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## REFLECTIONS

## NOTES FROM A SMALL WORLD

*What was it like to be one of the ten black women who graduated from Harvard Law School in the class of 1975, and is life any different for them now?*

BY PATRICIA J. WILLIAMS

### 800 Painted Ladies danced in the air

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me, dear," she said. "I didn't recognize you at first—my eyes, you see. . . ." Here the elevator door opened to reveal a swarthy young man in a baseball cap carrying a bag of what appeared to be Chinese food. "Take the service elevator," she called out to him in a voice gone raspy with disdain. "As I was saying," she continued, "old age has made me blind."

**I**N 1975, I graduated from Harvard Law School. Out of a class of five hundred and thirty-six, there were



*Left to right: Carolyn Daniels, Angela Shaw DeCock, June Baldwin, Julia Dobbs Gibbs, Patricia Williams, Barbara Parker, Marilyn Hutton, Cynthia Cannady, Evelyn Lewis, and Gail Wright Sirmans.*

eighty-one women, including ten black women—a figure that exceeded the number of black women in any class of Harvard Law School throughout its one-hundred-fifty-odd-year history. These "crossovers"—i.e., blacks and women—were thus an especially curious exoticism. Today, Harvard's classes, like those in most American law schools, are almost fifty per cent women, and this year there are thirty-three black women in its entering class. Since last year marked the twentieth anniversary of our graduation, I decided to pick up the phone and call my crossover classmates. We were, after all, among the very first beneficiaries of affirmative action, and I wondered if the isolation I felt then and the invisibil-

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ity I sometimes feel now were common themes among us.

None of us were particularly happy in law school. We didn't spend much time together back then, though each of us, I learned, had imagined that the others were off nurturing tight friendships and circles of support. "I thought it was just me," everyone said. We had all battled a soupy mush of uncertainty, loneliness, and some fear. Allan Bakke filed his notorious "reverse discrimination" suit during our years there, and we were made to feel that Harvard had lowered its standards to endure us—but not to worry, we were sufficiently plucky and lucky that it was amusing for the Harvard fathers to allow us to fraternize a bit, and who knows, we might even pick up a thing or two. Each of us believes that that kind of condescension—and a contemporary attitude hardened into something much worse—is precisely why affirmative action is so necessary.

Twenty years later, we are judges, vice-presidents, partners in firms, professors, policy analysts, and mothers. None of us wanted to describe ourselves as feeling marooned in our quest to "make a difference" for underrepresented black interests, but most of us work in almost exclusively white environments, and the undercurrent of yearning in the exhortations I received was unmistakable: "Don't make it depressing." "Focus on the positive." "It happened. But don't say that."

Virtually all of us went to law school not just as a result of the civil-rights movement but because of it. We were creatures formed in the crucible of the Kennedy and the Vietnam years, and the women's movement.

While hazing at Harvard Law School is so legendary that it has been parodied in books and movies like "The Paper Chase," we all had the impression that the misery the men visited on one another was different from anything the women—particularly black women—went through. Watching the men interact was like watching one of those English movies in which the students just love to wrestle each other nude. They were all so *involved* with each other, always one-upping each other and tripping each other up. They advertised it as the kind of jockeying that makes one think sharply and fast; but to some of us the men looked like an eternally roiling mass of puppies, always chewing on one another's legs. It was bewildering to those of us who had grown

up without brothers—all those flying sports images and hunting metaphors, those "seminal cases," "dropped balls," and "spilled blood."

"There were no mentors for most of us in law school," observes Evelyn Lewis, who is now a professor of law herself. Derrick Bell—the only black professor at Harvard Law then—was always supportive of us. But Evelyn points out that he is a constitutional lawyer: "He could only do so much—and that did not include getting you through Louis Loss's securities regulation or Clark Byse's contracts class. It was assumed that you didn't go to any of those professors unless you were in deep, deep trouble."

If any of us should have been comfortable in law school, it was Cynthia Cannady, whose father and grandmother were both lawyers. Indeed, her grandmother, Beatrice Cannady, was Oregon's first black female practicing attorney. She graduated from Northwestern School of Law in the nineteen-twenties (apart from singing at the graduation, she wasn't permitted to participate in the ceremony), and ran for state representative under the ladylike slogan "Legislation Adequate to Meet Present Day Developments." (Cynthia suspects that "present-day developments" was a euphemism for "civil rights.") She urged the cause of integration upon everyone from the D.A.R. to the Y.M.C.A., and, with her husband, published a progressive newspaper. Her older son, Cynthia's father, went to Howard University law school. But Cynthia says that much of her father's practice was devoted to fighting for civil rights; he didn't do the kind of corporate law that was all-important at Harvard. "I never heard the word 'debenture' spoken aloud before I got to Cambridge," she explains. She was surprised at how marginalized she felt in law school, and recalls that she did try to talk to one of her professors once, "but he remained standing the whole time, waiting for me to leave. I never went to visit another white professor. It could be so humiliating if it was understood as a racial thing."

**F**OR most of us, of course, Harvard Law School was not the first experience of integrating our surroundings. We belong to more or less the same period as the little girl in the Norman Rockwell portrait, who is seen walking to school between the long legs of federal

marshals, with tomatoes splattered on the wall behind her. Growing up in a white working-class neighborhood in Boston, I remember being able to chart the seasons by what was thrown at me in grammar school: acorns in the fall, snowballs in the winter, mud in the spring.

"I integrated the Shipley School, you know," June Baldwin tells me, speaking of the elite, formerly all-girls school in Bryn Mawr, Pennsylvania, from which she graduated. "And I am only now dealing with all the scars."

Scars? Shipley? "Isn't Shipley the kind of place that guarantees you'll emerge a scar-free flotation of gentleness?" I ask.

"I came the first year blacks were enrolled," she replies. "They took two of us; the other one was a senior and looked white. They admitted one Jew the next year, and they made the two of us roommates. We became like sisters. But it became part of my character to be marginal, to always feel myself looking in from the outside. It pulled me in two. I never felt part of the world in which I was immersed. I wasn't invited to most of the debutante balls come twelfth grade—partly because of the parents, partly because few of the private clubs would permit blacks to come in the front door. Once, one girl actually asked me to be her roommate, but her mother wouldn't let her."

June goes on to describe the painful issue of black hair, which "you couldn't talk about." It took Shipley's legendary retired headmistress Margaret Bailey Speer to help out with that: Miss Speer had personally arranged for the scholarship that permitted June to attend Shipley, and it was Miss Speer who used to drive her across town to the black hairdresser.

When June was a senior, some of the staff at Shipley tried to discourage her from applying to the Ivy League, even though she had very good grades. They said that she would be "more comfortable" at a smaller college, she tells me. June's mother murmurs something in the background. "Oh, yes," June adds. "After Martin Luther King's assassination, they apologized to my mother about this. They admitted that it was race that kept them from thinking of me as going to Stanford." She pauses. "You see, that's the upside, the beauty of the experiment. They were decent people, but they had these images. But in the end they also had the courage to see themselves and to transform."

Angela Shaw DeCock had a similar experience in a different context. She grew up in Brooklyn, where her father worked as a civil servant because, as a classically trained opera singer, he could find no companies in the United States that were willing to give roles to blacks. She graduated from Erasmus Hall High School and Hunter College, skipping a year of each to arrive at Harvard Law School at the age of nineteen. "It was close, though," she says. "My college counsellor assured me not only that I was not law-school material but that I certainly could never qualify for or succeed at a place like Harvard." Three years later, when Angela returned to New York to take the bar exam, she caught a glimpse of this counsellor, who was also there to take the exam. It turned out that he, too, had gone to law school, and "to my knowledge," Angela says, "despite numerous tries, he never did pass the exam."

THE pressure of living in two worlds was nowhere greater than for those of us who entered the corporate sector. There was a general feeling among us that black women had an especially hard time at law firms. They had to be more aggressive about inviting themselves along to the power lunches, whereas young white male associates would be invited automatically. (This happened "not always consciously or meanly, more as a function of who people felt comfortable with," as someone noted in one of our conference calls.) Cynthia, who was a partner at Fenwick & West, in Palo Alto, representing high-tech companies, remembers being told, shortly after the birth of her second child, about a business meeting where one of her colleagues began to rail against female lawyers who breed "like rabbits." When she had her third little bunny, she left the firm with a few big clients of her own and, for a while, set up practice in her home.

We agreed that race is frequently pitted against gender. "We are raised to believe that when you do well it will reflect well on the race," says Evelyn, who made partner at Steinhart & Falconer, becoming the first black woman in a major San Francisco firm to do so, and is now teaching law at the University of California at Davis. "But in fact the more you succeed, the more you are embraced by the white world in a way that exceptionalizes you. 'You're different from other blacks' is the

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*"I've seen most of Spike Lee's movies, so I know what you must be going through."*

quiet assumption. I was anointed, no doubt about it, but always in a way that attributed my accomplishments to me as a woman but not to my race. So in fact what you do well will reflect well on you, but only as an individual. And what you do poorly—well, that's when what you do will be dumped on the whole race."

Gail Wright Sirmans, who currently chairs the New York State Bar Association's Committee on Civil Rights, sums up the situation: "Call it what it is. In New York City, there are five black women partners in all the major law firms combined. All those lawyers? All those firms? That's obscene, and you know it. When they say that women are part of the picture, they mean white women, and that's the truth."

Carolyn Daniels is the only one of us who is still practicing at a firm—Holme Roberts & Owen, in Denver. Out of more than two hundred lawyers there, she is the only black partner. "What stands out is that I have spent most of my professional life in an environment where I stand out, and that can make you pretty

lonely," she says. She characterized her firm as a place that has been genuinely open to diversity, and says her colleagues have come to realize that she can do the work, as have her clients. But she was constrained nonetheless: "I went into tax initially, then executive compensation and employee benefits. I did this because I don't think most people expect to or do see a black woman as their lawyer; I figured that if I built up a body of expertise in a specialized body of knowledge I'd always be needed."

Julia Dobbs Gibbs left a high-powered Washington, D.C., law firm precisely because of those constraints. Julia went into tax initially, too. She says, "After attending some meetings with clients and seeing the reaction to a black female lawyer, I didn't get the feeling I would ever be fully accepted." She is now an administrative appeals judge for the Social Security Administration, with a setup that allows her to be at home when her two children come in from school. ("I've had other opportunities, but my priority is something other than career advance-

ment," she says.) Barbara Parker also left a job as an associate for the prestigious San Francisco firm of Pillsbury Madison & Sutro. For a while, she worked as an in-house counsel, for the Kaiser Aluminum & Chemical Corporation and the Kaiser Foundation Health Plan, but, she says, there were very few blacks or women around her, and she was always aware of a glass ceiling. She now works for the Oakland City Attorney's office, a job that involves less travel and allows her to spend more time with her daughter, who is now six. Her office is about fifty per cent women. It is also more than twenty per cent black, and that fact satisfies her a great deal: "I have never wanted to be yet another 'Negro First.'"

As for Cynthia, after a year of solo practice, she was hired by Apple Computer to head the legal team responsible for open-technology licensing. She describes Apple as being an overwhelmingly—"if counter-cultural"—white environment. But shortly after the announcement of her promotion to vice-president messages began to appear on her E-mail from black employees throughout the corporation, voices from the disembodied void of distant desktops. "You know how black people always speak to each other on the street, even when you don't know each other?" she says. "Well, there aren't a lot of black people on the streets of Cupertino, yet here was the tradition alive and strong in cyberspace, even though we were too spread out to see each other."

She reads me a couple: "May your life continue to be blessed." And "You go, girl!!!"

**G**AIL enjoys a national reputation as a civil-rights litigator. She started out at the Equal Employment Opportunity Commission and then argued voting-rights and employment-discrimination cases for the N.A.A.C.P. Legal Defense and Educational Fund, where she "absorbed the legacy of Thurgood" and "basked" in the company of Lani Guinier and Deval Patrick. After that, for a while, she taught law. "To litigate all these really important cases all over the country, and build a reputation—then to go into this experience where I needed representation!" Teaching, she observes, requires "kamikaze energy if you're a black woman." She is referring to the overheated responses to critical race theory (the school of thought with which I am often associated), those *New Criterion-*

style concerns about whether feminist and minority scholars are tyrannical anti-scholars, swinging the bludgeons of "political correctness" while silencing the young and impressionable with "exotic courses in victimology" that represent "a dangerous flight from reason and logic." She is also referring to the data that scholars like Deborah Merritt, Regina Austin, and Lani Guinier have compiled, documenting the prevalence of both harassment and discrimination directed at women—particularly women of color—who are students and faculty in American law schools.

"To give you just a small example," Gail says, "I was called 'the best-dressed bitch on campus.' They constantly challenged me as an intellectual authority of any sort."

I remind Gail of a larger example, an incident she had told me about when it happened: a student, an off-duty police officer, had engraved Gail's name on the side of a bullet and was showing it off to his classmates as a kind of joke. "I had forgotten that," Gail says quietly. "Sometimes there are things that are just so . . . It was so devastating. It just knocks you off your feet. You don't know what to do with it."

Marilyn Hutton, whose formative years were spent bucking the segregated school system of suburban Cincinnati, works directly with the issue of how to open closed doors. As an attorney for the National Education Association for the last ten years, she has developed N.E.A.'s employment-discrimination training and standardized its review procedures for assessing affirmative-action programs. After several years in the corporate world and as a legislative aide to Senator Lloyd Bentsen, of Texas, she went to work in the early eighties as a legislative counsel for the N.A.A.C.P. There she helped direct a broad coalition aimed at countering the Reagan-inspired erosion of federal civil-rights laws. "We did something that really made a difference," she says. "It had a big influence on my career choices thereafter. My work since then has been focussed on large organizational issues. I feel good about putting together a program that can move a whole bureaucracy—it takes a lot of human interaction, and it takes your work a step beyond just the words of the law. It's those effective moments that make you glimpse the really enormous power of what it must be

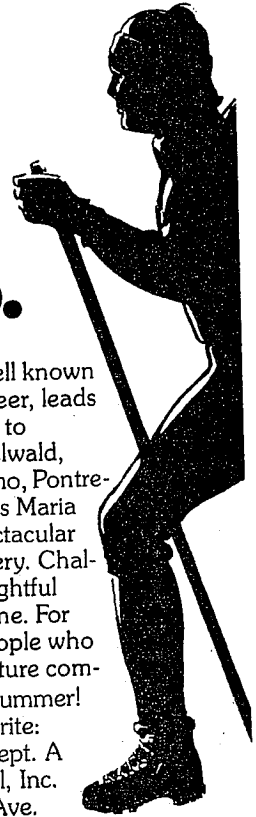
like to be in the majority all the time, to be *routinely* connected to a whole spectrum of institutions."

Marilyn expresses impatience with the way "excellence" and "diversity" are so often posited as though they were polar extremes, and we discuss the press furor over reports that California governor Pete Wilson, who is a committed foe of affirmative action, has occasionally contacted schools in the California system, recommending that they admit the children of his friends. "All this talk about merit," Marilyn says. "But determination of merit always includes social and personal factors. Who deserves what is always at least partly subjective."

**M**AKE sure that when you say I do community service they know what that means," Gail urges. "I'm not out wasting time. I make this Harvard degree work for black people—it's not just something I got as a prize for being smart."

Angela and June went into broadcasting out of a similar concern—in the hope of helping black people. June, who is now a vice-president at Spelling Television, remains frustrated at her inability to break into producing, where she might have greater cultural influence. Angela has since left the business to live abroad with her Belgian husband, and when she left she donated an operating license she had obtained through an F.C.C. minority set-aside program to St. Augustine's College, a traditionally black college. The city of Raleigh, North Carolina, thus received its first black-owned television station. Evelyn Lewis's experience growing up in Raleigh gives this story historical context: Her father, J. D. Lewis, Jr., began his television career in the uncomfortable position of cameraman at WRAL, a station whose executive vice-president was Jesse Helms. During the sixties, he filmed Helms's regular television editorials inveighing against the civil-rights movement. "In a different time, Dad would have been a great media personality," Evelyn says. "He is a smart man, a 'Morehouse Man,' with a wonderfully resonant voice." As integration opened more doors, he emerged from behind the camera to become a local television personality—the host of "Teenage Frolics," a long-running dance show that was a kind of precursor of "Soul Train." Eventually, he became a respected TV editorialist in his own right, offering a perspective radi-

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cally different from that offered by Helms so many years before.

Because of her father's prominence, Evelyn was a shoo-in for the black débutante ball. "It was just what you did," she says, laughing. "It was a whole production, for a year ahead of time. You learned how to waltz, how to wear your hair, and how to prepare a résumé." She insists that it wasn't about imposing a class order but was an attempt by the small black community in which she was raised to provide its children with as many of the accoutrements of white privilege as it could afford. The young ladies of Raleigh sought out sponsors who would buy advertisements in the evening's program, and the funds went to provide college scholarships, which were distributed at the festivities. (The queen of the ball was the one who raised the most money.) Anyone of "reasonably good reputation" could be invited. After a moment, Evelyn adds, "But, it's true, they did have to be invited. And they did have to raise the money from reputable sponsors—they couldn't, you know, just throw a fish fry."

It is Gail, in one of our talks about privilege and community, who drags me back down to earth, with advice about the New York nursery-school scene. She and her husband have a son who is a little older than mine, and she has done the thing called "shopping." "I hated it!" she declares, having ultimately sent her child to an integrated public school, when he was old enough, so he could get what she calls "a holistic education with real live people." But she nonetheless informs me that I have been terribly naïve; when the application forms asked for "references" I put down the names of people—friends and babysitters—who knew my son.

Gail laughs. "You'd better get real," she says. "Don't you know Toni Morrison?"

"I shook her hand at a conference once," I say, dubiously.

"Call her up now." A pause. "If you're sure that's what you want, of course. You want a school that only takes you if you know someone?"

Gail is awfully good at this sort of thing; the next time we talk, she has just given a pancakes-and-aerobics birthday party for thirty preschoolers. "I put the parents in a separate room so they couldn't get out and they all had to talk to one another," she tells me. At twelve-thirty, the party was over,

and at one-thirty Gail was at a women's political club, giving a speech on the racial implications of three-strikes-and-you're-out laws.

ANGELA SHAW DECOCK is sitting in my living room, her "Democrats Abroad" scarf thrown jauntily over her shoulders. In town only briefly, she has been telling me about her latest project: she is the European representative of the National Brotherhood of Skiers, a twenty-five-year-old organization of some fourteen thousand African-American skiers. (Who knew that there are officially more blacks on skis than there are followers of the White Aryan Resistance? Who could have guessed at such a fortuity of distributed obsessions?) Angela was responsible for inviting them to Innsbruck this winter, and she describes with pride the sight of a thousand black skiers marching down the main street where Maximilian led his army five hundred years earlier. This place—only sixty years after Hitler refused to shake the hand of "a subhuman" like the Olympic gold medallist Jesse Owens in Berlin—was filled with the fluttering flags of a parade led by a Tyrolian band of welcoming Austrians. "*Oompah, oompah, oom-pah-pah*. You should have seen it," Angela says. "There are the Austrians leading a procession of a thousand black American skiers intent upon 'conquering the mountain' and 'going for the gold.'"

I meditate on a photo Angela shows me—of a young black boy dressed in racing stripes and sitting on a platform beside the mayor of Innsbruck. He began skiing when he was two; he is the great black hope of this group, and will stay to train when the others have gone home.

Angela stands and stretches, then begins to pore over my library of out-of-print books, written by generations of forgotten black thinkers. "This sounds like me," she says as she pulls down a volume entitled "The Black Expatriates," published in 1968. The book falls open in her hand. "No!" she cries out. "It sounds like one of Julia's family!" And, indeed, it was. Mattiwillda Dobbs, a relative of one of our ten, was the subject of the chapter in question: a black opera singer who moved to Stockholm and married a Swede. "She knew my father," Angela says, referring to the years her father sang in Europe, before he returned to the United States to raise her and her brother. She also knew

my globe-trotting godmother, I tell Angela. "It's a small, small world," we agree. "Really, really, far too small."

"MOMMY!" The little voice echoes in the background of our conference call. For a week, we have talked into the blind intimacy of telephone space, into the jumble of background sounds transmitted with fibre-optic accuracy—rustling pages, dripping water, office doors opening and shutting, toy trucks being driven across the kitchen floor. All of us feel that we have spent our lives exploding stereotypes, some of which we thought had been long since undone by our grandparents. The precariousness of our privileged social position as "honorary whites" is filled with paradox: We are the product of grassroots efforts that with each generation have launched just a few more of us just a little bit higher onto the narrow plateaus of power. Yet we are a generation whose very accomplishments are now being advanced as one of the reasons that affirmative action is no longer needed.

In our last talk, Gail says, "We all go through what Deval Patrick calls the indignities du jour, but we don't say anything—we're just accustomed to it. You know, when you live where I live, and you take your child to school, they want to know whose child you're there to pick up."

The indignity in this example is not that we are misidentified in respect to class. It is the condition we share with those who are there to pick up someone else's child: that people feel free to talk down to you, make assumptions about you that both blind them and imprison you in the limitations of their imagination. This is not to say, of course, that there aren't substantial differences between Gail's life and that of the women who do pick up other people's children; it's just to observe the generalization that freights the life of each. It is hard to imagine, perhaps no less for blacks than for whites, a black woman who has Swedish family and a degree in mathematics and whose religious faith inspires her as she carries out her duties as a judge—or perhaps as a mother. But if it is easy to miss these parts of the half-seen brown women who come and go, riding the elevator while carrying laundry and talking of Michelangelo, that doesn't mean they don't exist. It means we have lost a vital part of ourselves in denying that they do. ♦