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## Making Way for a New Standard: Women Redefine the "Ideal Professor"

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New rules for the nineties

# Making Way for a New Standard

*Women redefine the "ideal professor"*

**U**nfortunately for most women, the profile of an ideal law professor is a married man with a stay-at-home wife. A profile very like that of ideal workers in other legal settings.

Most of the women I know who teach law—myself among them—chose teaching careers for a number of reasons. Some sought less stress than they had found as private practitioners; they hoped that teaching would offer the luxury of thinking problems through and writing about them. Some simply preferred the freewheeling ideas that characterize university life over the conventions of a law firm, large corporation, or government agency. Many hoped that teaching would provide the flexible hours and seasons that are compatible with family responsibilities.

Most of these women have or aspire to tenure. And, not surprisingly, each has discovered that it is not possible to take advantage of all of the promises of academic life. The obstacles that they have faced—much like those that shadow women in practice—have taught them to be patient. Success will come—but not quickly.

It is common knowledge that women who teach law, including very able and committed women, do not achieve tenure and promotion at the same rate as their male counterparts. Although some institutions actually discriminate against women, in most, women lag behind because the committees and administrators deciding promotion and tenure view all applicants through the same lens. Their focus is driven by their law school's need to compete with scholarly departments for both respect and resources. And it is epitomized by the change in law degrees from the Bachelor of Laws to the Juris Doctor. Although some schools have begun to define new standards, most continue to judge faculty against the "ideal professor." (The ideal professor was first identified in the writings of American University law professor Joan Williams.)

## **Playing by the Rules**

Ideal professor rules dictate that teachers must publish to succeed; some universities require that several articles be published every year; most require publication of at least three articles in six years (in

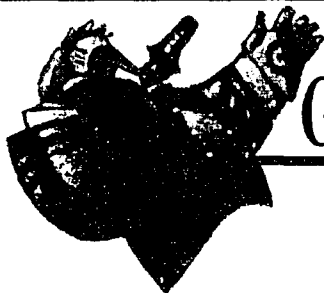
time for the tenure review). If a school looks askance at feminist articles or articles written from a critical race perspective—and some do—those types of articles will not "count." Women teachers are also required to overlook the not-so-subtle bias they encounter. For example, a sharp retort to a student will doubtless brand a woman as a "shrew."

Women are often assigned to the law school version of the "pink ghetto"—family law, tax law, trust and estates, none of which has the prestige of the commercial subjects. In more hostile institutions, women may find that their teaching preferences are disregarded. Even in the most women-friendly institutions, all teachers occasionally get bad course assignments, including assignments in unfamiliar areas. The preparation that is involved to teach an unfamiliar subject generally weighs more heavily on women than men, because few women enjoy the sup-

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**BY MARGARET F. BRINIG**



## Gender Offenders

"Even after years of experience, it is still very hard for me to understand that some men (and some women) are not overwhelmed with the unfairness of failing to include women at all leadership levels."

—Marilyn Harbur  
ABA General Practice Section  
Council and active member of  
local, state, and national bars  
since 1980

"You can often make progress in a bar group when you can't make progress in your own firm."

—Louise LaMothe  
member, ABA House of  
Delegates and immediate past  
chair, ABA Litigation Section

port of a full-time homemaker spouse.

Women also pay a price for being relatively scarce. As is true of her colleagues of color, a promising woman faculty member will likely be appointed to a number of important committees. The fewer women there are on the faculty, the more that woman will be pressed to represent "the woman's point of view" in admitting students; recruiting new faculty; planning curriculum; or judging retention, promotion, and tenure cases. (On a faculty of 30—only three are women—I currently serve on three such committees.) While some people find glory in committee work, most find it distracting, particularly because it counts for so little compared to scholarship and teaching.

### Subtle Snubs

Women academics voice these or similar complaints at all law schools. Even women who teach in schools where the dean is female report that academic life is not easy for them. Although few

women confront overt sexual discrimination anymore, many encounter numerous subtle snubs. For example, despite a good working relationship with my male colleagues, I have never been invited to their baseball outings (which involve *watching*, not playing baseball). And, the most frequent comment I receive from male (but never female) colleagues is, "I don't know how you do it." Less subtle is the criticism women receive if they are at all unusual in their appearance or lifestyle (criticism their eccentric male colleagues are usually spared).

The obstacles for women in academia are not limited to full-time teachers. Those who enter the profession through the adjunct faculty ranks—like their male counterparts—are paid significantly less than their full-time colleagues, despite the fact that they do almost identical work. Women (and men) who work as full-time clinical faculty or research and writing instructors are often excluded from the tenure system altogether, or tracked on a parallel system. Al-

though men occupy some of these part-time positions, for the most part, they are disproportionately occupied by women.

### Finding a Balance

As women have done throughout history, women academics look to other women for support. For example, in many metropolitan areas, there are specialty groups for women academics. The American Association of Law Schools also sponsors one. In addition, the ABA and several state bar associations provide financial incentives as well as networking opportunities for faculty women. In the Washington, D.C., area, we enjoy a wonderful forum of women law academics; among its offerings are workshops on scholarship and classroom teaching.

Despite the bias I sometimes face as a woman academic, I confess that I love teaching law, for all of the reasons that I initially chose it. My decision to teach, which was made when I was still a student, has been amply rewarded. Although it took me much longer than my male contemporaries, I do have tenure and, finally, a full professorship. I am senior enough to serve on national committees and the dean's advisory group, and to lunch yearly with the university president. I value my colleagues—female *and* male—as allies and friends.

It took me years to learn to say "no" to certain assignments, and even more years to master the art of working effectively in brief snatches of time. Now, I am among the most productive of my colleagues. I arrive at school early and leave each afternoon in time to pick up my older children at school. *[Editor's note: The author is the single parent of five children.]* In the evenings I teach or, when the house is finally quiet, I write or prepare for class. I draw strength from my family when I'm home and relief from them when I'm at the law school. I have found that the fullness of my life has given me things to talk about in class as well as the depth to understand students who come to me with problems. **CL**