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Images of Black Women in the Legal Academy:  
An Introduction

Emma Coleman Jordan†

The story of black women law professors in the legal academy has yet to be told. This collection of essays begins the process of creating a record of our experiences as teachers, scholars, administrators and participants in the law school culture. Each author is a black woman law professor who has chosen a personal vantage point from which to explore our often conflicting roles in legal academia. These essays reflect the experiences of both senior teachers and recent entrants into the profession. We begin with stories1 of personal experience in our professional lives. We think that this is the firmest foundation on which to build our knowledge in the search for more general insights into legal issues affecting the lives of black women outside the legal profession.2 The essays

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1 Storytelling, the use of narrative and personal account, offers a powerful alternative vision to the traditional forms of legal persuasion. See Symposium, Legal Storytelling, 87 Mich L Rev 2073 (1989) (this collection of articles is tangible recognition of the growing influence of the storytellers' art upon legal scholarship). See also Milner S. Ball, The Legal Academy and Minority Scholars, 103 Harv L Rev 1855, 1858-60 (argues that storytelling by minority scholars seeks to transform legal scholarship by translating the particular and personal to the theoretical). See generally Robert Coles, The Call of Stories: Teaching and the Moral Imagination (Houghton Mifflin, 1989).

2 We surely recognize that our experiences as members of a relatively privileged intellectual community do not give us license to obscure the real economic differences that may exist between our daily lives and the lives of the majority of women of color. We have only tried, where possible, to heed the exhortation:

It is time for Sapphire to testify on her own behalf, in writing, complete with footnotes. . . . "To testify" means several different things in this context: to present the facts, to attest to their accuracy, and to profess a personal belief or conviction. The minority feminist legal scholar must be a witness in each of these senses. Regina Austin, Sapphire Bound!, 1989 Wis L Rev 539, 542 (1989).

that follow reveal a wide band of common experience, amidst infinite variety.

This symposium is the product of a series of self-conscious choices. First, we have chosen to speak as women and persons of color. Our writing joins an ongoing conversation initiated by scholars of color from the focal point of racial experience to expand society's understanding of the impact of legal rules. Second, we have chosen to publish in this law journal in order to assert a measure of control over the place and manner in which we present our views as a group. Third, we have chosen to

3 One might think that race and gender are such involuntary, indeed immutable, characteristics that no choice need be made. However, the essence of the multiplicity thesis developed by bell hooks, Matsuda and others is that shifting between the perspective of the dominant culture and the culture of outsider groups to which one belongs is indeed an act of conscious identification.

Alex Johnson notes that "[t]he voice of color is a matter of perception and intent." Alex M. Johnson, Racial Critiques of Legal Academia: A Reply in Favor of Context, 43 Stan L Rev 137, 157 (1990). I share two of Johnson's central observations. First, that "the ongoing debate over the existence of the voice of color is about control over the vocabulary of legal discourse." Id at 158. Second, that the growing racial and gender diversity of the community of legal scholars has engendered important challenges "to the tacit presuppositions and hence the standards by which we evaluate scholarly work." Id at 155.


4 Patricia Williams, for example, begins her book, The Alchemy of Race and Rights (Harvard U Press, 1991), with this sentence: "Since subject position is everything in my analysis of the law, you deserve to know that it's a bad morning." Id at 3. See also Charles Lawrence, The Word and The River: Pedagogy as Scholarship as Struggle 18 (unpublished manuscript, 1989) (on file with Berkeley Women's Law Journal) (commenting on the use of written personal reflections in his seminar at Stanford Law School, he notes that "the assignment privileges experience and the forceful articulation of that experience." ); Derrick Bell, Tracy Higgins, Sung-Hee Suh, eds, Racial Reflections: Dialogues in the Direction of Liberation, 37 UCLA L Rev 1037, 1042 ("New definitions and new insights, especially those grounded in the lived experiences of people of color, are essential to the project of rethinking civil rights issues and objectives.") (emphasis added).

5 This symposium issue is being published in the Berkeley Women's Law Journal as the result of consultation and collective decision-making about the scope and focus of its content, editorial control, and method of presentation. Alas, complete control is an elusive goal. Regrettably, there were several articles not published because of decisions made by either the author or the editorial board.

The collaborative style of governance has come to be a hallmark of the Northeast Corridor Collective of Black Women Law Professors (hereinafter Northeast Corridor Collective). The small meeting size, non-hierarchical structure and process of the Northeast Corridor Collective is similar, in this regard, to the early efforts of predominantly white feminist legal theory groups such as the "Fem-Crits," which, compared to Critical Legal Studies groups, were more "inclusive, participatory, nurturing, experience-based." 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, 65 (1988).

But see bell hooks, Feminism: A Transformational Politic, in Deborah Rhode, Theoretical Perspectives on Sexual Difference 185 (Yale U Press, 1990). bell hooks notes that "small groups are no longer the central place for feminist consciousness-raising." Id at 90. She concludes that women's study classes, conferences and books have replaced the kitchen table conversation as the forum for exchange of feminist ideology. hooks argues, persuasively, that in the small group discussion, differences in class and educational background can be more
publish what began as a series of private conversations with each other in order to share these thoughts with a wider audience.\textsuperscript{6} The reader will join an "unruly conversation,"\textsuperscript{7} in which we contradict each other and ourselves. We offer no formulaic expression of our race and gender; we share what we know, even as we seek to know more.\textsuperscript{8}

We have also chosen a strategy of affiliation. Our decision to publish as a group reflects our recognition that we share a very large common denominator of experiences in our lives, both inside and outside of the legal profession. The remarkable stories that follow will add flesh to the heretofore skeletal framework of unsupported assertions about the roles, opportunities, challenges and obligations of black women law teachers. By providing detailed portraits of our encounters with students and colleagues, we hope to confront the corrosive and false assumption that as black women we have received a double benefit.\textsuperscript{9} Moreover, we recognize that by publicly focusing our attention on our professional environment, we enhance the probability that we can make a lasting contribution to those who will follow us in this career.\textsuperscript{10}

This symposium is an outgrowth of the establishment of the Northeast Corridor Collective of Black Women Law Professors.\textsuperscript{11} The articles

\textsuperscript{6} Linda Greene captures the dilemma that this choice presents: "I must confess that I have experienced some ambivalence about this decision because I had to decide whether to change the voice, tone, and objective of the paper to accommodate its circulation to a wider audience." Linda Greene, Tokens, Role Models, and Pedagogical Politics: Lamentations of an African American Female Law Professor, published elsewhere in this volume of the Berkeley Women's Law Journal.

\textsuperscript{7} Lorene Cary, \textit{Black Ice} (Knopf, 1991).

\textsuperscript{8} To obtain a sense of the evolution in thinking about how one can best approach the problems of race and gender, compare Angela Harris, \textit{Race and Essentialism in Feminist Legal Theory}, 42 Stan L Rev 581, 615 (1990) ("In order to energize legal theory, we need to subvert it with narratives and stories, accounts of the particular, the different, and the hitherto silenced.") with Angela Harris, \textit{Women of Color in Legal Education: Representing La Mestiza}, published elsewhere in this volume of the Berkeley Women's Law Journal. ("Oh no, not another collection of essays of women 'coming to voice.'").

\textsuperscript{9} The stories collected here are stories of struggle and perseverance. Search as you might, you will find no victims here. Indeed, there are many examples of power, prestige and influence. This observation occurred to me as I reflected on recent writing by conservative critics of affirmative action and voice scholarship. One recent critic has sought to caricature experiential scholarship as exaggerated claims of victimization. See Dinesh D'Souza, \textit{Illiberal Education: The Politics of Race and Sex on Campus} (Free Press, 1991). See also Shelby Steele, \textit{The Content of Our Character: A New Vision of Race in America} (St Martin, 1990).

\textsuperscript{10} Derrick Bell concludes that minority law teachers' struggle for recognition and acknowledgement of our competence may be worth it: "that recognition and the opportunities it would open for others like ourselves would be reward enough for our long years of mostly unrecognized travail." Richard Delgado and Derrick A. Bell, \textit{Minority Law Professors' Lives: The Bell-Delgado Survey} 1 (Institute for Legal Studies, Working Papers Series 3, 1988).

\textsuperscript{11} The Northeast Corridor Collective is an informal group of black women law professors who meet once each quarter in members' homes to discuss works-in-progress and to exchange ideas in the development of black feminist theory and practice. It began modestly as an informal discussion group in Washington, D.C. in March 1988. The group has continued to expand in numbers as well as in geographic coverage. The first meeting was attended by 16 black women. In the three years since it was organized, the group has grown to encompass partici-
contained in this volume represent at once individual and collective efforts to undertake the difficult task of self-definition. For many of us, the process of self-disclosure represents a painful, but necessary, first step in achieving the larger task of identifying and sustaining a coherent research agenda that embraces the problems of black women. We offer a glimpse of our inner lives, of the experiences that shape our scholarly interests, and the challenges that stimulate our teaching approaches and drive our research priorities. This symposium therefore provides an opportunity to build both individual and group strength through the healthy process of self-definition.

THE HARVARD CONTROVERSY: A CATALYST

We undertook these reflections in response to two widely-publicized events at Harvard Law School. In the Spring of 1990, during the second semester of a year-long visit at Harvard, Regina Austin of the University of Pennsylvania School of Law became the focus of student demands to add a woman of color to the faculty. The faculty invoked a sometimes-ignored rule precluding consideration of visitors then in residence for permanent positions. Professor Derrick Bell, a black civil rights scholar, announced his intention to protest the lack of faculty diversity by taking an indefinite leave of absence without pay until a woman of color was hired with tenure.

Derrick Bell’s decision stimulated intense newspaper coverage. These news reports contained a wide variety of comments and opinions, from black and white students at Harvard, from Harvard faculty and faculty at other schools. However, comments from black women law professors were a glaring omission from the body of opinion rapidly accumulating in the wake of Professor Bell’s leave of absence.

Many members of the Northeast Corridor Collective were especially dismayed by the publication of the casual comments of first-year students who had been enrolled in Professor Regina Austin’s torts class while she

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12 Regina Austin suggests an approach. She declares that minority feminist legal scholars must “document the material legal existences of minority women. [Their] work should explore their concrete problems and needs, many of which are invisible even to minority lawyers because of gender and class differences.” Austin, 1989 Wis L Rev at 542 (cited in note 2).

13 The long-term project of identifying neglected, but important, subjects for exploration is certainly the most significant intellectual challenge facing individual members of the collective. We hope to continue to provide a valued haven of exchange, support and criticism for a diverse group of black women law professors who seek to take up this challenge.

14 See discussion of Bell’s leave of absence in note 18.
was visiting at Harvard during the 1989-90 academic year. Off-the-cuff remarks from first-year law students were accorded the prominence ordinarily reserved for experts. The unflattering coverage seemed so unfair; we were angry, and we were energized. We undertook both short-term and long-term responses to the problem of increasingly distorted images of black women law teachers. We telephoned each other looking for ways to mitigate the short-term damage to her well-deserved reputation as a creative, venturesome thinker about the problems of race and gender. Although our efforts were largely driven by altruistic motives, we could not ignore the powerful force of our shared identity. The intensity of our efforts, therefore, had the unmistakable ring of self-defense. We faced one of the many ironies of race relations in America: the achievements of a highly talented individual had been diminished by her membership in a group to which negative characteristics had been ascribed. As we sought to restore her hard-won achievement, our group effort further reinforced both her association with the undesirable characteristics and our membership in the group.

As Harvard Law School carried its intellectual glass slipper across the nation looking for a "qualified" woman of color to join the faculty, the debate generated by that search involved both old and new justifications for a diverse faculty. Three primary arguments have emerged.


17 A conservative race theorist's version of this dilemma can be found in Steele, The Content of Our Character at 96 (cited in note 9):

It seems to me that when we identify with any collective we are basically identifying with images that tell us what it means to be a member of that collective. Identity is not the same thing as the fact of membership in a collective; it is, rather, a form of self-definition, facilitated by images of what we wish our membership in the collective to mean . . . But the process of identification is usually dialectical. It is just as necessary to say what we are not as it is to say who we are—so that finally, identification comes about by embracing a polarity of positive and negative images.

18 While Harvard has received the lion's share of negative publicity for its progress on diversity, this attention is somewhat disproportionate: there are other elite law schools whose hiring records are substantially worse than Harvard's. Indeed, in one survey, Harvard was above the norm in minority faculty. This record is, of course, the product of the hiring of black males who are now Harvard Law School faculty members. Richard Chused, The Hiring and Retention of Minorities and Women on American Law School Faculties, 137 U Penn L Rev 537, 539 (1988) (in the 1986-87 academic year, Harvard had more than six percent of its faculty positions occupied by black men).

Harvard has become the focal point for the general debate about diversity because of two events: Derrick Bell's unpaid leave, and a law suit filed by Harvard law students alleging employment discrimination. See, for example, Jonathan Yardley, The Case for Merit at
First, black women and other women of color bring intellectual diversity to the academy. Second, black women serve as “role models” for black female students, in a way that men of color and white people cannot. Third, inclusion of women of color in positions of academic leadership serves democratic representational ideals.

Excellence Through Intellectual Diversity

The intellectual diversity argument asserts that a core value of academic life is the exchange of ideas between members of the community with radically different perspectives and experiences. In this argument, a woman of color becomes a potentially valuable colleague because she has the capacity to expand the range of ideas and experiences transmitted to students through teaching and scholarship. It is hoped that she will draw on her experiences as a woman and person of color to contribute unique and valuable normative insights about legal institutions. This classic diversity argument rests on the premise that a scholar and teacher's life experiences necessarily serve as the primary ground from which to draw unique contributions.

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Harvard Law School, Wash Post B2 (Apr 30, 1990) (characterizing the issue as “rational rather than emotional . . . advancement and success must be earned on merit, not awarded—or denied—because of sex or color”); Lisa Markoff, Action of Harvard's Prof. Bell Focuses Attention on Diversity, Natl L J 4 (May 7, 1990); Fox Butterfield, Old Rights Campaigner Leads a Harvard Battle, NY Times A19 (May 21, 1990) (quoting Professor Emeritus Clark Byse: “[It's more important to maintain Harvard's standards of excellence than to improve the diversity of the faculty”). See also Harvard Law School Coalition for Civil Rights v The President and Fellows of Harvard College, Superior Court, Middlesex County, Cambridge Div, Civ Action No 90-7904 (action alleging pattern of employment discrimination in hiring women, Asian Americans, Hispanics, African Americans, American Indians and openly gay and lesbian faculty members); Alleging Discriminatory Hiring, 12 Students Sue Harvard Law, Wash Post A6 (Nov 21, 1990). The action was later dismissed on February 22, 1991. See Judge Rejects Suit on Harvard Hiring, NY Times A18 (Feb 26, 1991); Ken Myers, Suit Dismissed, Natl L J 4 (Mar 11, 1991); Anthony Flint, Court rules that Bok need not testify now on minority hiring, Boston Globe 50 (Jan 3, 1991) (court ruled that President Bok's deposition need not be given in law school moot court room; court will rule on motion to dismiss first).

19 See Anita Allen, On Being a Role Model, published elsewhere in this volume of the Berkeley Women's Law Journal (rejecting role model argument as insufficient to capture the full range of black women scholars' potential contribution to academic life).


21 See, for example, Regents of the University of California v Bakke, 438 US 265 (1978). In the controlling opinion, Justice Powell notes that universities have asserted a First Amendment “right to select those students who will contribute the most to the 'robust exchange' of ideas . . . a goal that is of paramount importance in the fulfillment of its mission.” Id at 313.

Noting the special mission of law school, Powell cited Sweatt v Painter, 339 US 629, 634 (1950) (successful equal protection challenge to maintenance of segregated law school at University of Texas) with approval:

[E]ven at the graduate level, our tradition and experience lend support to the view that the contribution of diversity is substantial. In Sweatt v. Painter, 339 US at 634, the Court made a similar point with specific reference to legal education: “The law school, the proving ground for legal learning and practice, cannot be effective in isolation from the individuals and institutions with which the law interacts. Few students and no one who has practiced law would choose to study in an academic vacuum, removed from the interplay of ideas and the exchange of views with which the law is concerned.” Bakke, 438 US at 313-14.
which the fruit of creativity will spring.\textsuperscript{22} This is a general claim, one that applies to all writers and thinkers, and seems largely uncontroversial when addressed to non-minority scholars. However, for men and women of color, the racial distinctiveness argument has proven to be a hotly-contested proposition.\textsuperscript{23}

Justice Powell endorsed the intellectual diversity argument, as applied to the student body, in the plurality opinion in \textit{Regents of the University of California v Bakke}.\textsuperscript{24} But intellectual diversity for students, without diversity among faculty, would be a limited accomplishment indeed. In fact, one of the purposes of student diversification efforts was to yield a crop of talented minority graduates who might reach the highest rungs of political, social and intellectual accomplishment.\textsuperscript{25}

Women of color have made creative contributions to legal scholarship. Much of this work breaks new ground by addressing topics that few, save black women, might ever treat with academic intensity and rigor.\textsuperscript{26} The argument for racial and gender diversity is thus a call to true excellence, not a race-based degradation of preexisting standards of excellence. This argument insists that no faculty can claim preeminence when it lacks access to the thinking of outstanding women of color.\textsuperscript{27}

\textbf{What Roles, Which Models?}

The role model argument has been ably explored by many others in this volume. I add to these observations only the thought that the idea of role models seems unduly restrictive. The hypothesis that adding black women to law faculties will provide "role models" for students is unnecessarily simplified. Each generation of young black women has both the

\textsuperscript{22} Oliver Wendell Holmes, \textit{The Common Law} 1 (1881) ("The life of the law has not been logic: it has been experience").

\textsuperscript{23} See the discussion of the racial critiques debate in note 3.

\textsuperscript{24} Bakke, 438 US at 313 (see discussion in note 21).


\textsuperscript{26} See, for example, Paulette Caldwell, \textit{The Hairpiece: Perspectives on the Intersection of Race and Gender} (forthcoming Duke L J) (exploring the legal impact of employment restrictions on black hairstyles that are symbols of racial and cultural affirmation). See generally Williams, \textit{The Alchemy of Race and Rights} (cited in note 4).

\textsuperscript{27} No serious advocate of diversity has argued that anyone should be hired to join a law school faculty who has not shown an aptitude for doing what law professors are expected to do: teach, write, think and lead a life of intellectual achievement.

The opponents of Derrick Bell miss the point when they assert that his position amounts to "martyrdom in the name of tokenism . . . putting the squeeze on Harvard Law, hoping to embarrass it into giving precedence to right-mindedness over scholarly standards." Yardley, Wash Post at B2 (Apr 30, 1990) (cited in note 18).
capacity to imitate (model) the solutions forged by the prior generation, and to initiate (create) new solutions. In my experience as a teacher, mother, student and friend, I have come to have faith in the inventiveness of the next generation. The role model argument ignores the dynamic, intergenerational nature of both teaching and learning. Good teachers learn as much from their students as students learn from them. Thus, the role model argument leaps over the untidy reality of complex interactions between students and teachers, instead imposing an artificial framework of one-dimensional, hierarchical relationships. The argument therefore devalues the contribution that our students can make. More importantly, however, it perpetuates hierarchical barriers, thus potentially inhibiting valuable interactions between students and teachers, in which modelling is a mutually satisfactory exchange.

Serving Democratic Representational Ideals

Universities must be sensitive to their role in preparing leaders for our democracy. It is indisputable that a university education has become an indispensable minimum for participation in the full range of political, corporate and bureaucratic leadership. Thus, the university, particularly the law school, is at the vortex of opportunities that permit its graduates to participate in the leadership of vital areas of public and private activity.

Furthermore, the university community serves as a source of social and economic stratification in our society. One might expect that universities would, therefore, bear the weight of intense scrutiny as they distribute resources and access to resources within the university itself. The opposite is true. There is instead a necessarily highly effective and protective thicket of doctrine, custom, lore and constitutional prerogative that largely shields the university from external review. Under the umbrella of “academic freedom,” the university is an intellectual preserve largely free of the regulatory oversight that governs non-academic conglomerates which perform similar commercial functions.

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28 See, for example, Coles, The Call of Stories at 22 (cited in note 1) (“The patients will learn the lessons a good instructor learns only when he becomes a willing student, eager to be taught”).


30 See Duncan Kennedy, A Cultural Pluralist Case for Affirmative Action in Legal Academia, 1990 Duke L J 705 (arguing that law school teaching positions are part of the wealth of the United States, and that affirmative action fosters cultural pluralism in the distribution of wealth and power).

31 See J. Peter Byrne, Academic Freedom: “A Special Concern of the First Amendment”, 99 Yale L J 251, 258 (1989) (distinguishing the various liberties encompassed in the concept of academic freedom and arguing that the First Amendment protects “teaching, scholarship, and experimentation, all of which contribute unique cultural and intellectual values to a free society”).

32 Stephen Trachtenberg, the president of George Washington University, has frankly acknowl-
The First Amendment is not only a shield, but is also a sword that greatly protects the university from being called upon to defend its decisions to admit students, hire faculty and determine the quality of the intellectual work that each group produces. The Supreme Court endorsed, on First Amendment grounds, the intellectual diversity argument discussed above, thus permitting the academic community to go further than many others in establishing a selection priority for students from diverse racial and ethnic backgrounds.

Academic freedom thus permits our unique communities of intellectual interchange to further democratic representational ideals in at least three ways. First, by admitting a diverse population of students, the pool of potential future leaders for all sectors of society is enlarged. Second, by increasing the diversity of its own ranks of leaders, the university multiplies its potential influence to expand the arteries through which intellectual talent becomes available to society at large. Academic freedom therefore permits, but does not require, law schools to value the unique contributions that black women’s life experiences have prepared them to make to the intellectual life of law schools. Third, the academic community itself, by reaching farther and faster to embrace the differences coursing through the national culture, can serve as a vibrant exemplar of the nation’s aspiration to fair treatment for all citizens. We can be the best that our democracy can expect to achieve if we accord equal dignity and respect to our tributary cultures and experiences.

The most challenging barrier to the success of the democratic representation argument is the false conflict between “meritocratic” achieve-

edged the dominance of a corporate perspective for university administrators. He offers the following anecdote to illustrate the point:

You meet people on a plane or in other places, and people generally ask you what you do. I used to say that I’m a university president. Either people’s eyes would glaze over or they would begin to shower me with a litany of complaints about higher education.

Now I say I run a conglomerate in Washington, D.C., which has athletic clubs, bookstores, health facilities.

People generally ask how big the conglomerate is.

I say that last year our budget exceeded $500 million, and that, on the side, we do some education.


33 See note 21.

34 While the Bakke diversity theory, discussed in text accompanying note 21 above, is directed at students, the rationale of that opinion would permit similar voluntary efforts by previously all-white faculties to embrace diversity for themselves as well.

35 This passage, from a wonderful new book by a black woman writing about her experience as part of the first wave of students integrating an all-white, all-male, wealthy, Episcopal boarding school in New Hampshire, captures the sense in which I have used the term “prepared”:

I was not afraid to go to St. Paul’s School, although it was becoming clear to me from the solicitous white faces that people thought I was—or ought to be. . . . I, too, had been raised for it. My mother, who had worked in a factory, and her mother, who had cleaned apartments in Manhattan, had been studying these people all their lives in preparation for this moment. . . . The point was that we had been bred for it, just as surely as they.

Cary, Black Ice at 57-59 (cited in note 7) (emphasis added).
ment and representation by status. I call this a false conflict because the most persuasive arguments emerging from the second generation affirmative action debates have been arguments that challenge the neutrality of both the norms of evaluation and the evaluators themselves. If the idea of merit is unavoidably culture-bound, then judgments about student achievement and faculty research must be acknowledged to be similarly bounded. This observation need not lead to the *reductio ad absurdum* that there can be no standards at all. Frank recognition of the cultural and experiential frameworks of both the evaluator and the evaluated diminishes the silent acceptance of assertions of neutrality and complete objectivity.

The democratic representation argument must confront and put to rest the criticism that it is but a thinly-disguised call for racial quotas. In order to accomplish this task, a clear distinction must be made between the crude pseudo-argument that academic selection should be based on demographic and census data alone, and the more subtle argument that the law school, as an important gateway to economic and political influence, is obligated to embrace our highest aspirations of inclusion and equal treatment; it can do so by taking advantage of self-governance to create a diverse intellectual community in which all scholars are held to the standards of intellectual accountability.

**The Power of Images**

In many ways, the language of this debate calls to mind earlier first-generation affirmative action debates about student diversity. The idea of qualification has changed little; images of masses of unqualified applicants dominate the discussion of faculty diversity much as they did the earlier student affirmative action debates. Thus, while the debate about diversity has focused on the pool of “qualified” black women law teachers, much of the rhetoric generated by both the proponents and opponents of faculty diversity contains unflattering images that undermine our effectiveness as teachers and scholars. Unchallenged, these images would remain largely hidden from view, surfacing randomly like envi-

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36 See Bell, *And We Are Not Saved* at 140-60 (cited in note 3).
39 See note 27.
41 Pat Williams reacted bluntly to an item on the MacNeil/Lehrer News Hour: “Harvard Law School cannot find one black woman on the entire planet who is good enough to teach there, because we’re all too stupid. (Well, that’s not precisely what was said. It was more like they couldn’t find anyone smart enough ...).” Williams, *The Alchemy of Race and Rights* at 5 (cited in note 4).
ronmentally hazardous debris to erode the pillars of individual effort that support our careers. The essays that follow provide a much-needed challenge to and examination of these largely submerged, yet powerfully derogatory, images of black women legal scholars.

**Professors, Policy-makers, Diplomats and Deans**

We are not the first black women professors to enter legal academia. Rather, our experiences extend the challenges of others who have gone before us. One source of the residual images of black women law teachers comes from the superstars, the women whose names are immediately recognizable as lawyers and law professors. As with any complex story, however, the complete story cannot be told without including the stories of lesser-known women. I have chosen to investigate and write about the lives of three women who helped create the legacy of black women in law teaching today. They are Sybil Jones Dedmond, the first black woman to teach full-time and attain tenure in an American law school; Patricia Roberts Harris, first black woman dean, cabinet secretary, ambassador and United Nations delegate; and Jean Camper Cahn, advocate for the poor, originator of government-sponsored legal services for the poor, and co-founder of Antioch Law School, a pioneer in clinical legal education. I include their stories in this introduction to fill in some missing history and make explicit our connection with the black women who went before us.

I have chosen these three women not because they are perfect, but because they embody the travails of black women seeking to make inroads in legal education. They are a part of our legacy as black women

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42 Black women have been perceived as incapable of competing intellectually in the most select circles of academic achievement, due to the general racial stereotype that black people are not as smart as white people, and are lazy.

In a 1990 survey of 1,372 respondents in 300 communities conducted by the National Opinion Research Center at the University of Chicago, 53% of the respondents said that blacks were less intelligent than whites. Moreover, 62% of the same respondents held the view that blacks were more likely to be lazy. See Lynne Duke, *Whites' Racial Stereotypes Persist, Most Retain Negative Beliefs About Minorities, Survey Finds*, Wash Post Al (Jan 9, 1991).

43 These images are explored in the essays that follow. They include black women as: sex object, survivor, unintelligent, angry, aggressive, lacking authority, frivolous and concerned with social conventions like dancing and clothes, sharp-tongued, tough and bitter.

44 In the 1930s, Ollie Mae Cooper taught part-time at Howard University School of Law and served as secretary to the school's dean. Although she was never given a tenure track position, she is a first as well. *Inaugural Presentation of the Ollie Mae Cooper Award, 23 Howard L J 369, 371 (1980)* (remarks of Thomas A. Duckenfield).

I thank Herma Hill Kay, of the faculty of the University of California at Berkeley, Boalt Hall School of Law, for identifying Professor Dedmond as the first black woman law teacher to teach full-time and achieve tenure. Professor Dedmond will be featured in Professor Kay's forthcoming book featuring the biographies of 12 women pioneers who were the first full-time, tenured women law professors.

I also thank J. Clay Smith, Jr., who was enormously helpful in checking the accuracy of the biographies in this section.
law teachers. In what follows, I have sought to identify the challenges that each woman faced, and to show how she met those challenges.

**Sybil Jones Dedmond:** The First Black Woman Law Professor

In the fall of 1951, Sybil Jones became the first black woman to teach full-time in an American law school, at North Carolina Central University. She taught Criminal Law, Real Property, Conveyances, and Future Interests. She had graduated from Howard University in 1944, and the University of Chicago Law School in 1950.

Professor Dedmond remembers her law school experience at Chicago as "comfortable... [not] segregating students based on race or sex." Chicago during that time was a "pioneering" school, one with an "exceptionally good atmosphere in which to study law." Although racial segregation had not yet been outlawed by *Brown v Board of Educa-

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45 This biographical sketch of Professor Sybil Jones Dedmond is based on telephone interviews conducted by the author on February 1, 1991 and February 4, 1991. These interviews were recorded with Professor Dedmond's permission.

A copyrighted transcript of both interviews is on file with the Berkeley Women's Law Journal. These interviews will hereafter be referred to as Dedmond Interview Transcript I (Feb 1, 1991) and Dedmond Interview Transcript II (Feb 4, 1991).

46 Dedmond Interview Transcript II at 1 (cited in note 45).

North Carolina maintained a system of *de jure* segregation in its entire school system. North Carolina Central Law School was a school for black students, while the University of North Carolina at Chapel Hill was maintained for white students.

Professor Dedmond recalls that the resources at North Carolina Central were just barely adequate and could not support extensive research. NCCU faculty members doing research had easy access to the better-stocked libraries at the University of North Carolina at Chapel Hill, Greensboro and Raleigh, and at Duke. Id at 23. For example, the research for Professor Dedmond's article, *The Problem of Family Support: The Criminal Sanctions for the Enforcement of Support*, 38 N C L Rev 1 (1959) was conducted while using library facilities at both NCCU and the University of North Carolina.

47 Dedmond Interview Transcript II at 2 (cited in note 45).

48 Her undergraduate majors were political science and psychology. Id at 2-3.

49 Id at 1. In the two years immediately after graduation from Howard, Sybil Jones received two fellowships for further research. She was the recipient of a Lucy Moten Travelling Fellowship in 1944 and a Rosenwald Fellowship in 1945, to pursue a master's degree in political science at the University of Chicago in 1945. Id at 2-3. The Moten Fellowship financed her research on the white primary system in Alabama, Georgia, and North Carolina. Id at 3.

She reports that her research brought her into contact with blacks who were precluded from voting in the white-only primary where major party candidates were selected. She travelled alone in segregated trains. In response to my question about danger to her personal safety, she said "Just some, yes, but not as much as I had feared and maybe it was due partly to my personality and approach that I did not ever sense any real danger." Id at 4-5.

See *Terry v Adams*, 345 US 461 (1953) (exclusion of black voters from participating in elections held by whites-only private association, in which official Democratic party candidates were chosen, violates the Fifteenth Amendment).

50 Professor Jones married Nathaniel Dedmond, a student at North Carolina Central Law School, in 1957. Dedmond Interview Transcript II at 28 (cited in note 45).

51 Id at 7. She recalls that there were seven women in the University of Chicago Law School class of 1950. She was the only black woman in that class. The women formed study groups, although there were groups with both men and women. There was one black man in the class—Howard Bennett. Id at 11; Dedmond Interview Transcript I at 2 (cited in note 45).

52 She recalls that Maynard Hutchins, the President of the University of Chicago, 1929-45 and Chancellor, 1945-51, and Mortimer J. Adler, Professor in Philosophy of Law, established an exciting and exploratory atmosphere in the university community at large. The excitement
The practice was discussed frankly and students were encouraged to evaluate the cases critically. She remembers that "there was quite a bit of activism" at Chicago, and it "was one of the more liberal schools." The law school was a close-knit community in which students were intensely involved.

In the months before her graduation in 1950, Sybil did not interview with white law firms. She worked briefly with a black solo practitioner in Chicago, doing routine beginning associate-level work. After a year in practice she was contacted by a black law school acquaintance who had graduated from Chicago in 1949. He had been a member of the faculty of North Carolina Central University School of Law, and had decided to enter private practice. He recommended Sybil as his replacement. She was offered and accepted a faculty position at North Carolina Central.

Despite teaching Criminal Law to an all-male class of first year students, Professor Dedmond does not recall being nervous. Her students accepted her, in part because many of these black men had been taught by black women in undergraduate school and in the segregated primary and elementary schools of the American South. The hostility and tension that marked the entry of white and black women into law school classrooms at predominantly white law schools was notably absent in the law school as well. Dedmond Interview Transcript II at 9-10 (cited in note 45).

Id. 347 US 483 (1954).

Id. Dedmond Interview Transcript II at 9 (cited in note 45). It is not clear from her comments how broad-ranging the discussions actually were. She did not say, for example, whether the underlying concept of racism and economic oppression of blacks was taken up and explored. However, Plessy v Ferguson, 163 US 537 (1896) and the formal legal theories supporting the separate-but-equal doctrine were the subject of discussion. Id.

Id. She recalled that her participation in extracurricular activities was limited. There was an active chapter of the ACLU in the law school, and she attended a few meetings. Id at 13.

Id. She recalls that "those times did have the effect of limiting options for blacks, generally, and women too. So, I did not expect much in the way of overtures from the law firms. They came on campus near the time of graduation and interviewed. I didn't expect to get any overtures or invitations, and I didn't." Id at 15.

Her first job after law school was with a black solo practitioner in Chicago (she did not recall his name). Her duties included serving papers and doing legal research. Id at 16.

Professor (later Dean) Harry Groves taught at North Carolina Central University from 1949-51. Professor Groves remembers Sybil Jones as a very "steady capable student. I thought that she would be good, and she was." Conversation between Professor Groves and Emma Jordan, Seattle, Washington, Feb 9, 1991.

Id at 18. She had "a natural reserve... [and] was able to establish authority at an early stage and... didn't have any problems maintaining decorum in the classroom or any problem relating to the fact that [she] was a woman instructor." Dedmond Interview Transcript II at 17 (cited in note 45).

Id at 20. See also Allen, On Being a Role Model (describing the close relationships she enjoyed with black women teachers in her elementary school years in the South) (cited in note 19).
predominantly black setting of North Carolina Central in 1950.63

While at NCCU, Professor Dedmond participated in the community of black lawyers as well. She joined the pre-oral argument “moots” for some of the landmark civil rights cases of the 1950s. She describes a collective effort, in which a close-knit group of, primarily, black lawyers worked informally under the supervision of the NAACP to discuss case development in strategy sessions.64

Professor Dedmond remained at NCCU until 1964,65 when she returned to her home town, Pensacola, Florida, to join her husband in private practice.66

After some time in private practice and service as a county government administrator, Professor Dedmond returned to teaching as a professor at Pensacola Junior College, where she now teaches courses in the business law curriculum.67

The first tenured black woman law teacher exudes an image of steady, quiet competence. She prospered in the supportive, although restricted, atmosphere of the segregated classrooms of a southern law school. She is pleased, looking back over her career, that she did not have “an extremely difficult time just based on race alone or even sex.”68

**Patricia Roberts Harris: Dean and Diplomat**

Patricia Roberts Harris was a superstar, a black woman achiever who found that as she accelerated through increasingly select circles of intellectual and political acclaim in white society, she was called on to defend her ability to understand the plight of poor blacks. During her confirmation hearing to become the Secretary of Housing and Urban Development, she was accused of being a person of wealth and privilege, unsympathetic “to the problems of the poor.”69 She shot back:

You do not understand who I am ... I am a black woman, the daughter of a Pullman car waiter. I am a black woman who even eight years ago could

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63 Dedmond Interview Transcript II at 19 (cited in note 45). Professor Dedmond felt “more comfortable ... Having more people that you could relate to and especially socially, than in the other settings ... I felt very comfortable with the faculty.” Id.


65 Dedmond Interview Transcript II at 17 (cited in note 45).

66 Professor Dedmond remained in general practice with her husband handling real property, wills and estates, and child custody and adoptions. She notes that her husband did the trial work in the office, while she was “the background person ... [who] did research.” Id at 29.

As black lawyers they encountered some client resistance, even from black clients. She attributes this hesitation to hire black lawyers to the perception that “black lawyers were outsiders and wouldn’t have the political influence or impact to be able to get things done.” Id at 31.

67 Id at 34.

68 Id at 36.

not buy a house in parts of the District of Columbia. I didn't start out as a member of a prestigious law firm, but as a woman who needed a scholarship to go to school. If you think that I have forgotten that, you are dead wrong.70

As Senator William Proxmire, the questioner, soon found out, Pat Harris was a feisty black woman who was just as firmly in command of and proud of who she was at the peak of her career as she had been at the beginning. She had climbed lofty heights indeed, and the list of firsts was impressive: first in her class at George Washington University Law Center, the first black woman law school dean, ambassador, United Nations representative, Secretary of Housing and Urban Development, and Secretary of Health and Human Services. A summa cum laude graduate of Howard University,71 she found her intelligence both an asset and a liability. Some say she was never fully accepted by either women's groups or civil rights groups.72

Like Sybil Jones Dedmond, Professor Harris began her career as a law teacher at a predominantly black law school.73 Two of her Howard students, John Clay Smith, Jr.74 and Judy Dimes-Smith (not related),75 offer a glimpse of her in the classroom.

In the summer before his first year of law school, J. Clay Smith, Jr. saw Harris on television, delivering a seconding speech for Lyndon B. Johnson to become the Democratic nominee for President. He was proud to be going to a law school where she was a professor. His early pride soon turned to fear as a student in her torts course when she “raked a few students over the coals.”76 Her “intimidating style” meant that most students did not get to know her well.77

Harris was known as a “tough task master,” a teacher who petrified seniors hoping to graduate on time, prompting them to steer clear of her.78 For the students who survived her intellectual challenge, she

70 Id (quoting Patricia Roberts Harris).
71 Professor Harris graduated from Howard in 1945. Like Professor Dedmond, a 1944 Howard University graduate, Harris also went to the University of Chicago to do graduate work. Harris worked for the YWCA in Chicago, and then returned to Washington, D.C., where she spent ten years working with the American Council on Human Rights and Delta Sigma Theta, a black social and service sorority. Juan Williams, Patricia R. Harris Dies at 60; Career Distinguished by Many Firsts, Wash Post A1 (Mar 24, 1985).
72 “Although seeming proud of her record, blacks seldom included her on any list of leaders. Feminists counted on her support, but accorded her largely the same treatment.” Patricia Roberts Harris Dies of Cancer, LA Times 10 (Mar 24, 1985).
73 When she joined the faculty in the fall of 1961, Professor Harris was the fifth woman to teach at Howard Law School. See John Clay Smith, Jr., Patricia Roberts Harris: A Champion in Pursuit of Excellence, 29 Howard L J 437, 447 (1986).
74 Professor Smith, later dean of Howard Law School, provides a wonderfully detailed account of elements of Professor Harris’ career. See id. I have relied extensively on his article for many of the insights into her tenure as dean.
75 Judy Dimes-Smith, My Tribute to Professor Patricia Roberts Harris, 29 Howard L J 427 (1986).
76 Smith, 29 Howard L J at 437-38 (cited in note 73).
77 Id.
78 Dimes-Smith, 29 Howard L J at 427 (cited in note 75).
inspired deep respect and affection.79

Just eight years after joining the Howard Law School faculty, she was appointed dean.80 She assumed the deanship on February 1, 1969, and resigned within 30 days.81 Her appointment made her the first black woman law school dean.82 The timing could not have been worse. Across the nation, students were directing protests against the Vietnam War. Only ten months before, in the black sections of Washington, D.C., not far from Howard Law School, Martin Luther King, Jr.'s assassination on April 4, 1968 had sparked three days of rioting.83 Howard University law students boycotted classes 12 days into Harris' deanship. The prevailing view is that the boycott was not directed against her.84 There is some dispute about whether the students were seeking to improve the quality of academic instruction or dilute it.85 However, it is clear that Harris resigned abruptly, charging the university president with undercutting her authority by negotiating with students behind her back.86

Harris' law school experience and penetrating intelligence prepared her for the infighting that often characterizes cabinet politics. A member of President Carter's inner circle recalled that Harris "could be tough as nails," and that "there was nothing I dreaded more than going up against her."87 Former President Jimmy Carter, who appointed her, recalled her

79 Judy Dimes-Smith "loved [Professor Harris] as a teacher... [Her class was] the most stimulating and challenging experience of my senior year." Id. Clay Smith too came away from those frightful first-year encounters feeling that "we had been driven to learn how to think." Smith, 29 Howard L J at 438 (cited in note 73).
80 Id at 446-47.
81 Id at 447-48.
82 J. Clay Smith, Jr. reports that Harris' appointment was made by the trustees, even though she had not been recommended to them by the law school dean search committee. Id at 447-48.
83 Walter Leonard, who was assistant dean during Professor Harris' deanship, recalled that she was appointed "over the opposition of many who felt the timing was far from right." Walter Leonard, Patricia Roberts Harris: Discipline and Intellectual Honesty, 29 Howard L J 433, 434 (1986).
84 Smith, 29 Howard L J at 449 (cited in note 73), citing his own interview with Professor Newton Pacht. Professor Pacht, who had been on the faculty for 11 years when the boycott began, said that the students "wanted quality instruction. There were intellectual grounds for the boycott." Id. The students wanted class visitations to evaluate faculty performance, and, according to Pacht, Harris opposed this demand on grounds of academic freedom. Id.
85 One journalist characterized Harris' role in opposing students as follows:

Mrs. Harris' insistence on excellence also put her at odds with some blacks during the height of the civil rights movement... When students at Howard University School of Law were demanding elimination of letter grades[,]... Mrs. Harris, then the dean, maintained an unyielding position. She said the law school's purpose was to produce the very finest lawyers," and she would not be party to diluting that purpose.

86 Id. See also Smith, 29 Howard L J at 449 (cited in note 73). Newton Pacht confirms that University president James M. Nabrit, Jr. not only met directly with students, but also held a secret meeting with faculty who were opposed to Harris.
"unbending will and cutting intellect." He summed up her political persona when he said: "She was sometimes abrasive, even explosive, when circumstances warranted such an action."

Similar statements were expressed in the eulogy and memorial comments made shortly after her death in 1985. These comments contain a concentrated dose of opinion assessing her personality, character, political impact and social contributions. These statements, properly discounted for posthumous affection, offer a glimpse of the image of one black woman law teacher and her contribution to the images of all black women law teachers.

Testimony to Professor Harris' contribution as mentor is provided by one of her protégées: Sharon Pratt Dixon, Mayor of Washington, D.C.

Sharon Dixon’s successful mayoral campaign is a personal success story. She often acknowledges her debt to her mentor, Professor Harris, from whom she learned political strategy and gained entry into Democratic politics. One can only guess how far into the future Harris’ influence will reach through those she mentored. Perhaps the real measure of a black woman law professor is not only whether her dreams come true, but also whether she helps others discover how to make their dreams come true.

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89 Id.
90 A sample of the terms used by colleagues to describe her are: "tough, forceful," "honest," "demanding intellect," "not warm enough," "complex, extremely private person who bristled at mediocrity," "hard edge to her personality," "tough, honest and strong administrator with a low threshold of outrage over injustices," "spunk," "dedication," and "arrogant." See *Memorial to Patricia Roberts Harris: Commemoratives*, 29 Howard L J 415-36 (1986) and *Memorial to Patricia Roberts Harris*, 53 Geo Wash L Rev 320-37 (1985).
91 At the end of her life, Patricia Harris returned to law teaching at her law school alma mater, George Washington. Dean Jerome Barron recounts her enthusiasm for teaching. When asked whether she might like to begin teaching with a two course load, she replied, "I want to teach. I want more courses than that. I'll take Constitutional Law, International Law, Individual Rights and Liberties, and I want a seminar." Jerome Barron, *In Memory of Patricia Roberts Harris*, 53 Geo Wash L Rev 322, 323 (1985).

Another protégé, John Baker, graduated from Howard Law School in 1965. He describes his relationship with Professor Harris as follows:

[She] was my teacher, advisor, and friend, when I was a student at Howard Law School. I took every course that she offered and she served as the advisor to the Howard Law Journal while I was its Editor-in-Chief. She guided my career for my first few years out of law school and never failed to make time for me in her busy schedule whenever I needed to discuss something which I thought was important.


93 Sharon Dixon reports that Harris, as a little girl, "dreamt of the day when she might shape the public policy of this nation. To contribute to making government more constructively responsive to the needs of the people was her greatest ambition." Dixon, 29 Howard L J at 431 (cited in note 92).
Jean Camper Cahn: A Passion for Justice

Jean Camper was the youngest of six children of a prominent Baltimore physician who was active in the civil rights protests of the early 1940s and '50s. A childhood encounter with racism fueled her lifelong battle against racial prejudice and poverty. When Jean Camper Cahn was a child, her older brother was refused treatment at Johns Hopkins University Hospital for an ear infection because he was black. Dr. Camper eventually convinced the hospital to take his son, but in the intervening time the infection spread and surgery to remove part of his brain was necessary. This early trauma "had a profound effect on Jean... what happened to him caused her a lot of pain and anger." Jean Camper Cahn built her career around the effort to insure that poor people would receive legal services. She and her husband Edgar, both Yale Law School graduates, wrote passionately about the need for well-organized delivery of legal services to the poor. She committed herself to this ideal from the inception of her career as the founding director of the National Legal Services Program in the Office of Economic Opportunity in 1965. She became a law professor in 1968, when she founded the Urban Law Institute at George Washington University. The program was an early model of the integration of clinical and classroom training for law students that was to become the hallmark of her teaching. She and her husband “believed that a legal education, which was morally neutral on social issues, was unacceptable.” They


95 Dr. Camper enjoyed a close friendship with future Supreme Court Justice Thurgood Marshall, also a Baltimore native. Camper is reported to have raised money through his medical society to help pay the legal costs of the Brown v Board of Education desegregation litigation. Jacqueline Trescott, Pros and Cahns: Controversy's Old Pros: The Cahns; Triumph and Turmoil, the Constant Companion of Antioch's Rebels, Wash Post D1 (Jan 19, 1980).

96 Paul Robeson was Jean Camper's godfather. Milloy, Wash Post at B3 (Feb 17, 1991).

97 Jean Cahn recalls her father's admonition about the importance of fighting for civil rights: "My father was fundamentally right, the lesson is, you will never be a part of society until everyone has a part." Trescott, Wash Post at D1 (Jan 19, 1980).


99 J Y Smith, Jean Camper Cahn Dies at 55; Founded Antioch Law School, Wash Post B6 (Jan 5, 1991).

100 The Institute was funded by a grant from the Office of Economic Opportunity. Alice Bonner, The Controversial Cahns, Wash Post D7 (May 26, 1982).

101 Cahn was a faculty member at Howard, George Washington, Yale, and Middlebury College during the course of her career. Obituary, Jean Camper Cahn, 55, co-founder of law school, Wash Times B4 (Jan 7, 1991).

102 The program was founded in the aftermath of the riots following the assassination of Dr. Martin Luther King, Jr. See Asher & Well, Wash Post at A8 (Apr 6, 1968) (cited in note 83) and Clopton & Kaiser, Wash Post at A1 (Apr 7, 1968) (cited in note 83).

103 Milloy, Wash Post at B3 (Feb 17, 1991) (quoting Edgar Cahn) (cited in note 94).
wanted to train activists. The Institute was disbanded in 1971 after a heated dispute with the University.

The dissolution of the Urban Law Institute prompted Jean and Edgar Cahn to found the Antioch Law School in 1972. They became the 33-year-old co-deans of a school that many now credit as the first complete embodiment of the clinical teaching method. Although the school was not without its critics, it obtained full approval of the American Bar Association within three years.

A few aspects of Antioch's highly publicized development and eventual demise highlight Dean Cahn's qualities and suggest her contribution to the nascent image of black women law professors. Cahn was a scrappy fighter who used confrontation and protest to further her aims. Antioch Law School had been created from scratch. Installed in an aging mansion in central Washington, D.C., the Deans Cahn scraped together the resources to make it work and hand-picked the students. Students were expected to live with poor clients for some part of their time in law school. They were given cases to handle, and were expected to make a commitment to pursuing their clients' interests.

Despite the idealism that infused the enterprise, the cohesiveness of the law school deteriorated amidst charges of poor management, disputes about control of the law school's revenue, and the low bar passage rate of Antioch graduates. In early 1980, the Cahns were fired by the Antioch Board of Trustees.

103 Id.
104 Trescott, Wash Post at D1 (Jan 19, 1980) (cited in note 94) (Cahn “organized a public protest when the university decided to drop its sponsorship. The university officials stated that students should be studying, not practicing.”). See also Bonner, Wash Post at D7 (May 26, 1982) (cited in note 100).
105 Milloy, Wash Post at D1 (Apr 17, 1991) (cited in note 94).
106 John Kramer, then Assistant Dean for Clinical Programs at Georgetown, expressed disappointment in Antioch's achievements. He noted that “a clinical legal education is a very expensive kind of education and there are only so many sugar daddies around with big grants. If Antioch fails, no other law school may ever get the chance to try the idea again.” Kramer, quoted in Juan Williams, Clinical Education Test at Stake; Antioch Law School Struggles Through Turmoil, Wash Post C1 (May 25, 1977).
107 Antioch was accredited by the American Bar Association in 1975. See Jean Camper Cahn, Tribute to George Strait, 70 Iowa L Rev 754, 758 (1985) (an irreverent, witty account of the founding of Antioch Law School).
108 One journalistic profile noted that "Jean Cahn has turned confrontation politics into a style, a searing accusational style where people are hit on their personal pressure points. If being labeled a disloyalist, a racist, or sexist, works, Cahn applies it." Trescott, Wash Post at D1 (Jan 19, 1980) (cited in note 94).
109 Dean Cahn tells the story of the early days of Antioch in a loving memorial for George Strait, the school's first librarian. She recalls that his imaginative and totally unconventional approach to stocking the library succeeded brilliantly. Dean Cahn describes him as "mischievous, creative, a first-rate bandit, a closet reformer of legal education, an iconoclast in pinstripe with a slight pouch, and salt-and-pepper hair. Did I forget to say he was black? He was." Cahn, 70 Iowa L Rev at 754 (cited in note 107).
110 Id at 756.
111 Trescott, Wash Post at D1 (Jan 19, 1980) (cited in note 94).
Plagued by the aftermath of a severe stroke and paralysis, Jean Camper Cahn later moved to Florida, where she was counsel to a law firm. One of her last cases was decided just a week before her death. Dean Cahn left a powerful legacy of aggressive advocacy on behalf of the poor. Although beset by challenges and reversals of fortune, she seemed never to have lost her passion for justice.

CONCLUSION: LINKING THE PAST, PRESENT AND FUTURE

These three pioneering women represent a complex legacy of achievement in the legal academy. Not only did their work as law professors expand consciousness and opportunity for other minorities in legal academia, but their lives stand as role models for their students, and for those who follow them. Working against the odds, they helped make the legal academy more responsive to the needs and ideals of the communities from which they came. No matter which theory of diversity one applies, it is indisputable that Sybil Jones Dedmond, Patricia Roberts Harris and Jean Camper Cahn were an exciting presence in legal academia. However, the traumatic experiences of one black woman law professor just 20 years ago suggests that despite individual success there remain formidable challenges to full acceptance.

Joyce Hughes, a senior member of the Northeast Corridor Collective who remains in law teaching today, encountered a hostile climate as one of the first black women professors at a predominantly white law school. Professor Hughes began teaching at her alma mater, the University of Minnesota Law School, in 1971. Hughes began her teaching career with impeccable credentials; she was a Phi Beta Kappa graduate of Carleton College and a Coif graduate of the University of Minnesota Law School, where she was a member of the law review. On paper, she was just like her white male counterparts. In the classroom it was a different story:

It was almost 20 years ago that I was recruited into law teaching. What I expected and what actually occurred are two different matters. The trauma associated with my early years in the profession were substantial . . . . In those years immediately following the death of Rev. Martin Luther King, Jr. the student body also was unaccustomed to having a professor . . . . who [was] different from them. Adjustment problems of persons of

112 Bonner, Wash Post at D7 (May 26, 1982) (cited in note 100).
113 Milloy, Wash Post at B3 (Feb 17, 1991) (cited in note 94).
A Florida District Court upheld her argument that the funds distributed from the Older Americans Act must be aimed at benefiting those in greatest need. Her oldest son, Jonathan, who served as co-counsel with his mother and father, remembers that “she was like a Gatling gun in delivering her closing arguments.” Id.
color on a law faculty which had on it no persons of color and no women could perhaps be understandable. But I had not anticipated the severity of the difficulty so many of them would experience . . . . It now seems incredible that any law professor would have to undergo the events I experienced during my first years of teaching.

There were the "administrative passes" granted by the faculty to all students in one of my classes . . . . Then there was the "petition" brought by some students in a class I taught. The petition claimed that the number of classes that had to be postponed and made up were excessive . . . . Then there was the "hearing" on the petition of which I was not given sufficient notice. Then there was an "adversarial meeting" involving the entire faculty at which representatives of the AALS also attended.

The final result of the adversarial meeting was a statement in which the faculty apologized for subjecting a colleague to such treatment. I am not aware that at any time prior to or subsequent to those events has any faculty member at that institution had to endure such treatment. After all this time the events of those early years in law school remain vivid. 116

Gaining acceptance of women faculty continues to be a challenge. 117 The challenges are multiplied for black women. Some of the problems white women experience are now largely historical vestiges of the transition from all-male faculties to the 22% women law teachers present in law schools today. 118 As the number of women teachers has increased, the resistance from students has decreased. A "critical mass" accumulates as women come to number 15% or more in a given institution, thus providing an effective buffer against the isolation of a token. However, for black women, critical mass has not yet been attained.

One need only read on in this symposium issue to abandon the impression that these problems are entirely historical. 119 We have indeed come a long way, but we have a long way yet to travel. These stories are our stories. As black women law professors increase in number and influence in the profession, new images will replace those found here and in the stories that follow. We offer the reader a glimpse of our changing world.

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116 Hughes, Reflections at 1-4 (cited in note 114).
117 Black women have shared a core set of formidable problems with all other female faculty who have experienced disrespect in dealing with male students in the classroom. A leading survey of the campus environment for women faculty has identified the following common difficulties. Bernice R. Sandler, The Campus Climate Revisited: Chilly for Women Faculty, Administrators, and Graduate Students (Project on the Status and Education of Women, Association of American Colleges, Oct 1986). Male students treat faculty members differently, often using sexual teasing or innuendo to diminish the authority of women faculty members. Id at 15. Inappropriate behavior often includes using intimate slang names like "honey," "darling" or "sweetie," or first names for women and "professor" or "doctor" for male faculty members. Id. Male students interrupt female teachers more often than they do males. Id. These problems have been more pronounced in traditionally all-male fields, such as law.
119 See also Williams, The Alchemy of Race and Rights at 95 (cited in note 4).