⁶⁵ Until we recognize the spatial and theoretical dimensions of our "woman annexes," we will remain on the periphery.⁶⁶

V. AN ITEM FOR OUR AGENDA

How, then, can we acknowledge the products of our struggle without getting lost inside of it? How do we free ourselves from the current we have created, take our gains, and set out for more? First and foremost, we need to recognize that women in legal academia continue to make the same arguments and engage in the same fights (and I do mean "fights," despite the fact that many of us eschew adversarial posturing), when often those particular fights have been won. That we do not see ourselves as victors attests to other battles that must be fought — or, more appropriately, given the advances in considering nonadversarial models of dispute resolution — other discussions to be held.

In deep appreciation of the women who created a law school environment in which I find myself so happy (if conflicted), I pre-

65. HENRI LEFEBVRE, *THE PRODUCTION OF SPACE* 280 (Donald Nicholson-Smith trans., 1991).

66. Antonio Gramsci is credited as one of the first philosophers to articulate how hegemonic social systems maintain themselves — that is, how individuals internalize certain power relations as the "neutral" or "natural" state of being. He explains that "[t]he spontaneous consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group . . . is 'historically' caused by the prestige (and consequent confidence) which the dominant group enjoys because of its position and function." Antonio Gramsci, *The Prison Notebooks* (1929-1935), in *AN ANTONIO GRAMSCI READER: SELECTED WRITINGS, 1916-1935*, 306-07 (David Forgals ed., 1988).

sent the following suggestions from the admittedly uninitiated but fresh, unwearied, and unentangled.

Be Courageous.

Admit That You Have Produced Glorious Results.

As women, we often seem perversely unable to pat ourselves on the back for a job well done. We are, however, experts at praising others. Let me start the chain then. You, women who have preceded me in legal academia, you have achieved priceless accomplishments. You have vastly improved my life and the life of my students, women and men. Tell the other women who have struggled with you all these years how much good they have done, for, you should know, it's unlikely they will acknowledge themselves. Now, do the hardest thing. Be brutally honest. You have done those amazing things for which others are thanking you. Thank yourself.

Acknowledging and critically evaluating our gains is the only way we can begin to refocus on what still remains to be done and how best to accomplish it. In 1990, Kate Bartlett stated that feminist legal methods "reflect the status of women as 'outsiders,' who need ways of challenging and undermining dominant legal conventions and of developing alternative conventions which take better account of women's experiences and needs."⁶⁷ Ten years later, as I have described, it has become apparent that our efforts have almost exclusively developed the alternative conventions without substantially undermining the dominant legal conventions.⁶⁸

Feminist jurisprudence, feminist methodology, and courses that explicitly recognize women's experience are readily available to any student who seeks them out. But that student must still submit to a core curriculum that reflects the same traditional attitudes that have alienated so many women. More importantly, the student who is comfortable with the core curriculum has no

67. Katharine T. Bartlett, *Feminist Legal Methods*, 103 HARV. L. REV. 829, 831 (1990).

68. As Kathleen Bean observes,

[w]e can add course materials that reflect the existence and contributions of women in law and the experience of being a woman in the legal system. We can put women and feminists in the classroom. But until we are methodical about changing the male classroom, we will have failed in our duties as teachers of the law.

Bean, *supra* note 27, at 47.

incentive to indulge in alternatives. Women are no longer "outsiders" as we have understood that term, but we have not stepped within the boundaries; the boundaries have moved back to encircle us. Nothing else has moved.

The same courage it takes to admit our advances should allow us to admit that if we continue to struggle in the same ways that produced those advances, we will remain where we stand, rigidly positioned between tradition and the outer boundaries of "legal education." The institution is comfortable with our past points, arguments, and contributions. If we continue in the same vein, we will simply foster the institution's comfort with including us on the margins and we will maintain our own exhaustion. We will continue to run in the circle we have created around the core unless and until we take a right turn and charge into the heart of the institution itself.

Stand Still.

Believe That You Will Be Able to Start Moving Again.

Motion begets motion. The more exhausted we become, the more we rely on momentum to keep us going, a sort of self-generated centrifugal force without which it seems everything will fall apart. But a body at rest need not stay at rest. It takes only a little energy to get going again. Stand still and revel in how you can be energized by the changes you have wrought. Wait for the spark of excitement at coming together with other women to lobby for more female deans, at sponsoring the Women Law Students Association in their program to bring role models to the law school, or simply at seeing all the women comfortable enough in your classes to raise their hands and, through their voluntary participation, change the voice of the law that all the students hear.

Once we admit that our struggle no longer moves us forward, but in circles, we have to stand still for a moment before changing direction. Stopping gives us the wherewithal to turn around, to assess the landscape, and to make reasoned choices about where best to exert the next wave of energy. Only from the perspective of arrested motion can we reassess our strategies and refocus on fundamentally changing the core of legal education.

Once we stop and survey what we have changed as opposed to what we have not, we can see that the fact that we have made progress as women is the very fact that will prevent us from mak-

ing progress as people. We have taught students and educators that a law professor is not only a white male with traditionally male gender traits, but *also* a woman who may teach consistently with her feminist beliefs.⁶⁹ We have “demand[ed] that institutions change to accommodate women rather than the converse,”⁷⁰ and they have. Women law professors are “flourish[ing] as scholars and colleagues in the predominantly male atmosphere of the typical American law school.”⁷¹ In short, we have responded directly to the recommendations that law schools hire more women,⁷² change the curriculum by offering courses that focus on subjects such as feminist theory,⁷³ and create classrooms that are “more communal and egalitarian . . . learn[ing] to pay more attention to students, to listen for silences, to encourage tentative talkers, to reward students for admitting uncertainty, sharing personal responses, and supporting one another.”⁷⁴

The problem is that we have, quite necessarily, created these changes as women. In doing so, we have forced the law school institution to become comfortable with women professors, women scholars, and “women’s” pedagogy. These changes, however, remain the additions to the core, which, as the institution’s particular mode of acceptance implies, we women have chosen to label “male.” For those students and faculty who see it as such, there is room for alternatives. And once those alternatives are available, supported, and encouraged, no reason remains to change the core itself.

I passionately believe that the time has come to make our demands over and in spite of sex, race, sexuality, and disability, to resist easy categorization. In the past, we have found our power in delineating difference.⁷⁵ This power brought us acceptance. Now it is allowing that acceptance to stagnate into

69. *See id.* at 26–27.

70. Rhode, *supra* note 6, at 1547.

71. Hill Kay, *supra* note 44, at 15.

72. *See* Weiss & Melling, *supra* note 1, at 1356.

73. *See id.* at 1357.

74. *Id.* at 1359.

75. *See* Crenshaw, *Intersectionality*, *supra* note 26, at 1242 (“The problem with identity politics is not that it fails to transcend difference, as some critics charge, but rather the opposite — that it frequently conflates or ignores intragroup differences.”). Crenshaw’s point was and still is timely, and I do not suggest that our discourse merely “fail women of color by not acknowledging the ‘additional’ issue of race.” *Id.* at 1252. Rather, as I explain, *infra*, I suggest that we consciously maintain a de-centered discourse that refuses to proceed from a particular, categorized viewpoint.

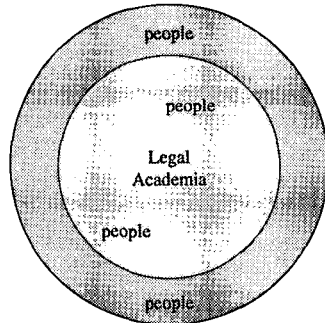
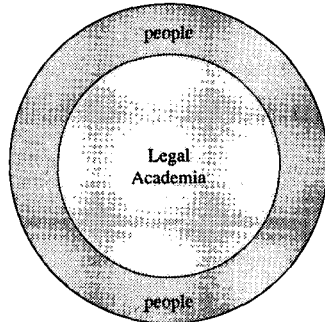
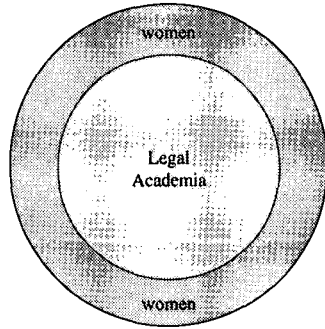
marginalization. We live in an "alternative" universe, watching as the traditional law professor goes about his business, learning from us as "women," perhaps adopting a "female" approach here and there, but unchanged in his disembodied, representative state.

To change the core, we must be recognized as people rather than as women. In teaching Torts, for example, we need to employ a truly complex and unidentifiable "reasonable person" consistently, and to instill in students a fundamental understanding of this term as complex and contingent. It is simply not enough to offer critiques of the traditional "reasonable man/person" standard by comparing it to a "reasonable woman." Our other core courses similarly need to change, to assume that a "person" is barely identifiable and never neutral. Women and Law courses should not exist merely to comfort those students who could not recognize themselves in the reasonable person.

Nor is it enough for a few women and/or feminists to teach in this manner. All professors, not only women law professors, must do so, and those professors should look like any and every person. How they look should not define how they teach. Similarly, students' observations must become the observations of some individuals, not the perspectives of "Asian-American" women, "white women," or "women with disabilities."

This is not to say that we should abandon our own, deeply treasured identities. Indeed, when we do, the default "neutral" law professor awaits us. Rather, we ought to position ourselves as unique individuals comprised of overlapping and shifting selves that elude categorization.⁷⁶ In doing so, we encourage our students and our colleagues to do the same. We can begin to recognize the individual traits and possibilities each of us brings and has brought to the law school institution, and, in doing so, to break down the barrier between our traditional contributions and our nontraditional selves. In this way, we place ourselves in a position to become part of a collective of undefinable law professors, as opposed to women law professors standing on the periphery of legal academia.

76. Earl Lewis has termed this concept "multipositionality." He explains that "the invocations of a gendered perspective will remain precisely that, an invocation, unless our conceptual design also recognizes the self as multipositional." Earl Lewis, *Invoking Concepts, Problematizing Identities: The Life of Charles N. Hunter and the Implications for the Study of Gender and Labor*, 34 *LABOR HISTORY* 292, 295 (1993).



Move.

Be.

Act As an Individual Collective.

Fantasy gets us nowhere. We have all fantasized that we are no longer exhausted, that we are loved and respected by our students. The nagging drive to amass symbols of achievement — even though we refuse to honor them — will disappear. If our greater experience has taught us anything, the women I am honoring will tell me, it is that we must have concrete goals, specific agenda items. We must demand them, one by one, unfailingly, achieving each one together and taking care not to break down into a morass of unfinished projects. We appreciate your enthusiasm, and your youthful idealism, unmarred by battle scars. But we have been here longer, and we know what it takes to remain here.

Suppose I am right. Suppose that what brought us power in the past has trapped us in the periphery in the present. We need a more concrete agenda item than a postmodern, theoretical rant about eluding categorization and destabilizing our concept of neutrality. Theory, it seems, never changed anything but theorists.

But my agenda item is not a suggestion of how we ought to act; it is a suggestion of what we might want to consider as a tool for rejecting mere representation and gaining true inclusion. I do not presume to know how to act in a way that acknowledges all of us as people and that destabilizes the masculine neutrality of law and law school as an institution. No single person is up to such a task.

Rather, I believe that if we start moving again, as a force of people who define the core, who can work with our colleagues to shift understandings and practices, we will develop new ways to create real institutional change.⁷⁷ Women's past struggles have forced the institution to recognize that different viewpoints exist. The new struggle should work toward making those viewpoints part of a complex whole. It is the very process of choosing new forms of action as people, rather than as women, that will make

77. For a lovely example of how "different peoples, with radically divergent cultural backgrounds, languages, value systems and traditions, achieved peace and accommodation with each other" to work toward a common goal, see Robert A. Williams, *Linking Arms Together: Multicultural Constitutionalism in a North American Indigenous Vision of Law and Peace*, 82 CAL. L. REV. 981, 982-83 (1994).

our viewpoints uncategorizable as “female.” As we refuse to be categorized, our colleagues will also slip out of their categories, giving us the space to move from the periphery into the core.

VI. HAVING HAD MY SAY

It bears endless repeating that I admire, adore, and am constantly and consciously grateful to those women who have cleared the way for me. They made it possible for me to make it through law school intact, if angry. They allowed me to thrive in legal practice. Now, because of them, I have arrived at a place in life that makes me happy. Finally, I am accepted, all of me, even the parts that do not look like a lawyer or a law professor.

Now that I have arrived, I realize that the acceptance I feel merely allows my “alternative” perspectives to pop up, unquestioned, where I dare present them. Even if I see my methods, scholarship, and contributions to my law school and the larger community of law schools as one rather seamless mass of me, those in the center see me as many parts neutral tradition and a few parts alternative. It is as if they wear the “decoder glasses” I used to pull out of cereal boxes that allowed me to look at a green circle on the back of the box and suddenly see figures within it. They have picked apart the integrated pieces of my whole and binarized them — law professor and not-law-professor.

The varied approaches to legal education that have resulted from decades of struggle, it appears, have only made it look like we are part of that green circle. As students are given the decoder glasses that allow them to see like “lawyers,” they must learn to run the same gauntlet we ran as students and continue to run as law professors. Students may choose to supplement the basics with healthy doses of something different, but the basics themselves have not changed.

It is to this change that I call my colleagues, in the hope of allowing true integration for the next generation of women in legal academia and in the desire to return to the generations before me the gift they have given me: permission to enjoy ourselves even as we continue to struggle.

