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Recognizing Race in Women’s Programming:

A Critique of a Women’s Law Society

Danielle Elyce Hirsch†

Including women of all races as active participants in law school programming enriches the experience of all students. Regrettably, law schools and their organizations often fail to include, or to evaluate whether they are including, various and complex perspectives when developing programming for women. The Myra Bradwell Association for Women Law Students (“WLS”) is the organization at the University of Illinois College of Law that focuses on the concerns of women, both in the College of Law and in the profession at large.1 WLS attempts to inform and educate students on issues that affect women in the law as well as law students in general.2 Given this inclusive mandate, one would expect WLS to have an active and diverse membership.3 Interestingly, since at

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†. University of Illinois College of Law, Class of 2004. In the spirit of full disclosure, I am a twenty-five-year-old white, Jewish woman. I was an Executive Board Member of Women Law Students during 2002-2003. Only after noticing a trend of racial imbalance in the organization (of which I was an active member) did I start this research. Each of these characteristics informs my opinions and perspective, which naturally underlie this paper. I am deeply grateful to Professor Daria Roithmayr for her thoughtful guidance, am deeply grateful to meaningful suggestions, and outstanding support, which helped give the project shape and direction. I would also like to thank Shannon Riordan, Ilona Turner, and the Editorial Board of the Berkeley Women’s Law Journal for their patience, encouragement, and valuable comments throughout the editing process. Finally, I wish to thank my parents, Beth and Austin, and all of my friends for sharing their wisdom, humor, and insight – I am very lucky to have such remarkable friends and family.

1. The full mission statement of the organization reads: The Myra Bradwell Association for Women Law Students (WLS) seeks to advance women in the legal profession through education, advocacy, and outreach; to promote women's professional legal development; to promote feminism as a theory of political, economic, and social equality of the sexes; and as an organized activity on behalf of women's rights and interests. To these ends, WLS sponsors both educational programs and social activities. All women law students are members of WLS. MYRA BRADWELL ASS’N FOR WOMEN LAW STUDENTS, MISSION STATEMENT (1998) (on file with author) [hereinafter MISSION STATEMENT].

2. Some of my assertions about WLS’s purposes, activities, and membership are based on my personal experience as a member in the organization from 2001-2004.

3. The WLS mission statement states that “[a]ll women law students are members of WLS.” MISSION STATEMENT, supra note 1. For the purposes of this article, however, the meaning of “membership” will be confined to active participation in the organization. This nuanced
least 2001, most active members of WLS have been white, middle-class women.4 WLS programming and activities are open to all members of the law school community, yet only white women have become involved. "Concerns of women" should not encompass only the concerns of white women.

Why do we see such a racially segregated membership? I will argue that women of color5 are disproportionately underrepresented in WLS because the agenda for panels and meetings does not recognize the different experiences faced by women of color. Attempting to generalize all women's experiences as being the same downplays, and may even discredit, the experiences of minority women. Because WLS does not account for different factors and configurations of racial and gender identity, women of color tend instead to turn to their racial, ethnic, or religious student groups for support.6 This article uses interviews with

meaning of membership is necessary to delineate between those women who are "members" in name only, in accordance with the mission statement, and those who are committed attendees of WLS programming.

4. It is important to note that in 1997, WLS addressed the issue of diversity in the law school. On September 16, 1997, WLS hosted a panel discussion regarding diversity in the law school. The following remarks about the discussion are taken from the WLS Fall 1997 newsletter:

[It was clear that there are still some unresolved issues with regards to the treatment of women of color at the law school.

One common theme was the disregard of women of color by student organizations. Women of color discussed a feeling of isolation from other law students, even other women. The other issue causing much discussion at the meeting was the lack of a forum to discuss this subject, as well as other controversial topics. While the school sponsored a Diversity Forum last year, it appeared that it was not well attended. This appears typical of the lack of interest often displayed regarding controversial issues. Professors commented on the difficulty of discussing controversial issues in class—either no one speaks up at all, or the tempers and attitudes of a few students dominate and intimidate the other students.

MYRA BRADWELL ASS’N WOMEN L. STUDENTS (Urbana-Champaign, Ill.), Fall 1997, at 1 (on file with author). That year, the WLS Executive Board was also very racially diverse: out of a Board of eight, four were women of color. Regrettably, aside from the 1997-1998 WLS Board, there has been little documentation of WLS programming or membership composition in order to determine the racial makeup of the Executive Board or the general membership. Since the 1997-1998 WLS Board, however, issues of race within WLS have been largely ignored.

5. I have reservations about using the term “women of color” because it feeds the basic assumption that most of the white women I interviewed had about their race—that they are “without race.” White women also have a race. Thus, to use the term “women of color” to include only Latina, African American, Asian American, Native American, and other minority women is to ignore the “color” of white women. See, e.g., Marlee Kline, Race, Racism, and Feminist Legal Theory, 12 HARV. WOMEN’S L.J. 115, 115 n.3 (1989). However, I have chosen to use the term “women of color” because it is frequently used in scholarship, see, e.g., id., and because I could not identify another term that would as succinctly include communities of minority women.

6. Ironically, according to 1998 WLS recruiting literature, WLS purports to actively engage in collaboration with other student groups. “[W]e have a strong commitment to support, interact, and cooperate with other student organizations in the College of Law. The more groups work together, the bigger the goals we can accomplish.” MYRA BRADWELL ASS’N FOR WOMEN LAW STUDENTS, WHAT IS WLS? (1998) (on file with author). However, for the past few years there have been very few meaningful events, programs, or dialogues addressing women’s issues that have been cosponsored with racial or ethnic student groups.
twenty-eight second-year law students at the University of Illinois College of Law to address issues relating to WLS, race and gender. The majority of students at the College of Law are white. In the interviews, women of color typically expressed the centrality of their race in how others perceived them at the law school. In contrast, most white women felt their race did not influence their experiences. This disparity may explain the exclusion of a nuanced discussion of race in WLS programs. If white women are not aware of their whiteness, and if primarily white women organize WLS programs, they may not think to offer meaningful opportunities to talk about the full range of women’s experiences, including the interrelation between racial and gender identities.

This article analyzes the racial dynamic of WLS via the critique of feminist essentialism developed by Angela Harris. In her article Race and Essentialism in Feminist Legal Theory, Harris argues that by promoting the notion that all women share a common experience because of their sex, feminism elides the influence of race in shaping women’s identities and experiences. As Harris concludes, there is a danger in essentializing women’s experiences.

I will make three central arguments concerning the problems associated with essentializing women’s experiences and how WLS can incorporate the diverse viewpoints of women in the organization. First, race inherently shapes the identity and experiences of every law student, in addition to factors like sex or age. Race is not merely another form of oppression that happens to women of color, but is a part of the experiences of all women. Limiting discussions only to the topic of gender identity is problematic because the experiences of women of color are the product of both racism and sexism. These experiences are not

7. According to the University of Illinois College of Law 2003-2004 profile, the student body consists of 685 students. Of this number, 56% are male and 44% are female. There are sixty-two African Americans (9%), ninety-six Asian Americans (14%), forty-six Latinos (7%), and two Native Americans (0.3%). UNIV. OF ILLINOIS COLLEGE OF LAW, 2003-2004 PROFILE, http://www.law.uiuc.edu/admissions/pdf/PROFILE.pdf (last visited Feb. 13, 2004).
8. See, e.g., E-mail from twenty-five-year-old Korean American woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Sept. 23, 2002) (on file with author).
9. See, e.g., E-mail from twenty-three-year-old white woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Sept. 24, 2002) (stating that she rarely gives her race much thought) (on file with author).
11. Id. at 615-16.
13. Race cannot be separated from gender because the two facts of identity intersect. See Devon W. Carbado & Mitu Gulati, The Fifth Black Woman, 11 J. CONTEMP. LEGAL ISSUES 701, 706 (2001) (“Fundamental to intersectionality theory is the notion that race and gender are interconnected; they do not exist as disaggregated identities.”); see also Kimberlé Crenshaw, Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color, 43 STAN. L. REV. 1241 (1991); Harris, supra note 10.
14. See Harris, supra note 10, at 588-89 (criticizing gender and racial essentialism for failing to acknowledge multiple forms of oppression).
addressed in current WLS programs, which force women of color who want to belong to WLS to segment their identities and to neglect the way in which race coupled with gender shapes their identities.

Second, the article suggests that WLS treats women as a single oppressed group and fails to acknowledge the complex identities of all women, as well as the prevalence of racism in our society and culture. These crucial factors inevitably structure the relationships among white women and women of color.\(^5\) WLS is not alone in unintentionally framing women's issues in race-specific ways. Rather, this article uses WLS as an example of the way in which the transparency of white women's racial identity marginalizes women of color. Because programming is designed by and for white women, women of color feel that their identities and needs are being denied. This reinforces a racially segregated women's group, which limits the benefits that all members would gain from the diverse and inclusive participation of all women.

Third, the article proposes that, because of this racial disparity, there is a need for WLS to address race openly in order to include all women's experiences. Until we address the systemic race- and gender-based oppression in the law school, it will continue to run rampant. I do not mean to suggest that by conducting a few dialogues about race WLS will automatically gain a racially diverse membership. However, white women need to confront the role that race plays in the formulation of their identities. White women must recognize that their whiteness has shaped their experiences and that women of color have different pressures because of the intersectionality of race and sex.

Lastly, through these twenty-eight interviews with my female law student colleagues, it became clear that issues of low self-esteem\(^6\) and sexual harassment\(^7\) are prevalent in the law school. WLS needs to take immediate steps to confront these and other still-unknown issues facing women in the law school community.

As a starting point for my critique of WLS, Part I of the article explains the critique of essentialism. This section briefly traces the key components of the critique in order to link the experiences of women of color at the University of

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15. The challenge of this article is to expose the way in which the white dominant culture within WLS subjugates the needs of women of color at the law school. As Anthony E. Cook argues, one of the major goals of critical race theory "is to elucidate the ways in which those in power have socially constructed the very concept of race over time, that is, the extent to which White power has transformed certain differences in color, culture, behavior and outlook into hierarchies of privilege and subordination." Anthony E. Cook, The Spiritual Movement Towards Justice, 1992 U. ILL. L. REV. 1007, 1008.

16. See, e.g., E-mail from twenty-six-year-old white woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Sept. 11, 2002) ("[M]y fear of entering the workforce is ... letting my general inferiority complex take over.") (on file with author).

17. See, e.g., E-mail from twenty-four-year-old white woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Sept. 12, 2002) ("My ... professor has made inappropriate advances towards me .... [H]e was the first person to give me positive feedback at law school and all he wants is to sleep with me. It makes me feel really sad to think about.") (on file with author).
Illinois with scholarly arguments forwarded by Harris, Kimberlé Crenshaw, and others. As this section discusses, race plays an important role in shaping the experiences of women law students.

Part II applies this critique of essentialism to WLS as an organization. Three programming examples demonstrate the limitations of WLS by its failure to integrate the complex experiences of women of color. First, Susan Estrich's lecture on sexual oppression in the workforce illustrated how easily discussions of gender oppression can minimize discussions of race. The failure to discuss the disparate impact of sexism on women of color made their experiences barely visible. Second, in a domestic violence panel, the experiences of women of color were again overlooked. Lastly, a summer job panel—where the participants insisted on women's commonality in the job process—failed to adequately address the particular concerns and perspectives of women of color. All three examples evince the need to incorporate the experiences of women of color into WLS programming.

Part III explores several implications of the critique of essentialism for WLS. This section proposes that WLS needs to be mindful of whether and how race is addressed in its events and social activities. To foster a racially inclusive community, WLS members must honestly confront and include discussions of race within their programming. By specifically looking at the needs of women of differing races at the law school, it is evident that WLS currently fails to meet the needs of most women. The absence of discussions about racism in WLS programming signals to women of color that their experiences are not recognized or validated.

PART I: THEORETICAL DISCUSSION

A. Feminist Essentialism: The Underlying Theory

A number of contemporary feminists have argued that attempts to formulate a unified women's identity silence the voices of the less privileged. The emphasis on “women's experience” privileges the experience and identity of a certain group of women, thereby establishing an unsustainable essentialism that ignores the impact of race, class, and sexual orientation on the lives of women.

18. See, e.g., Crenshaw, supra note 13; Harris, supra note 10.
20. See, e.g., Harris, supra note 10, at 585.
21. See Crenshaw, supra note 13, at 1242 ("This elision of difference in identity politics is problematic, fundamentally because the violence that many women experience is often shaped by other dimensions of their identities, such as race and class."); Harris, supra note 10, at 585 ("Just as law itself, in trying to speak for all persons, ends up silencing those without power,
Angela Harris explains gender essentialism as "[the notion that there is a monolithic ‘women’s experience’ that can be described independent of other facets of experience like race, class, and sexual orientation]."

To isolate gender from race in a person’s experiences requires the assumption that gender and race are each distinct and that the impact of one can be neatly separated from the other. The critique of essentialism argues that this division between gender and race is not possible. Because women of color are at the intersection of these categories, they are unable to fragment their identities to conform to the agendas of either race-based or sex-based groups. Consequently, their needs as women of color are obscured. The focus on the commonality of women’s experiences because they are women gives rise to a discourse in which the experience of white, middle-class, heterosexual women is conflated with the experiences of all women. Accordingly, feminist essential-
ism views differences among women as a divergence from a standard that is defined by the experiences of white, middle-class, heterosexual women.  

Anti-essentialist theory derives from the premise that all identity categories are unsteady and relational. Essentialism treats the experiences of women who are subject to multiple forms of oppression as epitomizing a narrower essentialist experience: African American women’s experience consists of sexism plus racism; working class women’s experience consists of sexism plus class structures; lesbian women’s experience consists of sexism plus homophobia, and so on. As Angela Mae Kupenda explains the intersectionality between race and gender, “[w]e [women of color] have some race issues in common with men of color, some gender issues in common with white females, and some separate issues and identities.”

This essentialist approach not only forcibly fragments the experiences of African American, poor, and lesbian women, but also gives rise to the notion that the oppression women face is best identified by studying the position of women who are not subject to these and other forms of oppression. This privileges white, middle-class, heterosexual women. The assumption that essentialist views of sexism speak to the needs of all women ignores the specific needs of women of color.

The most troubling consequence of essentialism is the fact that it subordinates the development of discourse that can empower women of color. The failure of many feminists to integrate issues of race means that their resistance strategies will often replicate and reinforce the subordination of people of color.
Likewise, the failure of some antiracist scholars to integrate consideration of patriarchy into their discourse means that they will frequently reproduce the subordination of women. Pitting racism against sexism—or dismissing the former to footnotes—forces women of color to choose which aspects of their oppression they will confront in isolation of the others. Forcing this division is artificial since every woman’s experiences are shaped by the intersectionality between race and gender.

Mari Matsuda, professor at Georgetown University Law Center, has drawn on the lessons she has learned from working in coalitions to suggest looking closely to see the intersectional nature of all forms of oppression, as well as the dependencies and connections between the systems of racism, sexism, homophobia, and class oppression. She encourages people to consider the multiple forms of subordination a particular act or structure of exclusion may involve. “Working in coalition forces us to look for both the obvious and non-obvious relationships of domination, helping us to realize that no form of subordination ever stands alone.”

Instead of clinging to unsustainable notions of a unitary woman’s self, we must recognize that women are enmeshed in many and often contradictory discourses of race, class, and gender. From such a perspective, identities are multiplicitous, contingent, and context-bound. Harris argues that examining any one form of subordination is incomplete without considering its interaction with other sources of disempowerment. Differences are always relational. Thus, identity is always defined in a specific context vis-à-vis specific others. The task of feminist theorizing should not be to attempt to discover essences, but rather to explore these contingent relationships among women’s various identi-

34. See Crenshaw, supra note 13, at 1242-44 (stating that antiracist discourses have marginalized women of color by failing to consider the intersection of gender with race).
35. See Harris, supra note 10, at 588-89 (“[I]n an essentialist world, black women’s experience will always be forcibly fragmented before being subjected to analysis . . . .”).
36. See Kline, supra note 5, at 120-21 & n.16 (recognizing her own position of privilege as a white woman and acknowledging that “women of color experience various forms of oppression simultaneously”).
38. Id. at 1189.
39. See, e.g., Crenshaw, supra note 13, at 1242 (stating that women experience violence through many dimensions of their identities, including race and class).
40. Harris, supra note 10, at 584 (asserting that consciousness “is not a final outcome or a biological given, but a process, a constant contradictory state of becoming, in which both social institutions and individual wills are deeply implicated”).
41. See, e.g., id. at 589 (“Feminist essentialism paves the way for unconscious racism.”).
42. See id. at 593-95 (criticizing Catharine MacKinnon’s failure to recognize that a Native American woman’s identity can be shaped by her unique tribal identity as well as her gender (citing CATHARINE MACKINNON, Whose Culture? A Case Note on Martinez v. Santa Clara Pueblo, in FEMINISM UNMODIFIED: DISCOURSES ON LIFE AND LAW 63 (1987))).
43. See id. (stating that even if women share common aspirations, the expression of those aspirations “must depend on the social historical circumstances”).
ties. From this anti-essentialist perspective, feminism becomes a complex network of discourses of gender, race, class, and sexual orientation. In this way, racism becomes a fundamentally feminist issue.

B. Methodology

I interviewed twenty-eight female second-year law students in the Class of 2004 at the University of Illinois College of Law, each of whom voluntarily participated in a discussion to address issues of WLS, race, and gender. I designed the research to provide additional material for my argument that WLS may unintentionally frame women’s issues in race-specific ways. I initially contacted more than forty women based on their involvement in different activities and organizations at the College of Law, and twenty-eight voluntarily chose to talk with me or answer an initial email survey. Of these twenty-eight women, four are Latina, three are African American, and four are Asian American. Of these eleven women of color, few are involved in WLS. The remaining seventeen women are white. Three of the white women were on the WLS Executive Board and identified themselves as active WLS members. Of the twenty-eight women, only one, who is white, identified openly as a lesbian.

The interviews, lasting from half an hour to one hour apiece, consisted of a series of open-ended questions. Beforehand, I explained the purpose of the in-

44. Cf. Crenshaw, supra note 13, at 1298-99 (proposing that intersectionality in the context of race can be viewed as coalitions between men and women of color, as well as straight and gay people of color).
45. The sample of women I interviewed was small, nonrandom, and concentrated entirely at one law school. Therefore, I cannot prove that my premise—that white women do not recognize their racial identity at the same time that women of color cannot separate racial from gender identity—is systemic beyond my sampling. However, even from this small sample of students, a noteworthy analytical result can be gleaned about the differing constructions of racial identity.

The ages of the women interviewed ranged from twenty-three to thirty-five. I interviewed only two mothers (one white and one African American). I interviewed three Catholic women (two white, one Asian American), one Jewish woman (white), and two Christian women (white). Other women interviewed may be religious, but they did not share their religious affiliation with me.
46. Twenty of the women filled out the initial e-mail survey. Thirteen women agreed to interviews, five of whom completed the initial e-mail survey before our meeting. Of the other eight I interviewed, five participated in an informal “roundtable” at my apartment. I asked those five women to answer some preliminary questions in writing before the discussion started in order to record their individual impressions before the larger group discussion.
47. See, e.g., E-mail from twenty-four-year-old Asian American woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Sept. 27, 2002) (stating that she is a member of WLS) (on file with author); E-mail from twenty-seven-year-old Hispanic woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Sept. 12, 2002) (stating that she is a member of WLS) (on file with author).
48. Each participant was asked the following seven questions:
1. Do you consider yourself a feminist? Why or why not?
2. Are you a member of WLS? If so, what attracted you to the organization? If not, why not?
terview and assured each woman that her identity would remain confidential.\textsuperscript{49} Each participant consented to the use of her interview for this article.\textsuperscript{50} Addi-

\begin{itemize}
\item 3. What are the issues you think feminism, as a movement, addresses?
\item 4. Are you aware of being female at the University of Illinois Law School? In what ways?
\item 5. Is WLS a feminist organization?
\item 6. What are your biggest fears for entering the workforce [or law profession]?
\item 7. What do you think WLS represents/stands for?
\end{itemize}

Most of the participants were also asked:

\begin{itemize}
\item 1. What organizations, if any, are you involved with at the Law School?
\item 2. Are you aware of your race at the University of Illinois Law School? In what ways?
\end{itemize}

Instead of the previous two questions, a few participants were asked:

\begin{itemize}
\item 1. Have you encountered sexism here? What did you notice?
\item 2. Have you ever been discriminated against? What for?
\end{itemize}

E-mail from twenty-four-year-old white woman, \textit{supra} note 17; E-mail from twenty-seven-
year-old Hispanic woman, \textit{supra} note 47; E-mail from twenty-six-year-old white woman, \textit{supra} note 16.

In addition, two Latina participants were asked: "Does your experience as a Latina-
American woman differ from that of white women students and also African American male
students?" \textit{See} E-mail from twenty-three-year-old Latina woman, Student, University of Illi-
nois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Oct.
12, 2002) (on file with author) [hereinafter E-mail from twenty-three-year-old Latina
woman, Oct. 12, 2002]; E-mail from twenty-three-year-old Latina woman, Student, Univer-
sity of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of
Law (Sept. 17, 2002) (on file with author) [hereinafter E-mail from twenty-three-year-old
Latina woman, Sept. 17, 2002].

Finally, one Korean American woman and one Asian American woman were asked: "Does
your experience as an Asian American woman differ from that of white women students
and also African American male students?" E-mail from twenty-four-year-old Asian American
woman, \textit{supra} note 47; E-mail from twenty-five-year-old Korean American woman, \textit{supra}
note 8.

49. I began all information solicitations with the following language, either orally or in an initial
written e-mail:

My research question has started with the simple question of why WLS has a majority of
white women members.

In doing this research, I do not mean to insinuate that there is any reason why women
should be involved in WLS as an organization. What I am mainly interested in are the rea-
sons that you have chosen to be involved, or not involved, with the WLS as an organization.
Also, I am trying my hardest to contact as many women as possible (coming from different
racial, class, and social backgrounds) to get as diverse a sampling of answers as I reasonably
can. So if you know the names of any of your friends or classmates who you think might
provide an interesting perspective and might be willing to participate, I would be so grateful
if you would either forward this message onto them or give me their names and I can e-mail
them directly.

I am including some questions to the bottom of this e-mail about the intersectionality be-
tween race and sex. After reading several law review articles from varying scholars on the
topic of feminism and race, I would love to hear your opinions and thoughts about this topic
on both the micro level—\textit{i.e.} WLS having few active women of color within their member-
ship—and also the macro—\textit{i.e.}, the small percentage of women of color in [sic] affiliated
with mainstream feminism.

E-mail from Danielle Hirsch, Student, University of Illinois College of Law, to undisclosed
recipient (Sept. 18, 2002) (on file with author).

50. Each of the women interviewed gave either oral or implicit consent by responding to the e-
mail survey or participating in an interview. I received descriptions of their identities, such
as age, race, and religion, from twenty-five women. I used only the responses from those
twenty-five women in the article. In order to ensure confidentiality, I did not use the answers
tionally, most of the women provided anonymous statements of their identities that accompany their comments throughout the article. In an effort to respect the manner in which each woman chose to identify herself, I did not alter their descriptive statements to make them more consistent with one another.

The conclusions in this article are based on my written notes from the interviews and copies of the women's written answers sent to me via e-mail. The examples of statements of frustration and alienation arose organically from the interviews or surveys. In fact, it was impressive and surprising how candid, reflective, and articulate these women were regarding their feelings about their identities at the law school; their involvement, or lack thereof, in WLS; and the roles that race and gender play in their individual law school experiences.

**PART II: DOES WLS FALL VICTIM TO AN ESSENTIALIST CRITIQUE?**

**A. Women’s Law Society: An Overview of the Organization’s Mandate, Membership, and Programming**

"My impression of what WLS stands for is the unity and support of women at the law school. It is an organization that tries to bring to attention issues that affect women specifically. It is there for women to become united as a group. It is a way to get women to meet each other and learn more about each other and work on things together for the benefit of themselves and other women."53

"I was attracted by the organization because I look at it as a support group where people who will face similar challenges in the legal field can talk about these challenges with each other and offer advice and support."54

"[WLS is] an organization that allows the women at the College of Law to get to know each other."55

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51. To protect the confidentiality of the interviewees, the author did not provide her written notes of the interviews to the Berkeley Women’s Law Journal. All of the assertions in this article are supported by participants’ e-mail responses, which the Berkeley Women’s Law Journal reviewed.—Ed.

52. For many of the women, the personal interview or e-mail survey was the first time we had met or communicated. Nonetheless, they were honest and forthcoming with information about their experiences at the College of Law. Prior to this research, I knew twelve of the women interviewed. Six of them were good friends of mine, and six were friendly acquaintances.

53. E-mail from twenty-four-year-old white, Christian woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Oct. 21, 2002) (on file with author).

54. E-mail from twenty-four-year-old white woman, supra note 17.

"When I first attended a WLS meeting, they did not seem to have any solid purpose other than getting women together at the law school which seemed like a pretty feeble purpose—I'm able to identify who are women in the law school on my own." 56

"[WLS is] a resume builder for the [Executive] [Bo]ard." 57

"I don't really know [what WLS represents], frankly."

"I'm wondering if [WLS] stands for 'white law students.'" 58

Examining differences between the racial awareness of white women and women of color helps to explain the subtle but pervasive effects of discussing women's issues without mentioning race. The result is that the discussion is created by and for white women, and women of color feel that their identities and needs are being denied. 60 As applied to WLS, the events it plans and the exclusion of discussions of race reinforce a racially segregated women's group. The choice not to discuss race affects minority women's decisions to participate in the organization. 61

WLS raises awareness of women's issues by sponsoring speakers, seminars, and informal discussions, as well as fundraising for education and philanthropy. 62 While in name and mandate, WLS is an organization that focuses on the needs of all women, 63 the membership has consisted of mostly white women during the last two years. An Executive Board—consisting of a president, vice president, treasurer, secretary, two symposium co-chairs, and a first-year coordinator—plan the activities that the organization will undertake.

WLS promotes mentorship among female faculty members and students.

56. E-mail from twenty-nine-year-old white, Catholic woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Oct. 14, 2002) (on file with author).
57. E-mail from twenty-seven-year-old Hispanic woman, supra note 47.
58. E-mail from twenty-nine-year-old white, Catholic woman, supra note 56.
59. E-mail from twenty-three-year-old white woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Oct. 21, 2002) (on file with author).
60. See Harris, supra note 10, at 589 ("In a racist society like this one, the storytellers are usually white, and so 'woman' turns out to be 'white women.' . . . [B]lack women . . . will always be required to choose pieces of ourselves to present as wholeness.").
61. One Asian American woman stated that the reason she—and possibly other women of color—did not take on more responsibility with WLS was because she had experienced the effects of racism more than the effects of sexism, and she did not perceive WLS as a "race-related" organization. E-mail from twenty-four-year-old Asian American woman, supra note 47.
63. See MISSION STATEMENT, supra note 1.
To that end, WLS organizes monthly dinners, each of which showcases a different female faculty member. These dinners, hosted by restaurants around Urbana-Champaign, are an opportunity for twenty to thirty students to meet one of the female law professors in an informal setting. Typically, the cost of these dinners ranges from twenty to twenty-two dollars per person, an amount that is prohibitively expensive for some WLS members.\footnote{One woman of color complained to me that the cost of these dinners made attendance prohibitive and implied that only women with money were welcome at WLS events. To my knowledge, there has never been financial aid available for those who could not afford the cost of these dinners. There were numerous other WLS-sponsored events that provided food and were free of charge; however, the faculty dinners always cost between twenty and twenty-two dollars per person.}

WLS also frequently cosponsors panels and speakers about topics pertaining both to women’s issues and, more narrowly, women’s experiences at the law school. Recent examples of these events include a lecture given by Susan Estrich\footnote{Susan Estrich Address, supra note 19. Susan Estrich is a professor at the University of Southern California Law School. UNIV. OF SOUTHERN CAL., USC LAW: FACULTY AND ADMINISTRATION, at http://lawweb.usc.edu/faculty/faculty3.htm (last visited Feb. 26, 2004). She is a widely-read and acclaimed feminist theorist on rape and sexual harassment. Some of her works include SEX AND POWER (2000), REAL RAPE (1987), and Gender, Race, and the Politics of Supreme Court Appointments: The Import of the Anita Hill/Clarence Thomas Hearings: What Went Wrong, 65 S. CAL. L. REV. 1393 (1992).} about sex and power in the workplace, as well as a domestic violence panel. Each year, WLS also sponsors panels for WLS members about final exams and summer employment. These more informal panels are usually conducted by current WLS Executive Board members.

For the 2002-2003 academic year, WLS instituted a new mentoring program in which second- and third-year students are paired with incoming first-year students to help ease their transition into law school. As of the writing of this article, the success of the program has depended entirely on the individual pairings.

**B. Evaluating WLS Using an Essentialist Critique: Is WLS Honoring Its Mandate to Represent the Needs of All Women in Its Programming?**

A desire to define a common women’s experience shaped by gender oppression has prompted some to attempt to strip away race, class, and sexual orientation to get to the core of “women’s experience.” For women of color, race and gender cannot be separated in that way, and the same is true for white women.\footnote{Grillo, supra note 22, at 19 (“The whiteness and middle-class status supply privilege even as the femaleness conveys oppression.”).} By not acknowledging the intersection between racial and gender identity, WLS indirectly elevates white, middle-class experience to the norm, treating it as the prototypical experience. This creates a power dynamic that mirrors and perpetuates society’s silencing of the voices of women of color.\footnote{See supra text accompanying notes 31-36.
result, women of color may shy away from WLS. By isolating several programmatic examples where race was relevant to a discussion but was minimized, one can trace a pattern of gender essentialism within WLS. This section will analyze the marginalization of differing racial perspectives in three WLS programs during the 2002-2003 academic year: a lecture by Susan Estrich on sex and power in the workplace, a domestic violence panel, and a job panel. It is my contention that discussions of race are neglected because they are seen as diluting the theme of gender oppression.

By planning programming that fails to address the concerns of women of color, the WLS Executive Board members are apparently privileging whiteness—i.e., their own racial identity. This reinforces a cyclical pattern. Since white women are in charge, they plan programs that appeal to other white women. Accordingly, white women come to the events and become the future leaders of WLS, who, in turn, plan events catered to white women, and so on.

1. Susan Estrich: Sex and Power

Essentialism in feminist theory has two characteristics that ensure that African American women’s voices will be ignored. First, in the pursuit of the essential feminine, Woman is leached of all color and social circumstance, and issues of race are bracketed as belonging to a separate and distinct discourse—a process which leaves African American women’s selves fragmented beyond recognition. Second, feminist essentialists find that in removing issues of “race” they have actually only managed to remove African American women—meaning that white women now stand as the epitome of Woman.

Every year, WLS plans an annual symposium regarding women and the law. It is the biggest event for WLS each year, with abundant advertising and attention paid to it. The topic of the conference changes annually, largely based on the decision of the symposium chairs who plan the event. The speaker for 2002 was Susan Estrich, a well-known feminist scholar and advocate who is a professor of law at the University of Southern California. The topic of her lecture was “Sex and Power,” addressing issues of sexual inequality and the glass ceiling in the workplace. Given her national prominence, her presentation was well-attended by law students, faculty, community groups, and members of the local media.

Because Estrich claims to address the problem of sex discrimination facing all women, she focuses on what she considers to be the collective experiences of

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68. See, e.g., E-mail from twenty-three-year-old Latina woman, Oct. 12, 2002, supra note 48 ("The white women and the Latina women have totally different experiences [because] there are so few of us here at the law school. It can be compared to that of the African American women [because] I think they also feel as outsiders at the law school.").

69. Harris, supra note 10, at 592.

70. Past symposia have addressed Discrimination in the Workplace (1999) and Women in the Law (2000).

71. See ESTRITCH ADDRESS, supra note 19.
women. She seems to believe that even when focusing on the common element of gender, she can still effectively incorporate into her analysis the diversity of women's experiences of oppression. While Estrich mentions the role of race briefly, the specificities of race appear to have a limited impact on the development of her theoretical assumptions, analysis, and ultimate conclusions.73

During the lecture, and also peppered throughout *Sex and Power*, the book on which the speech was based, are countless examples of women's struggles with gender discrimination in the workforce.74 As an initial matter, Estrich does not discuss the racial backgrounds of the individuals whose stories she retells.75 Estrich rarely identifies the race of the woman's story being told.76 In the book, Reveta Bowers is the sole woman of color explicitly identified.77 The problem with Estrich's use of race is that she only discusses race when it pertains to an African American woman, but not in regards to the dozens of examples of white women. "We use our language to categorize by race, particularly, if we are white, when that race is other than white."78 Estrich's general omission of racial identity (except when discussing women of color) implies a unitary women's experience, unaffected by racial differences. By defining women of color as "different," while reaffirming the essentialist concept that white women are the norm, Estrich reinforces white racial domination.79

She candidly acknowledges that when one talks about women succeeding in corporate culture, it is assumed that those women are white.80

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72. See id. at 00:17:40.
73. This critique of Susan Estrich's speech was heavily influenced by Angela Harris's critique of Catharine MacKinnon. See Harris, supra note 10, at 590-601. Harris critiques MacKinnon's dominance theory because it essentializes women's experiences. Id. at 591. Because MacKinnon neglects to describe the different women's issues of race, class, and sexual orientation in her explanation of male dominance, she equates the common women's experience with white women's experiences, which relegates women of color to the margins. Id. at 591-92. MacKinnon acknowledges her theory's failure to address gender and race simultaneously, but does nothing further to remedy the problem. Id. at 592-93. Similarly, Estrich acknowledged the limitations of her research pertaining to women of color's experiences, but stated nothing further. See Estrich Address, supra note 19, at 00:17:40-17:58.
74. See ESTRICH, SEX AND POWER, supra note 65; Estrich Address, supra note 19.
75. See ESTRICH, SEX AND POWER, supra note 65; Estrich Address, supra note 19.
76. See ESTRICH, SEX AND POWER, supra note 65; Estrich Address, supra note 19.
77. ESTRICH, SEX AND POWER, supra note 65, at 89 (detailing Bowers's experience as the only black woman on the Disney board).
78. Wildman & Davis, supra note 12, at 885.
79. Harris identifies this trend as the "nuance theory" approach to essentialism: [B]y being sensitive to the notion that different women have different experiences, generalizations can be offered about "all women" while qualifying statements, often in footnotes, supplement the general account with the subtle nuances of experience that "different" women add to the mix. Nuance theory thus assumes the commonality of all women—differences are a matter of "context" or "magnitude"; that is, nuance.
See Harris, supra note 10, at 595. However, that which is specified as different (i.e., black women's experiences) means once again that white women are the norm.
80. See Estrich Address, supra note 19, at 00:17:40-17:58; see also ESTRICH, SEX AND POWER, supra note 65, at 78-79.
The situation for minority women is worse still. When people speak of women making inroads in corporate America, they almost always mean white women. A 1999 Catalyst survey of 1,735 women of color from thirty leading U.S. companies found that women of color were twice as likely as white women to believe that there had been no progress at all in their advancement opportunities, that a majority thought existing diversity programs to be totally ineffective, and that the appropriate metaphor for minority managers was not a glass ceiling, but a concrete barrier, which leaves even the highest-ranking minority women unable to imagine the possibility of change.8

Few women of color run major companies, and women of color face additional hurdles to succeeding in corporate culture.82 Having acknowledged that, Estrich then ends her discussion of race, sex, and power and resumes her exclusive focus on sex and power.83 Since Estrich only acknowledges racism in "brackets," it results in (and from) defining "women" as white women.84

According to Estrich, there are systemic gendered barriers affecting women (read: white women) in the corporate workforce.85 Despite Estrich’s observation of the inadequacy of discussions about women of color in corporate America, she repeatedly continues to ignore race.86 Ironically, she points out the essentialism of the male-dominated majority: “With rare exceptions, the standards that measure success in the public world continue to be the standards applied by men to men and women.”87 Since she criticizes these standards for essentializing all women (ignoring their different identities, needs, and desires), it is particularly troubling that she then turns around and re-essentializes women in the workplace.

Her omission of race directly impacts her analysis. Estrich characterizes invidious subtle gender discrimination as the central impediment to women’s success in the workforce.88 Such a characterization blurs race and class differences. Because race- and class-subordinated individuals are burdened by multiple forms of social and economic exclusion, they can likely point to other equally central kinds of impediments to their careers, such as racial discrimination and economic deprivation. Therefore, gender discrimination would more accurately be characterized as but one impediment to women’s success in the workforce, rather than “the” central one.

Ironically, Estrich also points out that facially neutral standards and catego-
ries often do not produce neutral results:

[W]hen seemingly neutral factors limit a whole category of people from participating fully in the workplace, those factors deserve a form of strict scrutiny to determine whether they are really necessary or just the way that we've always done it—we being the group that is advantaged by the status quo. 89

Despite the recognitions that seemingly benign categories can have discriminatory results, and that minority women face additional complications to succeed in the corporate workforce, Estrich still postpones any mention of race for another project. 90

For women of color in the audience at her speech, Estrich's disregard for issues facing women of color in the workplace likely seemed overt and pronounced. Estrich's essentialist, "colorblind" approach was nothing more than an analysis of what obstacles white women face in the corporate world, masqueraded as a general account of the obstacles facing all women. The transparency of whiteness and white privilege allow Estrich to save issues of race and the glass ceiling for another day. They contribute to Estrich's belief that she can only do justice to sexism, or racism, but not both. A woman of color is not capable of neatly separating the two, because in any context, she is affected by both. 91 For minority women, competing in the corporate workforce is a complex experience, deeply affected by both race and gender. Thus, Estrich's approach recreates the dominant discourse's notion of "woman" in the image of a white woman, while relegating the experiences of women of color to a subordinate status.

Estrich's focus on the experiences of white women would not be so problematic if she did not present her views as inclusive of the interests of all women. 92 However, it is precisely in purporting to speak to the experiences of all women that Estrich gains legitimacy for her theory. 93 Estrich may recognize the importance of acknowledging women's diversity, but her theoretical framework and, most importantly, her emphasis on a common experience of women's oppression limit her capacity to do that which she aspires to do—to engage in the process of explaining women's oppression in the workplace. 94

89. ESTRICH, SEX AND POWER, supra note 65, at 98.
90. Id.
91. I would argue that white women are also equally affected by their sex and their race, even if they do not know it.
92. See generally ESTRICH, SEX AND POWER, supra note 65; Estrich Address, supra note 19.
93. See Kline, supra note 5, at 116 ("[A]s members of the dominant racial group, white women writers have the power to portray our [white women's] experience as wholly representative of the experiences of all women.").
94. Marlee Kline has a similar critique of Catharine MacKinnon. See id. at 134-44. Kline argues that MacKinnon's assumption that women come from a shared social position is problematic. Id. at 141. Rather, women have different positions because of class, race, and sexual orientation, among other factors. Id. “By downplaying this reality, MacKinnon obscures the fact that women who are subject to sexism through and in addition to racism have con-
2. Domestic Violence Panel

Because October is recognized nationally as Domestic Violence Awareness Month, WLS co-sponsored an informative panel in October 2002 on domestic violence together with the Sexual Orientation & Legal Issues Society. While the speakers discussed domestic violence in both straight and queer communities, none of the presentations mentioned the interrelation of race and gender in a domestic violence context. The core problem with the WLS domestic violence panel was the uneasy fit between the emphasis on comprehending the defining commonalities of the group “women” and the insight that race, gender, and class are necessarily interconnected. Because the domestic violence panel never explicitly addressed the full implication of the latter insight, in favor of the general emphasis on women’s commonality, the panel’s impact was limited in its capacity to capture the complex relationship of racism and sexism in the lives of women of color.

In tandem with the panel, WLS set up an information table with various resources and reading materials about domestic violence for the student body to read in the law school pavilion. Three posters were showcased on the table: one showing a white woman who had been battered, one showing an African American woman who had been battered, and one showing a group of batterers, all of whom were African American men. The posters of the battered women articulated the message that domestic violence is a reality: “While you’re trying to find the right words, your friend may be trying to stay alive.” The third poster, featuring only images of African American men, was targeted towards a African American audience. The top of the poster read, “Sometimes you need to get into other people’s business.” Directly underneath was a photograph of two African American men sitting on the hood of a car engaging in what appeared to be a serious discussion. The caption beneath the picture of the two men read, “You may feel uncomfortable talking with your friend or family member about what is going on in their relationship. But if someone you care about is either hitting or being hit, it is time to make their business your business.” Next, there was a picture of two African American women talking. Finally, in huge lettering, the sign noted, “Domestic Violence is Everybody’s Business. For free info on how you

cerns and priorities for change not only different from, but often in conflict with, those of white women.” Id.

Similarly, Estrich neglects to address that for many women of color, issues of gender often play a secondary role to more immediate concerns of racism. See generally ESTRICH, SEX AND POWER, supra note 65; Estrich Address, supra note 19. For an example of this from my research, see, e.g., E-mail from twenty-four-year-old Asian American woman, supra note 47 (“[W]e’ve grown up feeling more the effects of being a minority than being female... I never faced overt sexism, but I’ve faced overt racism on many occasions.”).

can help stop domestic violence in the African American community, call 1-800-END-ABUSE.” This poster was the only one to mention abuse particular to any racial community; there was no equivalent poster for any other racial group. The posters pictorially suggested that only African American males are batterers.96

In the panel discussion, the first speaker spoke generally about the cycle of domestic violence and the current legal remedies available to survivors. The second speaker talked specifically about same-sex domestic violence.97 Unlike the aforementioned posters, there was no mention of the specificity of women of color’s experiences of domestic violence during the talk. As discussed in Part I, sexism, racism, and class oppression are inextricably linked in the lives of women of color. However, the panelists did not question whether race or class inequality limit, or even preclude, people of color from seeking help to protect against further domestic violence. Such an examination of race and class, even if only brief and tentative, would have enriched the analysis because racial and class hierarchies create numerous stereotypes that impact women of color and that inform white women’s perceptions of them. After specifically raising the connection between race and domestic violence in the literature posted in the pavilion, it seemed appropriate and necessary to include some mention about women of color’s experiences with domestic violence during the panel.

As the first panelist explained, battered women are not often believed because society has historically been in denial about the pervasiveness of domestic violence and because abused women who do not leave their partners are thought to be lying about the seriousness of the abuse they suffer. However, the panelist failed to mention that women of color face additional hurdles because they must overcome the presumption that their race predisposes them to engage in and enjoy violence.98 Battered African American women are also particularly vulnerable because of the lack of or underutilization of resources.99

According to the racist stereotype, African Americans are considered “un-
controllably violent.' This assumption was affirmed by the poster that pictorially showed only African American males capable of committing domestic violence. Understandably, one African American woman expressed her extreme disappointment with the racist portrayal and implications of the display. The choice to display two posters portraying the victims of domestic violence as being both white and African American, while only having one poster of batterers, all of whom were African American, caused controversy among the students. Although the posters constituted an attempt to recognize the specific experiences African American women face with regard to domestic violence, they were problematic for a different reason: they went too far in portraying African American males as the only potential abusers.

Unfortunately, the domestic violence panel was another example where WLS neglected to consider the racial implications of the program. The failure of WLS to integrate race appropriately into the discussion about domestic violence replicated and reinforced the subordination of women of color because it ignored intersectional issues that particularly affect women of color.

3. Summer Job Panel

When the first-year law students began actively looking for summer employment during the winter of 2002, WLS hosted a job panel on which second-year members of WLS discussed and answered questions about their previous summer job experiences and the challenges and rewards of the different job options. Eight women, seven of whom were white, were chosen for their diverse job experiences to make up the panel. They each spoke about their specific jobs and addressed issues relating to gender, such as dress code, sexism in the workplace, and balancing work and family. There was no mention of race. In telling the stories of what women faced in their summer jobs, the experience of

100. Crenshaw, supra note 13, at 1253.
101. E-mail from First-Year Student, supra note 96. The President of WLS e-mailed the student back to apologize and offered to meet with the student to discuss the situation, but the student declined.
102. See id.
103. Crenshaw argues that both feminists and antiracists, for different reasons, tend to ignore the problem of domestic violence within minority communities: feminists out of a desire to bring awareness of domestic violence to a white audience by making it clear that abuse is not solely a problem in minority communities; antiracists out of a concern for the “integrity of the community” and a fear of giving ammunition to racists. Crenshaw, supra note 13, at 1253-61. The result is that women of color have relatively few resources dedicated to addressing their needs as victims of domestic abuse. Id. at 1262-65. “In the context of violence, [the struggle over incorporating differences] is sometimes a deadly serious matter of who will survive—and who will not.” Id. at 1265.
104. This conclusion may be controversial because of the competing concern of “airing dirty laundry,” since attempts to make domestic violence an object of political action may only serve to confirm negative stereotypes about people of color. See, e.g., id. at 1253.
105. The eighth panelist was Latina and Middle Eastern, but I was not able to interview her about this panel. As with the Susan Estrich Address and the domestic violence panel, I attended this event.
"women" turned out, as usual, to be primarily white women's experiences.

Since the panel consisted of WLS Executive Board members and their friends, it presented a homogeneous experience of racial identity. The purpose of the panel was to share "women's experiences" in the workforce, but since mostly white women's experiences were shared, the experience of "women" meant the experience of white women. This is not to say that women are not oppressed on the basis of gender, or that gender oppression is not an important issue. Rather, the experience of being a woman of color cannot be described through any analysis that sees only white women's experiences. What happens to white women cannot be usefully described without further examination of what happens to all other women.106 Focusing on gender oppression hides both racist oppression and the strength, struggles, and multiple interests of women of color.107 Women of color should not have to fragment their experiences into racial and gender oppression in order to identify with the experiences of women who have experienced different treatment because of their gender.108

The organizer of the summer job panel likely saw the racial specificity of her own life and the lives of the other white women on the panel as invisible, though it was clearly visible to people defined outside the circle of whiteness. To meaningfully address the experiences of women in summer legal jobs, experiences with racial oppression cannot be disregarded—they cannot be classified as race-based rather than gender-based oppression.109 Women of color's experiences that are not shared with white women must also be included in dialogues about women's experiences in the workforce.110

"Race is not merely 'another' form of oppression that happens to women of color, but a part of the experience of all women."111 Women of color should not have to refigure their experiences to conform with a narrow vision of exclusively race- or gender-based harms. It is likely that any unwanted conduct or discriminatory treatment they face will be not only because these women are female, but

106. See generally Harris, supra note 10.
107. See id.
108. See, e.g., id. at 615 (arguing that "[g]ender essentialism is dangerous to feminist legal theory because in the attempt to extract an essential female self and voice from the diversity of women's experience, the experiences of women perceived as 'different' are ignored or treated as variations on the (white) norm").
110. See id. ("Feminist legal theory must include these alternative conceptions even though doing so risks further complicating the reformulation process.").

We cannot understand race without seeing women as subjects and recognizing women as differentiated actors. If race is not simply to mean "otherness" or "blackness"—if all people have a "race" that is part of the social construction of race—then we must critically examine the participation of white women as actors in society. This inquiry involves looking both at women and how we understand ourselves, and at whiteness and how white people understand (or fail to understand) ourselves.

Id.
because they are also women of color.

C. Racial Identity at the College of Law

1. Overview

Trends of participation in WLS reflect the significance of racial experience in shaping women’s identities. By examining the racial awareness of the twenty-eight women interviewed and three major WLS events, it is clear that issues of racial complexity in shaping gender identity are excluded from discussion in the group. The noninclusion of race in WLS programs has resulted in a lack of involvement in the organization by women of color.

When WLS fails to include discussions about race at panels and lectures addressing women as a whole, those programmatic choices reinforce the notion that the women of WLS are white women. Because of the transparency of whiteness as a race, white women on the Executive Board systemically neglect to consider the relevance of race in shaping identity or affecting women’s experiences of gender oppression. Programming that does not include women of color’s experiences results in the disinclination of women of color to attend future events. As a result, the pattern of neglecting racial identity becomes cyclical and systemic. Regardless of the intentions of the WLS executive board, the denial of women of color’s experiences when talking about women’s issues results in racial marginalization.

2. White Women’s Responses: Does Being White Count as a Race?

“No, I can’t say that I specifically become aware of my being Caucasian at any specific times. Maybe if I am talking to several people of another race, I may note it. But, of course I am in the majority here.”

“I guess since I am white this is not a characteristic about myself that has ever been a challenge for me.”

“In many ways I’m not [aware of my race]. I guess that goes with being in the majority, race is not something that shapes [my] identity [to a great degree]. However, when I see groups of minorities sitting together and chatting I do recognize that I’m not in one of those groups. It almost makes me feel as if I’m

112. See supra notes 45-52 and accompanying text (describing the women I interviewed and my methodology in determining their perceptions of their racial identities).
113. E-mail from twenty-four-year-old white, Christian woman, supra note 53.
114. E-mail from twenty-four-year-old white woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Oct. 22, 2002) (on file with author).
missing out on a really cool network/fraternity with shared experiences that I will never know.\textsuperscript{115}

“The only time that [I] really give [my race] any thought is when [I] realize that [I] don’t qualify for any of the job fairs/career conferences because they are all tailored to some minority.”\textsuperscript{116}

Many female law students struggle to adapt to law school and to construct lives under conditions of male domination.\textsuperscript{117} But race is also a facet of identity that can be peculiarly invisible in the lives of white women. The white women interviewed mainly thought of themselves as “without a race” rather than as white.\textsuperscript{118} “[W]hites are privileged in that they do not have to think about race, even though they have one. White supremacy makes whiteness the normative model. Being the norm allows whites to ignore race, except when they perceive race (usually someone else’s) as intruding upon their lives.”\textsuperscript{119}

Many of the women interviewed were unlikely to see themselves in racial terms, perhaps because they did not regard themselves as racially distinctive. Their whiteness took on a transparent quality when they interacted with other whites in the absence of people of color.\textsuperscript{120} “Whites do not look at the world through a filter of racial awareness, even though whites are, of course, a race. The power to ignore race, when white is the race, is a privilege, a societal advantage.”\textsuperscript{121}

\textsuperscript{115} E-mail from twenty-three-year-old white woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Oct. 18, 2002) (on file with author).

\textsuperscript{116} E-mail from twenty-three-year-old white woman, supra note 9.


\textsuperscript{118} See, e.g., E-mail from twenty-four-year-old white woman, supra note 114 (“I guess since I am white [my race] is not a characteristic about myself that has ever been a challenge for me.”); E-mail from twenty-four-year-old white, Christian woman, supra note 53 (“I can’t say that I specifically become aware of my being Caucasian at any specific times.”); E-mail from twenty-three-year-old white woman, supra note 115 (“In many ways I’m not [aware of my race]. I guess it goes with being in the majority, race is not something that shapes your identity on a predominate scale.”).

\textsuperscript{119} Grillo & Wildman, supra note 25, at 405.

\textsuperscript{120} Barbara Flagg defines the transparency phenomenon as:

\begin{quote}
[T]he tendency of whites not to think about whiteness, or about norms, behaviors, experiences, or perspectives that are white-specific. Transparency often is the mechanism through which white decisionmakers who disavow white supremacy impose white norms on blacks. Transparency operates to require black assimilation even when pluralism is the articulated goal; it affords substantial advantages to whites over blacks even when decisionmakers intend to effect substantive racial justice.
\end{quote}


\textsuperscript{121} Wildman & Davis, supra note 12, at 897.
Only when expressly pressed about their experience of race at the law school did most of the white women address their racial identity.\textsuperscript{122} White women’s awareness of their whiteness was predominantly unconscious and became noticeable only when discussing interactions with people of color. For example, one of the women interviewed only noticed her whiteness when she saw a group of people of color together and felt envious of their camaraderie.\textsuperscript{123} However, she never noticed race when a group of white females congregated together.\textsuperscript{124} “For most whites, most of the time, to think or speak about race is to think or speak about people of color, or perhaps, at times, to reflect on oneself (or other whites) in relation to people of color.”\textsuperscript{125}

Since these white women viewed whiteness as the norm, it was difficult for them to see their own whiteness, both when they interacted with women of color and also when they interacted with their fellow white classmates. Race did not seem to play a large role in their daily law school lives.

This happens when [white people] interact with people of color thinking we are acting as individuals but are in fact acting as part of a white pattern. It also happens when we interact with other white people in ways that seem attached to individuality, humanity, or personhood, but that are not consistently accorded to people who are not white.\textsuperscript{126}

Because these women did not account for their own racial identity as white women, they were unable to see the impact of their own racial dominance on others. White women must understand that they are thinking racially even when

\textsuperscript{122} Out of the seventeen white women interviewed or surveyed, almost all did not mention race prior to being specifically prompted in a question about racial identity. See, e.g., E-mail from twenty-four-year-old white woman, supra note 114; E-mail from twenty-three-year-old white woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Oct. 12, 2002) (on file with author); E-mail from twenty-seven-year-old Hispanic woman, supra note 47; E-mail from twenty-six-year-old white woman, supra note 16. But see E-mail from white, liberal woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Sept. 18, 2002) (on file with author) (“The student body seems to be pretty segregated socially, and I feel that I am seen primarily as ‘white’ by students of color, though some familiarity over time has helped. One of my best friends at the law school is African American, and it is funny that sometimes people assume that her views on particular issues would be one way, when actually they are the opposite, and they assume the opposite about me, which is sometimes amusing, but also sad.”).

\textsuperscript{123} E-mail from twenty-three-year-old white woman, supra note 115. Similarly, Mahoney writes:

\[\text{Note the feeling of exclusion that arises when white college students notice black students all sit together—but don’t also notice that the white students all sit together. And whiteness can re-create itself without the conscious will to exclude, as when people interview and hire through friends and acquaintances and find desirable candidates to be others like themselves.}\]

Mahoney, supra note 111, at 235.

\textsuperscript{124} E-mail from twenty-three-year-old white woman, supra note 115.

\textsuperscript{125} Flagg, supra note 120, at 970.

\textsuperscript{126} Mahoney, supra note 111, at 235.
they are not thinking about women of color. 127

White women's ignorance of their own racial identity has been particularly apparent when I have talked confidentially with several women on the Executive Board of WLS. They stated that discussions of "women's" issues could be inclusive without mention of racial differences. For example, they argued that issues of gender parity in employment affected all women, so the Susan Estrich lecture 128 and other discussions about employment opportunities 129 helped all women who attended, regardless of their racial identities. Moreover, these women felt that discrimination based on race was best addressed by racial and ethnic groups, and that WLS needed to concentrate its finite programmatic efforts on confronting "women's" issues. The underlying fear was that fragmenting women's experiences into different subclassifications would weaken the message of the commonality of women's experiences. Additionally, I perceived resentment at the suggestion that they should change the scope of WLS programming simply because women of color traditionally have not attended WLS events. Against this backdrop, it is unsurprising that current WLS programming neglects any substantive mention of the intersectionality between race and gender.

3. Women of Color: Race First 130

"[I am aware of being an Asian American] more so than being a woman, at least for me, because the ratio of female [to] male students is greater than the ratio of Asian American or even minority students [to white students]." 131

"White people remind me of [being Latina] everyday by greeting me in Spanish, as if they are doing me [a] favor.... Also, I believe that some white students feel that minority students are taking slots of 'deserving' white students that could have gotten into the College of Law." 132

"[S]ometimes [I do notice my race]. In a smaller class, when I notice that I'm sitting with other minorities, [I] wonder if the other people in the class notice

127. See id. at 221, 246-47.
128. See supra Part II.B.1.
129. See supra Part II.B.3.
130. Oppression based on my race has always seemed closer to my rage and has reached a place more central to my being than oppression based on my gender or on other aspects of my self. For years I would have said without a doubt, without a moment's hesitation, that for me, race came first; gender, though important, came second. In the oppression sweepstakes, I had my money on the "race" horse. If pressed, I would still say today that there is a way in which, in my heart, race trumps gender.
Grillo, supra note 22, at 27.
131. E-mail from twenty-five-year-old Korean American woman, supra note 8.
that as well. However, in class discussions, I really don't feel that aware of it, usually [because] I think our classes here are fairly racially diverse, and when I look around the room, I see other minorities as well.  

"[S]ometimes, whenever I meet new people, I'm curious if they are acutely aware of the fact that I am Asian, or if I am just another law student to them."

For many women of color, race and gender are inseparable. In contrast to the white students, all women of color explicitly mentioned their race as being integral to their identities at the law school. Gender was not the sole factor in determining their identities. Furthermore, many women of color mentioned their race as being critical to how they were perceived by others. The women of color interviewed found it difficult, if not impossible, to attribute certain experiences to their gender as opposed to their race, class, or other characteristics.

**PART III: WHY DOES THIS INTERSECTIONALITY MATTER?**

As the preceding examples illustrate, there have been numerous instances when WLS programs have discussed gender in an essentialist framework by isolating gender from other elements of identity. Addressing gender without also recognizing the intersectionality between race and gender signals to women of color that their experiences are not validated. Because of the racially exclu-

133. E-mail from twenty-three-year-old Indian Christian woman, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Oct. 16, 2002) (on file with author).
134. E-mail from twenty-four-year-old Asian American woman, supra note 47.
135. See Margaret E. Montoya, *Mascaras, Trenzas, y Greñas: Un/masking the Self While Unbraiding Latina Stories and Legal Discourse*, 17 HARV. WOMEN'S L.J. 185, 191 (1994) ("[M]y participation in the Chicano movement had been limited by my gender, while in the women's movement it had been limited by my ethnicity. I drew power from both movements—I identified with both—but I knew that I was at the margin of each one.").
136. See, e.g., supra notes 131-34 and accompanying text.
137. See e. christi cunningham, *The "Racing" Cause of Action and the Identity Formerly Known as Race: The Road To Tamazunchale*, 30 RUTGERS L.J. 707, 709 (1999) ("Identity for people of color is multidimensional. The construct of race, as one dimension of identity, is multi-layered and multifaceted.") (citations omitted).
138. See, e.g., E-mail from twenty-four-year-old Asian American woman, supra note 47 ("[Women of color] have grown up feeling more the effects of being a minority than being a female."); E-mail from twenty-three-year-old Latina woman, Oct. 12, 2002, supra note 48 ("[P]eople don't see a woman, they see a Latina woman.").
139. Some women noted that others identify them as persons of color before identifying them as women. Once asked for elaboration, however, most of their answers reflected distinct treatment for being women of color that encompassed both gender and racial discrimination. See, e.g., E-mail from twenty-four-year-old Asian American woman, supra note 47; E-mail from twenty-three-year-old Latina women, Oct. 12, 2002, supra note 48.
140. See Harris, supra note 10, at 587 ("If a unitary 'woman's experience' or 'feminism' must be distilled, feminists must ignore many women's voices.").
sionary effect of "race-neutral" programming, WLS needs to be mindful of how race is addressed in its events and social activities. To foster a racially inclusive community, WLS must include discussions of race in its programming.

Harris’s thoughtful critique explains how essentialism in feminist legal theory has betrayed feminism’s promise to listen to the experiences of real women. She suggests focusing on the notion of multiple consciousness as an appropriate way “to describe a world in which people are not oppressed only or primarily on the basis of gender, but on the bases of race, class, sexual orientation, and other categories in inextricable webs.” WLS must confront the underlying racial domination that pervades gender essentialism to recognize that in addition to gender, individuals’ identities are inherently shaped by race.

Anti-essentialists have prompted a rethinking of both the various descriptions of gender oppression that have been offered and the assumption that gender oppression can be described meaningfully in isolation from other forms of oppression. The danger in oversimplifying women’s experiences based on an assumption of commonality is the real risk that the experiences of women of color will be ignored.

A. The Need for Meaningful Dialogue About Race

For WLS to begin to fulfill its mandate of representing all women at the law school, programming must include discussions of race. For WLS to become racially inclusive, all women’s experiences must be welcomed and celebrated. WLS’s agenda can no longer exclusively address the concerns of white, straight, and socioeconomically privileged women who purport to speak for all women.

White, privileged feminists have historically maintained and still largely maintain hegemonic control over feminist discourse. If WLS continues the appearance of uniformity at the expense of ignoring the privileged position of white women, there will be no meaningful union of women from different identity groups. Instead, it should openly acknowledge the privilege of white, straight, middle-class women. Accepting this challenge to incorporate the heterogeneity and complexity of women’s experiences and oppression will ultimately be WLS’s strength, not its weakness.

141. Id. at 601 ("[F]eminist essentialism represents not just an insult to black woman, but a broken promise—the promise to listen to women’s stories, the promise of a feminist nation.").
142. Id. at 587.
143. See id. at 587-88.
144. See generally id.
145. See Wildman & Davis, supra note 12 at 897 ("All whites are racist . . . because we benefit from systemic white privilege . . . . A big step would be for whites to admit that we are racist and then to consider what to do about it.").
146. Building meaningful multicultural alliances among women at the College of Law is at times difficult and at times exciting. Phoebe Haddon’s lessons from the Society of American Law Teacher’s efforts to address diversity and inclusion are useful in beginning to develop a strategy for WLS.
WLS’s essentialist conception of gender reinforces a racially segregated membership; by minimizing mentions of race and the implications of the intersection between race and gender, the only women engaged are white women who do not recognize their race as a critical characteristic of their identity. WLS must look for new and different ways to engage women of color—even if this results in shifting the organization’s agenda. For meaningful dialogue to occur among all women, there must be an acknowledgment of women’s multiple identities that recognizes “the complexity of messages implied in our being.”

B. The Need for Coalition Building

“If we accept the idea that the law is aimed at correcting inequities, shouldn’t it follow that lawyers and therefore the law schools should be the ones most adept at recognizing and correcting those inequalities?"  

Despite experiential differences, there is a need for women of all races to work together to address systemic problems facing women in law schools. Law school can be one of the few places where students have a chance to participate in an integrated community, one that is diverse in terms of many racial and social categories. Building a sense of community across these racial and social categories is a real and necessary challenge.

During my interviews, it was striking to note that irrespective of their race, many of the women shared common concerns. First, when asked about their

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It became apparent that you cannot build a coalition without exposing yourself to other people and that the discomfort from such exposure can be unbearable without trust. It also became apparent that it is necessary to see other people as having authentic and valuable perspectives and to... be prepared to adopt alternative strategies to advance the effort—even strategies with which you disagree—for the common good.


147. Harris, supra note 10, at 616 (citing Patricia J. Williams, Alchemical Notes: Reconstructing Ideas from Deconstructed Rights, 22 HARV. C.R.-C.L. L. REV. 401 (1987)).


149. There have been many groundbreaking studies on female law students’ predominant feelings of alienation. See, e.g., Kathleen S. Bean, The Gender Gap in the Law School Classroom—Beyond Survival, 14 VT. L. REV. 23 (1989); Paula Gaber, Just Trying to Be Human in This Place: The Legal Education of Twenty Women, 10 YALE J.L. & FEMINISM 165 (1998); Marsha Garrison et al., Succeeding in Law School: A Comparison of Women’s Experiences at Brooklyn Law School and the University of Pennsylvania, 3 MICH. J. GENDER & L. 515 (1996); Lani Guinier et al., supra note 117; Suzanne Homer & Lois Schwartz, Admitted but Not Accepted: Outsiders Take an Inside Look at Law School, 5 BERKELEY WOMEN’S L.J. 1 (1990); Janet Taber et al., Gender, Legal Education, and the Legal Profession: An Empirical Study of Stanford Law Students and Graduates, 40 STAN. L. REV. 1209 (1988); Catherine Weiss & Louise Melling, The Legal Education of Twenty Women, 40 STAN. L. REV. 1299 (1988); Lisa A. Wilson & David H. Taylor, supra note 148.
worries regarding entering the workforce, many expressed low self-esteem, unease about balancing family commitments with work, and apprehension about unequal treatment in the workplace. Second, some commented on the stress of having to respond to unwanted sexual advances and inappropriate comments made by law professors and fellow students at the law school. This signals a need for WLS to address issues that are affecting many females at the College of Law, at the same time that it must recognize and explore the ways in which women’s different identities impact their common experiences. By acknowledging identity in relation to common experiences, meaningful dialogue and coalition building can be achieved.

One question I asked each survey participant was about her biggest fears for entering the workforce. One woman responded:

That I won’t do a good job. That my employer will realize what a completely incompetent lawyer I am. That my colleagues won’t take me seriously and also will realize what an incompetent person I am. I am worried that raising a family will affect drastically what choices I can make and what choices are offered to me. So then, I will be known as the lady who is really incompetent and has a bunch of babies.

Many female students similarly felt confused by their desires to fulfill roles as partners, mothers, and lawyers, and they felt apprehension that they would not be successful at mothering or lawyering. Women spoke of the tensions between being a law student or lawyer on one hand, and a girlfriend or wife on the other. It seems that many women cast law and family as opposites, not only

150. See, e.g., E-mail from twenty-five-year-old Korean American woman, supra note 8 (“[I worry] that I’ll be mediocre.”); E-mail from twenty-six-year-old white woman, supra note 16 (“[M]y fear of entering the workforce is . . . .letting my general inferiority complex take over.”).

151. See, e.g., E-mail from twenty-three-year-old white woman, supra note 115 (“[I worry] that if I want to excel in my career I won’t get to be home with them and watch their soccer games.”); E-mail from twenty-seven-year-old Hispanic woman, supra note 47 (“[One of my biggest fears is] trying to be a mother and a lawyer . . . [and] thinking about having kids in the next five years.”).

152. See, e.g., E-mail from twenty-three-year-old white woman raised by a single immigrant mother, Student, University of Illinois College of Law, to Danielle Hirsch, Student, University of Illinois College of Law (Oct. 20, 2002) (“[I worry] that I will be treated differently as a wife and a mother than a man who is also married and has kids.”) (on file with author); E-mail from twenty-seven-year-old Hispanic woman, supra note 47 (“[B]eing asked to get someone coffee [is one of my biggest fears].”).

153. See, e.g., E-mail from twenty-four-year-old white woman, supra note 17; E-mail from twenty-seven-year-old Hispanic woman, supra note 47.

154. See supra note 48 for the complete list of survey questions.

155. E-mail from twenty-four-year-old white, Christian woman, supra note 53.

156. See, e.g., E-mail from twenty-ninety-nine-year-old white, Catholic woman, supra note 56 (“[I fear] balancing a career with family—having children, etc.”); E-mail from twenty-three-year-old white woman raised by single immigrant mother, supra note 152 (Actually, [I fear] that I will get married, have kids and that this will in some way create a problem.”).

157. See, e.g., E-mail from twenty-four-year-old white woman, supra note 114 (“[I fear] that I will not be able to balance my other plans for the future [marriage, family, friends] with be-
for fear that there is no time for both, but also for fear that the pursuit of one will make them unfit for the other.\textsuperscript{58}

Another question I asked each participant was whether they are aware of being female at the law school.\textsuperscript{59} The responses included: "I feel a ‘peer pressure’ to look good. This pressure is essentially nonexistent in the science field. I feel that a part of my qualifications as a lawyer is my appearance."\textsuperscript{60} Additionally, one woman said: "When a professor looks at my breasts instead of my face, that is when I am aware of being a woman. Really, I have yet to see a [professor], male or female, check out some guy’s package. But, then again, perhaps I am not paying attention closely enough."\textsuperscript{61}

Several women have confided in me about their experiences with unwanted sexual advances by fellow classmates or professors.\textsuperscript{62} Each of the women internalized the harassment. One white woman wondered if the unsolicited sexual advances by a faculty member were perhaps deserved because she tended to wear revealing clothing. Each assumed that she was the only one experiencing such behavior by a male colleague or professor. Two of the women (one white, one Asian American) complained of improper conduct regarding the same professor, who made unwelcome sexual advances toward them individually in his capacity as their professor and mentor.\textsuperscript{63}

Tragically, because there was no existing support network or structure within WLS regarding sexual harassment and discrimination,\textsuperscript{64} none of these women knew of the others’ experiences, leaving them each to feel isolated and alone. Furthermore, it seems that the female students allowed the harassing behavior to go unchallenged because they feel uncomfortable reporting such behavior to the faculty or administration for fear of negative repercussions. The only woman who chose to talk about her experience candidly with her friends at the College of Law received mixed reactions. Several of her classmates (both

\begin{itemize}
  \item E-mail from twenty-three-year-old white woman, \textit{supra} note 115 ("I want to have kids and a productive career. [I fear t]hat if I want to excel in my career, I won’t get to be home with them and watch their soccer games—but then again I think this is almost anti-feminist because the same issue addresses men in law school.").
  \item E-mail from twenty-four-year-old white woman, \textit{supra} note 17.
  \item E-mail from twenty-four-year-old white, Christian woman, \textit{supra} note 53.
  \item E-mail from twenty-four-year-old white woman, \textit{supra} note 17 ("My . . . professor has made inappropriate advances towards me . . . . [H]e was the first person to give me positive feedback at law school and all he wants is to sleep with me. It makes me feel really sad to think about.").
  \item \textit{See, e.g.}, \textit{supra} note 17.
  \item Since I wrote this article, WLS has appointed a sexual harassment policy chair whose position is to be accountable to any students who have questions about the University of Illinois’s or the College of Law’s sexual harassment policies. It is still too new a position to assess its impact, although the appointment of such a person within WLS should alleviate some of the feelings of isolation experienced by alleged victims in the future.
\end{itemize}
male and female) encouraged her to ignore the problem or wait until after she graduated so she would not create additional problems for herself and for the law school.

Four women (two women of color and two white women) indicated that male students had made offensive comments about female students or female faculty members or had been unusually disrespectful to female faculty members. One woman of color and one white woman also stated that male students suggested that women in rape cases in their criminal law casebooks "deserved" to be raped.

C. Conclusion

WLS needs to organize programs that adequately address the intersectionality among race, class, sexual orientation, and gender for all women at the law school. It will be a difficult, and often painful, conversation. "Recognizing that identity politics take place at the site where categories intersect seems more fruitful than challenging the possibility of talking about categories at all. Intersectionality exposes the various layers of social power that inform sexism." Improving process, expanding communication, and making the politics of WLS more inclusive may reduce the risk of essentializing women's experiences. However, the complexity of this task should not be underestimated. Undoubt-

165. See E-mail from twenty-three-year-old white woman, supra note 59; E-mail from twenty-three-year-old Indian Christian woman, supra note 133; E-mail from twenty-four-year-old Asian American woman, supra note 47; E-mail from white, liberal woman, supra note 122.

166. E-mail from twenty-three-year-old white woman, supra note 59 ("[I]n [c]riminal [l]aw class when the guys raise their hands and say things like, 'But I don't understand. If she's drunk and you're drunk then why isn't it okay to have sex?' or 'Of course its consensual if she's naked and in your bed.'"); E-mail from twenty-three-year-old Indian Christian woman, supra note 133 ("[I]n Criminal Law last year, I felt like there was definitely a clear gender divide between males and females in our discussion of rape. When we discussed certain situations like someone being drunk or something, the guys were more like, 'Well, maybe she's calling it rape now that she regrets it' while the girls were of the opinion that if she said no, she said no.").

167. Celina Romany articulated her hopes for feminism as:

[A]dvocat[ing] a broadening of horizons to show that the humanist project of subjectivity and agency need not be trashed but rather redefined. We have to expose those legal institutions which delay and obstruct the creation of conditions for strengthening identities, thereby enabling them to engage in dialogues which further refine our subjective perceptions and which serve as spaces for the creation of new narratives that are able to sustain the paradigm choices guiding the formulation of new legal meanings.


168. See Grillo & Wildman, supra note 25, at 408 ("Talking about racism/white supremacy is painful for whites as well... Whites must confront their role as oppressors, or at least as beneficiaries of the racial oppression of others, in a race-based hierarchy. The pain of oppression must be communicated to the dominant group if there is to be any understanding of racism/white supremacy.").

169. Crenshaw, supra note 13, at 1299.
edly there will be disagreement on an array of issues. Nonetheless, fear of addressing women’s differences cannot justify pushing women of color and other subordinated women again into isolation.

Through an awareness of intersectionality, we can better understand our differences and learn from one another’s individual experiences. This kind of identity-conscious dialogue is especially essential in a law school setting. As Wildman and Davis wrote:

A university is a special place, offering the opportunity not only to make friends, but also to listen intently to many others who are not friends. This opportunity to hear differing views is particularly important in a law school, making a law school within a university an even more special place.

WLS cannot claim to speak for all women law students and simultaneously restrict discussions to issues facing white women. Its members must see color, their own and others’, and must celebrate and respect differences. In focusing on the common experiences of many women law students, such as concerns of entering the workforce and discriminatory treatment of women at the law school, WLS cannot obscure differences based on race, class, sexual orientation, or any other aspect of identity. The category “women” must remain open and destabilized so that all female law students can claim a piece of it. Only then will the perspectives of women of color and other subordinated women be truly included.

170. See id. at 1261.
171. Wildman & Davis, supra note 12, at 884.
172. Cf. Cain, supra note 21, at 216 (“If lesbians of color and poor lesbians are in fact ‘women,’ then inclusion of their racial and class concerns within feminism and the ‘open category’ woman, compels openness of lesbian theory and the category ‘lesbian.’”).