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# A Third Wave Approach to Analyzing *Presumed Incompetent*

Laura MacInnis<sup>†</sup>

Navigating the travails of academia is no easy feat for women. Not only do women in academia face significant obstacles such as discrimination and implicit stereotyping from faculty and students, but they also endure institutional policies and social norms that repress the needs of women by requiring long and inflexible hours devoted to research, scholarship, and service. Compounded by the effects of race and class, the struggles faced by women and transgender persons are more significant within the hierarchical and suffocating climate of academia. *Presumed Incompetent: The Intersection of Race and Class for Women in Academia*<sup>1</sup> collects the narratives of women from different racial make-ups and class backgrounds who voice their frustration over this stifling and oppressive environment, contribute their own coping mechanisms, and provide recommendations to elicit institutional transformation.

Taking a lesson from the sixth chapter, it is important to frame these diverse stories through an intersectional lens. In *Present and Unequal*, Kimberly Moffitt, Heather Harris, and Diane Forbes Berhoud describe “Third Wave Feminism” as a “commitment to the diversity of women’s experiences and its critical foci on the multiplicity of intersecting oppressions in global contexts” (p. 80). The Third Wave aspires to the inclusion and liberation of all women, with special considerations of race, class, and other axes of oppression.<sup>2</sup> Intersectionality gives special attention to the stories of individuals who may not represent monolithic groups but who nonetheless carry narratives worthy of consideration. In one example, Professor Adrien Katherine Wing describes her feelings of being discriminated against as a black woman: “I was black times a

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1. See PRESUMED INCOMPETENT: THE INTERSECTIONS OF RACE AND CLASS FOR WOMEN IN ACADEMIA (Gabriella Gutiérrez y Muhs, Yolanda Flores Niemann, Carmen G. González & Angela P. Harris eds., 2012).
2. The *Berkeley Journal of Gender, Law & Justice* includes within its mandate a requirement that all scholarly articles published in the journal “critically examine the intersection of gender with one or more other axes of subordination.” See *Our Mandate*, BERKELEY J. GENDER L. & JUST., <http://genderlawjustice.berkeley.edu/about/mandate/> (last visited May 3, 2014).

woman every day, not black plus a woman, which implies you may be able to subtract an identity” (p. 357). However, even with a special focus on individualism, some researchers find that collective action is “essential and advantageous” for women of color in academia (p. 92).

With this framework in mind, this review essay will draw on sections from various pieces within *Presumed Incompetent* in an effort to shed light on the repressive environment for women in academia. The essay will group and analyze trends from these stories that contribute to the double or triple oppression of women in these settings. By using the framework of intersectionality, many narratives will conflict with one another, while other narrative themes will overlap. Finally, the essay will analyze advice for other women who suffer feelings of inferiority in academia.

### **SILENCE: STIFLING PROBLEM OR TOOL OF EMPOWERMENT?**

In my own personal experience as a white woman in law school, I feel silenced on a daily basis. Even in classes that are relatively gender “mixed,” white men typically speak out the most. The vast majority of my professors are white men. The Socratic Method induces fears and anxiety that I will be perceived, as I have been my whole life, as less capable because of my gender. I feel constantly aware of being a woman in a male-dominated environment, despite being surrounded by plenty of students who look like me. It is thus predictable that women of color and other minority women suffer even more from law school’s stifling environment. Indeed, minority women rarely encounter the few women of color tenured professors. There are more white students than minority students. Moreover, feelings of discrimination and being presumed incompetent affect minority women in more palpable ways.

Many female professors of color suffer some of the same anxieties as students in academia. They are afraid of being judged more harshly by students and being perceived by predefined stereotypes, which can vary based on a woman’s race, social class, age, and other characteristics. The stereotype still persists, for example, of the “angry black woman.” Such stereotypes can be very damaging for women of color in academia and can result in professors feeling silenced in the classroom and around other faculty.

One black female law professor, Angela Onwuachi-Willig, describes the silencing she felt when she reluctantly did not press her students to carefully consider the racial implications of a legal case regarding braided hair in grooming policies (pp. 147-48). Upon realizing that the reason she did not push the discussion further, as she normally would have, was because she herself has braided hair and is African-American, she thought:

But I was not prepared to adopt an abstract, dispassionate, objective stance to an issue that so obviously affected me personally; nor was I prepared to suffer publicly, through intense and passionate advocacy, the pain and outrage that I experience each time a black woman is dismissed, belittled, and ignored

simply because she challenges our objectification (pp. 147-48).

Not only does silence operate to suppress women's voices in the classroom, the effects also carry over into the upper echelons of the institution. Latina professor Francisca de la Riva-Holly describes the silencing she experienced after she was asked a question about a particular study abroad program (p. 291). Though the chair of the program gave her the title "co-director" of the program, he later told her that her title carried no weight in practice, he scolded her "aggressively" for giving honest constructive feedback, and he told her that she essentially had "no power or say in anything that went on in the department" (p. 291). This particular professor felt that the university consistently undermined the accomplishments of Chicana and African-American women, and that "we are truly never expected to fill the cup with our skills but have been given a cup half full instead, for which we need gratefully to thank the system for the rest of our lives" (pp. 298-99). This, she argues, is "institutional punishment" for those who speak out against the university (p. 299).

Silencing minority women in and out of the classroom is an effective means of control by oppressors, but some argue that it can also be a powerful tool for women who use it carefully. For example, Professor Onwuachi-Willig voices her admiration of one of her respected colleagues, a senior faculty member of color, who was often silent during faculty meetings (p. 143). His silence starkly contrasted with the senior white male faculty who spoke out frequently (pp. 143-144). "Eventually I saw that I had misunderstood his silences in these meetings, mistakenly viewing them as a lack of passion for certain topics. As I watched him more and more . . . I understood that his silences were . . . strategic" (p. 144). She found that his silence created an honorable presence, and it ironically gave him a "thundering [voice]" when he spoke in public (p. 144). "When he spoke, people listened" (p. 144).

While most authors in *Presumed Incompetent* view silence as a negative symptom of the academy's hierarchical control, Professor Onwuachi-Willig views silence as a matter of context. She states, "We have to become comfortable with silences enough to read them when that is what they need to be read and nurture them when they should grow into spoken voice" (p. 144). For example, some silences are "unforgivable," since it is important to speak out if not doing so will affect others (p. 151). She reasons, "It is my duty as one of relative privilege in the tenure game to educate and not remain silent, [because] the silences reserved for the young lambs are no longer my own" (p. 151).

#### **EXTRA SERVICE: BURDEN OR BLESSING?**

One mechanism that frequently contributes to the silence of minority women in academia is the enormous pressure these women are under to take on extra service requirements, especially those involving diversity. For some, especially working-class women of color, these may be burdensome, in part because of the compelling need to "pay it forward" to other women of color in

their situation (p. 145). For others, service provides them with their whole sense of purpose in the academy; but even so, the workload may still be entirely too cumbersome and ultimately hold these women back.

For example, some Indigenous cultures uphold values such as commitment to the public good, and putting others' needs first, that sharply conflict with Western values of "rugged individualism and careerism" (p. 244). In the context of academia, commitment to public good may take the form of mentoring or service to others (p. 244). When Native women in academia feel abysmally underrepresented (p. 246), their commitment to serving other Natives is not simply a matter of "paying it forward," but also about "trying to help their culture survive" (p. 244). Irene, a Native woman who works in student affairs, does an enormous amount of optional work that "seem[s] to be a full-time job by itself" (pp. 244-45). Irene says that she does this work because "I make it that way. You know, I try to be there for them, no matter how stressful that is at times. And I would not feel good about myself if I didn't do that" (p. 245). However, the tremendous service burden tends to drive Native women to burnout, leading to a high turnover rate in the university (p. 245).

Law professor Adrienne Katherine Wing echoes the sentiment that service is essential to a healthy wellbeing (p. 364). "Service is the rent we pay for living on the planet," she says, emphasizing that service is versatile, as it includes writing letters of recommendation for other people of color (p. 364). Wing says she embraces the "Mammy" stereotype of African-American women, which dictates that African-American women should be nurturers and put others' needs before their own, but she expands it to all individuals (p. 365). "Othermothering," as she calls it (or in the professional setting, "mentoring"), is an important part of service, and anyone can "othermother" anyone else (p. 365).

Professor Wing did, however, feel "overwhelmed" by the numerous service commitments she was expected to make, stating:

I was inundated with requests for assistance from black law graduate and undergraduate students, as well as other black professors and staff on campus, not to mention other students and faculty who had heard that I was someone who would listen to their concerns . . . I was asked to serve on several time-consuming campuswide committees and invited to make presentations at numerous national and international venues (p. 357).

Women of color have to strike a hard balance when deciding whether to make extra service commitments: on the one hand, the extra workload could mean throwing a wrench in their career; on the other hand, it could also mean promoting their identity and self-worth in the institution. Service, ironically, is a double-edged sword.

### **COLOR INSIGHT VS. COLORBLINDNESS**

In *Working Across Racial Lines in a Not-So-Post-Racial World*,

Margalynne J. Armstrong and Stephanie M. Wildman write that, on the heels of President Barack Obama's election, a popular sentiment arose that we now live in a "post-racial" society (p. 226). Law professor Ian Haney López critiques the presumption that President Obama's success is credited to a more racially just society. Haney López argues that the context of the crumbling economy, Obama's immigrant success story, the "positive exotic" of Hawaii, and his "racial background - combining Kenya and Kansas," are factors that likely contributed far more to his election success than "post racism" (pp. 226-27). Nonetheless, "I don't see color" is still largely regarded as a positive catchphrase because "colorblindness" supposedly promotes "objectivity" and is therefore racially unbiased. Professors Armstrong and Wildman critique colorblindness in favor of "color insight," whereby they recommend (1) "examining systems of privilege"; (2) "unmasking perspectivelessness"; and (3) developing an awareness of individuality within groups of people (p. 226). Reframing "colorblindness" as "perspectivelessness" recasts neutrality and objectivity as a lack of proper racial awareness.

The theory that Americans should ascribe to "perspectivelessness" is extremely damaging to women of color in academia. Armstrong and Wildman argue that the inability to talk about race in America hinders people from bridging gaps and "perpetuates racial separation" (p. 226). Because Americans will most often encounter people of another race in the workplace, it is very important that people can have constructive discussions about race in this sphere. This is especially true in academia, where women of color are so often silenced for speaking out about issues that personally affect them (p. 228).

Professor Onwuachi-Willig agrees that racial separation makes it difficult to discuss race in her classroom, since she is an African-American woman and many of her students are white. She avoids confronting her students, as race is a personal issue for her, and she feels it is difficult to remain "objectiv[e]" and not be perceived as "pushing [an] agenda" (p. 146). Perpetuating racial separation in the classroom in order to remain "objective" not only silences minority women's voices, but it also stifles uncomfortable discussions about race: "Race is the elephant in the room that everyone tiptoes around" (p. 226). Colorblindness urges us to look the other way, whereas color insight urges people to confront racial power imbalances (p. 233).

### **THE "AFFIRMATIVE ACTION HIRE"**

Everyone wants to believe that they earned a job, raise, or promotion because of their own merit. Unfortunately, people of color and other minorities often feel differently because of the "affirmative action" label. Because most people are taught to be "objective" about race—in accordance with "perspectivelessness"—the idea of giving certain groups of people a boost seems unfair and imbalanced. White men with class privilege, for example, may feel that they "earned" their title or salary because they were not offered such an

obvious advantage, even though they were born into a class that entitled them to numerous advantages from the very beginning. Affirmative action, when viewed “objectively,” seems unfair; when viewed in context and with perspective, it is just.

However, as dominant modes of thinking, teaching, and administering often fall prey to “perspectivelessness,” women of color and class subordination feel the burning effects of the “affirmative action” label from faculty and students. Professor Wing recalls one student’s evaluation: “I know we have to have affirmative action, but do we have to have *her*?” (p. 356) (emphasis added). Another professor describes a Latina woman up for tenure, and though she had excellent credentials, one school refused to hire her, likely because she came too late to be tokened (pp. 330-32).

Women of color in the academy also discount their own feelings of competence because of this label. Professor Onwuachi-Willig, for example, describes her insecurities of not belonging in the profession as one part of the barrier to confronting race in a classroom discussion (pp. 146-48). Professor Flores Niemann notes that “there is strong documentation in support of the idea that a stigma of incompetence arises from the affirmative action label” (p. 289). The belief held by women in the academy that they do not “deserve” their title or a promotion, combined with the same belief held by faculty and students, contributes to the pervading presumption that women are incompetent.

#### HOW CLASSISM OPERATES IN CLASS-PRIVILEGED ACADEMIA

Academia is like an elite country club: “not all members are perceived as equal” (p. 285). This analogy could not be more fitting to describe women’s experiences in a setting as privileged as academia. “Working-class academic” can be an oxymoron. Whereas “[a]cademics aspire to genteel, professional success; working-class life rejects the genteel for the overt—at times even rude—acknowledgment that life is difficult” (p. 300). Even in elite institutions, class plays a significant role in presuming women incompetent and preserving the hierarchy among the upper ranks.

While it is easy to recognize the connection between class and race, classism can manifest in subtler ways also connected to race, such as academic “excellence” or educational achievement (pp. 83-84). For example, an African-American professor from a working-class background relates her story of being a student at a “working-class university” in Ohio (p. 85). Her professor explained that she would treat her students as if they were students at Ivy League schools (p. 85). After she found that this entailed different readings, a different syllabus, and overall different expectations, the student realized that “information is distributed on your class and on race” and it is “not equal to what you’re getting from these other universities” (p. 85).

Students of color and/or working-class backgrounds are not the only ones to suffer from unequal academic distribution: professors within academia also

reveal how intersections of class and race affect their own oppression. A Latina professor who came from a working-class background reveals how she felt like an “Igualeda,” a Spanish term evoking negative connotations by upper-class Latinas and Latinos (p. 287). *Igualedas* are domestic workers who are jealous of the people they work for and want to provide the same lifestyle to their children (p. 287). Professor de la Riva-Holly felt like an *igualeda* to the academy. She says that colleagues rang the “social class bell,” meaning they, as people from the upper class, always know best, whereas the working-class person always has to have a bell ringing “like an animal, to remind everyone that he or she is not done with knowing what is best” (p. 298). Colleagues would use the “social class bell” to remind her how to dress “now that [she] was a professor” and correcting her pronunciation before laughing at her thick Chicano accent (p. 290). Another colleague asked his own class why she wore Indigenous clothing to school (p. 290).

Classist stereotypes can manifest through racial assumptions, but it cuts both ways for women of color. One Latina professor who came from an upper-class background in another country recounts her frustration at white people’s inability to comprehend how her upper-class background coincided with her ethnicity. She was well-educated and owned property abroad and in the United States, but Americans would think, “Because you’re [her nationality]. . . How can you be rich? That’s not right” (p. 83). People in the academy may generally view women of color, and particularly Latina and African-American women, with the assumption that they come from a lower socioeconomic class and therefore do not “fit in” to the mold of the elite class-privileged space of academia.

On the other hand, class privilege can be a means for women of color to “gain access” to white spaces (p. 290). Danielle, a Caribbean academic, states:

I think I used my ‘class narrative’ to gain access to some white parts of this institution . . . [because] having gone to private school my entire life. . . I realize that that’s a big thing in America . . . And that helps me to enter the narrative here with a lot of white Anglo-Saxon . . . people because then I can enter the discourse of privilege, of social justice, of diversity, of high-quality education, of an I-belong-here-and-I-deserve-to-teach-these-students. And I didn’t realize how important that was because I used to think about nationality primarily (p. 290).

When women of color use class privilege to “pass” as members of the dominant social class in the institution, this may serve to raise their social standing among her academy members, but it does not subvert the classist and racist paradigm that keeps women of color, and especially working-class women of color, subordinated. Thus, even women of color who contradict stereotypical assumptions about their class identity may still feel the “othering” by members of the academy because the presumption of incompetence still looms.



### INSTITUTIONAL BARRIERS TO SUCCESS

Presuming women incompetent in academia is not relegated to individual anecdotes and personal qualms between students or professors. Minority faculty often feel the most marginalization coming from the very top of the hierarchy or even from within the very fabric of their environment.

Professor Wing describes feeling “intrusive” in her new work environment when she walked through the halls of the university and saw countless portraits of white men (p. 360). She felt the portraits were staring at her, saying, “We are important. We are the law. This is our world” (p. 359). Over time, the diversification of these oil portraits gave Wing hope for the future. Even with blatant depictions of race and gender privilege in the hallways, Armstrong and Wildman argue that perspectivelessness is still the “dominant mode of teaching” in law school (p. 230).

Obvious signs of male and white privilege are only one way of excluding women of color in the academy; bureaucracy is another more subtle factor in institutionalized oppression. Bureaucratic “red tape” inevitably facilitates extra work, and Professor Michelle Jacob argues it is a “historically classist response to slow down or prevent marginalized groups from gaining legitimate power within the academy,” since those with greater resources can more easily facilitate this extra work or have fewer bureaucratic obstacles to begin with (p. 245). For example, Irene, the only Native staff member at her institution, helped a handful of Native students hold the annual community powwow event despite a great amount of red tape (p. 245). Irene felt obligated to help these students keep their tradition alive, but was burdened with all the excess work (p. 245). Those in the upper ranks of the bureaucracy will also sometimes act in contradictory ways that indicate hostility towards minority women. For example, Jacob found that administrators in the university would publicly support Natives’ initiatives but privately work against them through funding cuts or sanctioning protestors (p. 242).

Another institutional problem, some would argue, is lack of transparency. Armstrong and Wildman condemn the lack of transparency, or “secrecy,” in hiring, retention, tenure votes, and anonymous student evaluations, as “allow[ing] unexamined assumptions or presumptions to impact the evaluation process” (p. 236). They also argue that when anonymity is necessitated, evaluators should carefully screen for bias (p. 236).

Another professor criticizes transparency as working against her. Because salary negotiations were transparent at Professor Francisca de la Riva-Holly’s university, and because she had negotiated the highest paid salary in the humanities department, people perceived her as a Latina “diva” (p. 289). Latino and Latina colleagues, especially those from upper- and middle-class backgrounds, used racist and classist stereotypes against her because of it (p. 289). For example, faculty members accused her of using food and social gatherings to acquire distinction, which plays along with the general Hollywood

stereotype that Chicanos are “troublemakers” (p. 289).

These institutional barriers all work to circumvent women’s positions as equals in the academy.

### **WOMEN RESPOND: HOW TO OVERCOME THE OBSTACLES THAT CONTRIBUTE TO THE “PRESUMPTION OF INCOMPETENCE”**

In so many of the stories within *Presumed Incompetent*, women share coping mechanisms and strategies to combat institutionalized oppression in academia. In this analysis, some trends will again conflict and overlap with one another, but it is important to highlight these trends in order to recognize various forms of action and advice to other women in similar circumstances.

#### **Solidarity**

Without supportive friends, law school would be an unimaginable experience for me. Female students, and especially those with double or triple oppressions, have to endure “stereotype threat,” often feel “imposter syndrome” for being accepted, and have to endure the various forms of oppressive social norms discussed above. Friends and allies provide the support and encouragement necessary to succeed in such a competitive environment.

Regarding how to cope with and combat oppression in academia, solidarity is one of the more common themes in *Presumed Incompetent*. Even the simple recognition that other minorities are facing similar circumstances can be tremendously beneficial to help women of color survive in this environment. After Professor Wing published an article for the *Berkeley Women’s Law Journal* about her experience as a woman of color in academia, she read other women’s stories from the special issue and cried because she felt validated that “[she] was not alone” (p. 358). She was finally able to commiserate with others who shared similar feelings of being undervalued and underappreciated, a process that provided her tremendous support.

Other women have advocated for collective groups that offer protection in such a “hostile racist and classist environment” (p. 247). Friends and allies who provide support are necessary, Professor Jacob argues, because the academy is about “power building” and having a “killer instinct” to survive (p. 247). This killer instinct will quickly make women burn out if they do not have people to support them and give them balance (p. 247-248). Professor de la Riva-Holly also suggests having some sort of “institutional protection” in place for junior faculty of color (p. 294). In her experience, many of the faculty shunned her and did not express interest in talking with her or mentoring her (p. 294). What helped her overcome this was positive feedback from students: “[T]hey cared so deeply for me and were having email conversations wondering why I had been so maligned” (p. 294). When faculty members from the “top” used her students against her, she felt like they labeled her “the betrayer” (p. 294). Thus, even with support from students, faculty within the institution were able to control and

manipulate her support away from her.

### **Going the Extra Mile**

Unfortunately, women with various oppressions feel the need to do twice the work to get the same recognition and respect as their white and male counterparts. De la Riva-Holly's advice to other minority faculty members highlights the enormous workload burdens on women of color and working-class backgrounds: "[A]ssume that you will do at least 50 percent more work than you are asked . . . [because] nothing can be left to chance in an institution where we are expected to fail" (p. 295). In addition to the extra scholarship she produced, de la Riva-Holly also "went the extra mile" with regard to teaching and service:

In regard to my students, I left nothing to chance. I got to know most of them and spent a lot of time in my office available to assist them individually if needed, yet continued to teach challenging and demanding courses . . . I often invited classes to my house or cooked for an entire class and brought food to the classroom . . . [With regard to service], I never said no to anything I was asked to do: substitute for a colleague, lead a discussion, make a presentation in another teacher's classes, prepare a panel, assist with a translation, share materials when I had anything to give them (p. 296).

Professor Wing also displays her intense work ethic when she relates that, after her tenure acceptance, she "really started cranking" rather than "coasting" (p. 362).

In an environment that only credits women of color and working-class backgrounds with the same professional success when they do twice the work, women will always be subordinated. Creating objective standards for tenure, rather than subjective standards such as "collegiality," will help these women overcome the mental pressure of having to juggle all these requirements at once. Collegiality, de la Riva-Holly argues, is "one of the most common terms used when no other accusations can be made about your scholarship, teaching, or service, and you are doing too well in your path toward an assured tenure" (p. 294). With such subjective standards, it is often unclear what expectations are placed on each individual. Collegiality and other subjective standards are easily used as tools to hinder minority women's advancement.

### **Take Care of Yourself**

De la Riva-Holly and Wing's superstar mentality may not represent all female faculty of color, but they offer examples of the extreme measures women will go through just to receive the same professional treatment by their colleagues. It comes as no surprise that so many women of color feel burned out and want to take a step back to replenish themselves.

After Professor Wing realized she had been focusing too much on others'

needs instead of her own, she decided to make a lifestyle change. She began eating healthier foods, exercising regularly, and getting regular massages, manicures, and pedicures (p. 369). De la Riva-Holly, on the other hand, did not like colleagues' assertions that she should slow down and take care of herself. Instead of "take care of yourself," she preferred that her colleagues say, "I've never met someone who works as efficiently as you do" (p. 293). Her idea of taking care of herself is helping others, because "the self never exists alone in my reality" (p. 298). Giving back to the community, and especially those "climbing the slippery ladder" as she once did, was a way that she could help herself (p. 298).

### CONCLUSION

Women face enormous hurdles in academia, but their suffering is fluid, rather than categorical. Some aspects of oppression will work in different ways to hinder women's ability to be treated equally and also to feel *equal* in a work environment that supposedly values diversity, collegiality, and excellence. When women at the top echelons of these elite institutions can feel the weight of social injustice upon their backs, no one who is placed in a subordinate category from birth is safe from being "presumed incompetent." The lessons these women learned and taught to others are invaluable in that they provide unique, yet collective, wisdom. There may not necessarily be a one-stop solution to these issues, but these collective voices will finally break the silence that has subjugated women for far too long.