THE STORY OF A SELF-EFFACING FEMINIST LAW PROFESSOR

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I. INTRODUCTION

Twenty-five years ago law schools looked quite different from the law schools of today. The faculties were smaller, the classes were larger and almost all were taught in the conventional lecture style. The faculties and student bodies were monochromatic and largely male.

Today, law schools still have large classes, but there are many small classes. Some are seminars, and many are skills courses in which the instructor endeavors to create a hands-on atmosphere with instant feedback. Additionally, the number of females has increased to almost fifty percent, and the ethnic composition of the student body has become quite diverse.

While the size of the full-time faculty has increased (it has doubled at my law school since I started teaching) the composition of the faculty has been most resistant to change. It took fifteen years for another woman to be tenured after I had achieved that status. The following year another was tenured, then another, and this year, three women were voted tenure by the faculty. There are a few others who will probably be tenured during the next few years, but then? It may be that the door will swing shut again.

Why did the door open at all? This is my story and my theory about what happened. It is a most subjective story and I am sure many of my colleagues would differ with my interpretation, but they can tell their own stories.

II. STUDENT YEARS

My early career expectations were that I would go into math or science, but while at college I discovered that I was more interested

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in the liberal arts and so switched to history. I graduated in the middle of World War II and used my math and science skills at the Bell Laboratories in New York. After the war ended, I left the laboratories and went job hunting. The first step, which was required in those days, was to achieve some secretarial skills. Then, I went looking for interesting work that would use those skills but would not confine me to them. I was really at a loss as to what to look for, so decided to get some expert advice.

I took the Stevens Institute Vocational Aptitude Test. I expected that the results would form the basis for career recommendations. Instead, I was told, “You are the too-many aptitude woman, so we cannot advise you as to a satisfying vocation.” I was crushed and too intimidated to ask what I now know was the obvious question, “What advice would you give a male with my scores?” Since I did not ask the question, I do not know what they would have answered. I think they really intended to tell me to get married and not bother with a career.

I did get married, but not because of that advice, and I did have a career, of sorts, as a community volunteer. The problem with being a volunteer is that although many of the activities may require professional skills, without some type of certification, a volunteer lacks credibility. Carefully researched recommendations of a volunteer are often given no weight. I decided, therefore, that I needed credentials.

I was forty-four years old, married to a corporate executive and the mother of three school-aged children when, in 1967, I entered Southern Methodist University (“SMU”) Law School. Originally, twelve women entered with me, but at graduation, there were only five of us.

It was an interesting, although painful, experience. First, there was the isolation; no male student spoke to me unless I spoke first. Second, there was the invisibility. In many of my classes the faculty overlooked the women and never called on us at all.

My Contracts professor was quite amazing. It was rumored that he had been the boss of a chain gang in Arkansas, and we not only believed but knew it was true based on his behavior in class. He out-Kingsfielded, Kingsfield. Since he ignored the women students in his class, I was able to watch him dispassionately and decided that his teaching methods were all wrong. The sole basis for his teaching was intimidation and the destruction of a student’s ego. I believed then and believe now that a better method is affirmative reinforcement.
Of course, I did not express my views until I achieved tenure, and before that achievement, I endeavored to be as macho and ego destructive as the rest of the faculty. Once, in my early years of teaching, I memorized the entire Dallas Cowboy line-up in order to explain the difficulty of ruling on a polycentric situation as matter of law, but I am getting ahead of myself.

After I made law review and had my own group, I changed my tactics in class. I noticed that the women who raised their hands and waited to be recognized were never recognized. So I stopped being a mouse and started making comments without waiting for the professor to call on me. Sometimes I was able to change the direction of the discussion from strictly upper-class male interests to the concerns of women and minorities. It made my last year fun and I would challenge myself to see how far I could take the discussion.

For example, imagine an Equitable Remedies course that did not mention the options and problems confronting a judge trying to enforce school desegregation. In Income Tax there would have been no mention of the denigration of the second income in a marriage unless I brought it up. Also, I really caused problems by commenting that we were looking at deductions from the wrong end. It was not the deductor that benefitted the most, but rather, the ultimate object of the deduction. An example would be the home mortgage deduction which benefits the construction industry. The most obvious is the charitable deduction which benefits all sorts of activities, such as churches, museums, and universities. I pointed out that deductions for child care had not even been considered and it must be because there was no one to lobby for it. It seems so obvious now, but in 1970, the tax code had not been evaluated in tax classes from a policy standpoint. It was just accepted and taught as is.

Of course, after I began to be successful there were the usual negative comments from fellow students about my taking a place that rightfully belonged to a man and a few other sexist remarks, but normally such feelings were concealed by my male colleagues. I remember my years as a law student as a form of fraternity hazing and am grateful that I do not have to endure it again.

I did learn one important lesson from my student years. I learned to respect my children. When they came home from school complaining about some impossible project that their teacher had told them they were expected to do in an incredibly short time, I believed them and tried to be helpful as well as sympathetic. I did this because law school had taught me that teachers could be irrational in their requirements. Law school had taught me that
professors can be as inflexible and arbitrary as anyone and should not be respected solely because of their status.

III. GETTING ON THE LAW FACULTY

I became a member of the SMU Faculty after I had served for several years as the Director of Research Methods/Legal Writing (RM/LW). My position was not considered a full-time job, so I was paid a rather small part-time salary. I was not too worried about the low pay because I was planning to leave teaching as I was only using the law school as a base while looking for a job. There was only one woman on the faculty at that time. In 1972 the Dean began to look for a woman to add to the faculty. He asked me if I was interested in being a tenured member of the faculty. Since I was still unemployed, I said "Yes." I knew that this was a career opportunity, and I looked forward to it. I also realized that I was being hired as a token woman. Yet, I told myself and tried to believe that I really was qualified and should have been hired on my merits.

The Dean told me I would be full-time and would have to teach a substantive course. So at the beginning of the spring semester I started teaching a small section of second semester Torts. The following year, as a probationary instructor, I taught one full section of Torts, a full section of Family Law and directed the RM/LW program. The two semester Torts class had about 110 students, Family Law, which I taught in the spring, had 125 and the section of RM/LW which I taught had thirty-three students. The first year class had over three hundred students. Twelve instructors taught for RM/LW and, as Director, I supervised their teaching as well as doing my own.

Toward the end of that first year, when salaries were under discussion, I had a startling revelation concerning the Dean's perception of my professionalism. Because I had switched from part-time to full-time, I had received a small salary increase that was supposed to be the equivalent of full-time pay. The pay was significantly less than the going rate for entry level faculty and I realized that I was being underpaid. In fact, my pay was so low that even now I would be ashamed to reveal the amount.

I went to the Dean to discuss my salary and pointed out the lack of relationship between my work load and my salary. The Dean replied "This is a real full-time job and you can't act like a volunteer and quit because you don't need the money." I answered that I did need the money. I would soon have three children in college and I was not doing this for fun! The Dean said, "I hear you," but he must not
have, since I continued to receive only the prescribed increases based on a percent of base pay. Perhaps I should have focussed more on pay equity and discrimination in my discussion with the Dean. Perhaps that would have been a more successful approach. Due to the system of percentage increases I was underpaid throughout my teaching career.

Incidentally, I was Director of RM/LW until I was permitted to have my first sabbatical leave during the 1982-83 school year. Beginning in 1978, I was permitted to teach a seminar on a new subject, First Amendment and the Mass Media; so up to 1982, I had been teaching an overload on a regular basis. The First Amendment and Mass Media field was an evolving area of the law and one in which I had a deep interest. Permission was "generously" given, but only if I continued my other teaching and administrative obligations. I agreed to the conditions and, of course, did not receive any extra compensation. I really should have had better training in negotiating for my own self-interest.

Suddenly, in 1979 after a study by the Campus Commission on the Status of Women, of which I was a member, there was campus-wide agitation about pay inequity and I received an "Adjustment to Base." My salary went up twenty-seven percent. These "adjustments" have occurred twice since, and each consisted of a substantial pay increase. These extra raises have not overcome my initial low entry pay because raises are based on percent of pay and the smaller the base the smaller the amount in a percent increase. Of course, now that I am retired with a pension based on past earnings, the impact of my underpayment becomes more obvious. Pay equity is of vital importance and I hope that my female successors have learned or are learning to demand their rights.

The pay discrimination and the attitudes of many of my colleagues made me angry, so I decided that "I would show them." I continued on as an instructor for another year during which I was evaluated by my colleagues and then invited to proceed on toward tenure. By this time I was so dissatisfied with the status quo that I decided to bore from within. I wanted to change the culture, but first I had to join the club.

IV. ACHIEVING TENURE

There are three articulated requirements for tenure: teaching, scholarship and service to the community. In addition, there is the unarticulated requirement of collegiality, meaning you have to "fit in." I will discuss each of these and the problems I encountered.
A. Teaching

There is a myth about law teaching, but since it was believed by my colleagues I had to conform to it. The myth is that the proper method for teaching law is to terrorize students, make them feel completely inferior and stupid while impressing them with the brilliance of the professor. This technique is supposed to be accomplished by using hypotheticals and the Socratic method. The hypothetical must be of the sort that has no particular right or wrong answer. The ostensible purpose behind this technique is to confuse and frustrate the student and make him (not sic) aware that the law is not fixed and that results are determined by the language adroitness of the advocate.

Creating good hypotheticals to demonstrate this principle is very difficult. Even more difficult is constructing the Socratic questions to validate the hypothetical. A novice teacher cannot know in advance all the possible answers a student might give and this means that sometimes a student will triumph over a novice. When you are trying for tenure it is most important that you do not lose the game while other faculty members are observing your class.

During my early years of teaching, I spent most of my time constructing adequate lesson plans and less time mastering the subject. Since I did not believe in the methodology I was endeavoring to use, I had to treat those lesson plans as puzzles or games. Because of this nonsensical methodology, I am sure that there are thousands of law graduates who still have no idea of the difference between actual and proximate cause.

Despite my efforts, I would not have received tenure because my teaching evaluations were awful. The students came to law school expecting to be taught by a clone of Kingsfield and instead they got me. They felt cheated and said so in their evaluations. In addition, my colleagues were not supportive because in their classes their hypotheticals or examples used only males as authority figures and they made it clear that the world is run by men. Thus, my evaluations always referred to me as “Mrs.” and would say things like “Mrs. Solender is a nice lady, but . . .” or “She lets some students talk too much and has no control of the class.” The students noticed that the faculty observed my classes and as they were afraid I might get tenure despite their negative comments, they said things like “The only good, useful classes are those when other faculty are present.”

My credibility was saved because the negative evaluations went beyond believability. A complaint was that I “used language that was
inappropriate for a woman law professor." The faculty was dumbfounded. They could not imagine what I might have been saying. In fact, they did not believe that I could ever use the S or the F word. They decided that if the students were trying to set me up because I had said something like "my goodness" or even "damn" in class, then they were engaged in some kind of a spite attack. At that point, the protective instincts of the faculty were aroused and many of them rallied to my defense.

I was quite surprised because I had not thought that they could understand that just being a woman on a nearly all male faculty could cause student resentment. It was an important moment for the law school because they were forced to confront the prejudice of students and to take that into account when considering the importance of student evaluations. Student prejudices continue to pollute student evaluations, especially when a professor of a different race or culture is involved.¹

The best thing about achieving tenure and full professorship, which happened in 1980, was the freedom to teach without violence, to never have to use sports or combat analogies and even on occasion to denigrate the Dallas Cowboys. I could teach cost benefit analysis using examples from every-day life, and on my Torts exams the objects that would attack people were things like tea kettles and toasters instead of linear objects, such as airplanes or rockets.

I tried to change the atmosphere in my classrooms from one of terror to one of cooperation. I tried to make the students believe that we were engaged in a common enterprise that would ultimately make it possible for justice to prevail. I introduced the topics of family violence and date rape into my Torts classes and showed the students how tort principles could be useful in those contexts. Of course, those topics are a part of Family Law, but assault and battery have not often been translated into sexual harassment in Torts.

As time went by I noticed that increasingly there were genuinely affirmative comments mixed in with the negative ones in my evaluations. Students began to come to my office for advice and support. While I would not cast myself as a role model, I noticed that my mere presence and perseverance seemed to be helpful to students who were in some way different. The older students, the women and the minorities became my friends and were as supportive of me as I hope I was of them. The support made coming to work each day more joyous, despite the continued covert hostility of my colleagues.

Since one of the most satisfactory moments in teaching comes when the students begin to teach each other, I encouraged students to help teach class. When one student makes a sexist remark without realizing that it is sexist, other students point it out or when a student gets bogged down in trying to explain something, another student may come to the rescue. Sometimes, a student decided that I was not getting through to the class and he or she had a suggestion as to how to do it. I might then say to the student, “Why don’t you teach that to the class next time?” We all learned from these episodes. I picked up new approaches, the students realized that they could master the subject, and the student-teacher learned the subject while discovering that teaching others is an art in itself.

I also tried to change the teaching standards for achieving tenure. I did not want the whole faculty to continue to have Kingsfield as the proper role model. I would like law schools to use affirmative reinforcement as the standard for good teaching. I think that humiliating students is another form of violence and just perpetuates the worst aspects of the adversarial system. Our students are adults, and we need to treat them as such. Perhaps with a concerted effort on the part of the faculty, the students will respond as adults and law school will no longer be just another form of fraternity hazing.

B. Scholarship

Publication is a requirement for tenure. I was totally isolated. Just as when I was a student, few of my colleagues would talk to me. The only one who was at all helpful had hired me as a research assistant when I was still an undergraduate, and he continued to consult with me even after I was on the faculty. As for the rest, they were not hostile, but they were not welcoming. They made it clear that I was there on sufferance and not really accepted. I learned my subjects almost entirely from books, law review articles and life experience. I was never certain that any of my conclusions or theories had any validity, since almost no one would discuss them with me. I knew I had to write something, I had many ideas, but I was not sure any of them would result in an acceptable article.

The body language and demeanor of the rest of the faculty made it clear to me that I was being tolerated and should not intrude on their time. The chilling silence that surrounded me made it impossible for me to discover a way out of the trap. I did not know and could not ask about travel budgets and research assistant resources. No one bothered to tell me what was available, and so I was not even aware that there were meetings that I could attend that
would help me in my professional development. I did write letters to authors of law review articles that interested me, but I received no answers. I felt lonely and lost.

One day, one of the more curmudgeon-like members of the faculty stopped me and asked if I really wanted to be on the faculty. I said, "Yes" and he said, "Well then write something, anything, and get it published somewhere." He did not stop at that, he pressed me for a topic and when I came up with one, he said it was a good one and I should get started at once so that it would be published in time for the tenure vote.

I set to work, and not knowing any better, I asked the school's law journal if they would be interested in publishing my article when it was finished. They said they would, and I happily started writing. The article was of universal interest, but used primarily Texas law as an example. No one told me that this would cause the article to be considered parochial and would limit its publishability. I had not thought about the fact that one journal editor's promise is not binding. Accordingly, when I finished the article in May, I submitted the article to the Journal and thought no more about it. In September, two months before I would be up for tenure, a Journal editor approached me in the parking lot to say that he was sorry but the journal would not be able to publish my article.

Even now, thinking about that moment I relive the sick pain I felt. I knew what was at stake. I had to have my article accepted somewhere. I belatedly realized I had few options, since it could only be published in Texas. I sent the article to all the state's law schools with journals. I used my full name as author, assuming the article would be evaluated on its merits. I did not know that in the 1970s many women had discovered that the acceptance rate for articles by women could be improved by disguising their gender through the use of initials.²

By happy circumstance one Texas journal had a woman editor, probably their first woman editor-in-chief, and she accepted the article. Perhaps it was fortunate that I had made it clear I was a woman. My article's acceptance may have been based on merit, but I always worried that the real reason was compassion by one woman for another and not that it was really worthy.

One side comment, or maybe a brag. Recently I was reading a book by Martha Fineman on Family Law and came on an interesting quote. The quote came from my article, and I had not recognized it.

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² See L. Billard, A Different Path Into Print, ACADEME 28 (May-June 1993).
I was happy to know that even after twenty years, I still agreed with myself.

C. Service

The service portion of the duties of a law professor can be divided into three parts: service to the community, to the university and to the law school. Service is not an important consideration for tenure, but failure to do any law faculty or university committee work would be a definite negative. We all do community service, both law-related and other, so I will not expand on that.

In the years while I was striving for tenure, service to the university was a tremendous drain on my time and energy. The law school did not consider university service particularly important for tenure and promotion. In fact, I was once considered for president of the Faculty Senate, but the Dean told me that this would not be helpful for tenure, so I dropped out of that activity. However, being a woman on a law faculty meant that the rest of the university expected me to serve on their committees.

I was torn between wanting to be helpful to the other women on the campus and wanting to fulfill the law school's requirements. Women were and are under-represented on the faculty of the university. Many committees had only one or maybe no women representatives. Thus, there was always the argument that I was needed because I could articulate a unique feminine point of view. I often suspected that I was really being asked as window dressing, but since I could not be certain, I accepted more committee assignments than I wanted to. The most onerous, least rewarding and, unfortunately, the most frequent, were assignments that involved appeals. I had to sit on boards that held hearings on appeals from students who had been punished for violations of the University Code of Conduct. These were not appeals based on a false finding of guilt, but only on the form of punishment. The really difficult appeals were by faculty relating to tenure and promotion. These hearings were always at inconvenient times and quite protracted. I never declined an appointment to those appeals committees because I knew how important fair hearings were to the persons involved, so I continued to accept such assignments until my last day at the school.

In addition to the many university committees I also served on every possible law school committee. After I became a full professor I was elected to the law school’s Executive Committee. I suppose I should have viewed it as an honor, but being on the Executive Committee was quite painful. Again, I had the secret concern that I was just
window dressing. The experience also unfortunately gave me the opportunity to see my colleagues at their worst. They would engage in character bashing at great length and there would be huge ego-driven shouting matches. I would sit there for what seemed like hours saying nothing and wondering when I could leave. Finally, when things had quieted down, I would slip in a suggestion and often it would be seriously considered. I was careful, however, not to be too forceful and not to take credit for something that was judged a good idea. Of course my behavior was hypocritical and devious, but it worked.

My strategy of being a background player was reinforced by my experience as Chair of the Curriculum Committee. The Committee was given a broad charge and was asked to make serious recommendations for change. The Committee made a careful study and came up with a number of suggestions. We decided that we could not present the suggested changes as a package because we did not want our work to be lost on a single negative vote. I presented the proposals separately and not a single one passed. The next year, the new male Chair presented the same proposals and most of them passed. In fact, all of the proposals from the year that I was Chair were passed and implemented. Those proposals have become the basis for the continuing changes in the curriculum.

After the Curriculum Committee fiasco, I knew that I should not take the leadership of any committee if I wanted the law school to change. The next vacant committee chair was that of the Faculty Recruiting Committee. I had been on that Committee for a number of years, so I was the logical choice, but I declined and suggested a younger, less experienced, male colleague who appeared to be committed to diversity. He was a great choice and we worked well together for as long as he was Chair. He took the lead and I lobbied in support of his candidates and suggestions. He did an excellent job.

The years prior to the change in leadership of the Faculty Recruiting Committee had been most frustrating. The Committee members claimed to be liberated males, but they would assess female candidates on the basis of their body parts. Sometimes, to put it bluntly, the Committee sessions degenerated into "T and A" evaluation sessions.

After a few years of claiming to have found no acceptable women, the Committee progressed to the point of bringing in women candidates for the whole faculty to evaluate. They came for their interviews and were treated the same as other candidates. Yet, if we

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3. "T and A" is an abbreviation for "Tits and Ass."
decided we wanted them, the candidates rejected our offer. After the third refusal I managed to pin down the candidate on the reason for her refusal. She described what had been happening.

Some faculty members in the course of their interviews with the women candidates, talked about the two women, currently on our faculty, in such derogatory terms that the candidates decided that SMU was a hostile environment and if they could go anywhere else, they would. They, sensibly, did not want to subject themselves to the kinds of indignities they would be enduring here.

So I did two things — one advertent, the other inadvertent. I went around and gently told the worst offenders that they were selling us short. Then, at a faculty meeting, I got the faculty to put itself on record as favoring the hiring of a woman.

It was a lucky accident. We had the new Chair of the Recruiting Committee and there were a number of new younger faculty members. I had a small bloc that would vote with me, including the three other women who were, by then, on the faculty. At the faculty meeting we were considering the hiring of men for endowed chairs and a tax position. It was clear that despite the valiant efforts of the Committee, another year would pass and there would be no new female members on the faculty. I was very angry and without thinking it through, I moved that we hire the male tax candidate, but only on the condition that the next regular faculty opening would go to a woman. There was a shocked silence and then, with the support of the tax faculty, the motion passed. After the meeting there was much scurrying around to rephrase what had happened so that the school's hiring goals could be considered legal, but the basic understanding did not change.4

D. Collegiality

One of the duties of a law faculty member is attendance at faculty meetings. I watched what went on at the meetings and soon learned that there are two ways to fall below the accepted standard of behavior. The first is to talk too much and too long, and the other is to say too little. I tried to be both unobtrusive and active, but this was quite difficult at times. I did not want to annoy my colleagues, but they were always talking about a man for this and a man for that

4. It would have been improper to limit the school's hiring efforts to women. Gender may be taken into consideration for purposes of remedying under-representation, but it cannot be the only consideration. See Johnson v. Transportation Agency, Santa Clara County, 480 U.S. 616 (1987) (holding that male employee did not suffer Title VII violation because the hiring of a female over him was not an absolute bar to his future advancement).
and how we needed to hire the best man for the job. I found it very difficult to remain silent, so I tried not to say anything every time, but would count quietly to myself and on the third man I would interject person. It took several years, but finally some individuals got the hang of it and said person on their own.

Most of the time, however, our faculty meetings were not confrontational. Also, most of the time the issues discussed did not affect me. We gave great deference to the wishes of our colleagues and leaned over backwards to permit a colleague to teach a pet course, or engage in a special project. Only once, in 1980 after I had become a full professor, was I the cause of an overt disagreement. Nonetheless, as a matter of principle, I felt I had to do it. Our head clinician, who was female, had achieved common law tenure by teaching so long that under AAUP rules we could not terminate her. She was an excellent teacher and had done a very good job in implementing the concept of a student civil clinic. Nevertheless, because she had not achieved tenure by vote of the faculty, she was not a member of the faculty and thus could not vote or participate on faculty committees. I did not believe that this second class status sent the proper message to our students. I felt that it was a denigration of clinical education and of our head clinician. I forced a vote to have her become a member of the faculty, although without a change in status. It was a bitter fight.

The struggle was purely a turf war. If she were admitted to the faculty, nothing would change. Her duties would remain the same, but she would not get a raise or even extra days off. All that would happen is that she would have, through attendance at faculty meetings, some minimal control of her teaching area. Those opposed seemed to believe that letting her have the privilege of voting at faculty meetings would destroy the sanctity of the academy. They said they did not want to let anyone onto the faculty (into the club?) who had not published. There were many impassioned statements, some extremely negative, and all based on the principle that the standards they had established must be preserved. The faculty split in half and the Dean had to break the tie in her favor. Although I had won, it was not a victory I savored since I had learned too many despicable things about my colleagues.

As far as I am concerned the only important decisions we made were our hiring decisions. For those faculty meetings, I was always sure that my two female colleagues would be present and knew how to vote. I rarely said much during the meeting, I let the Chair of the Faculty Recruiting Committee do the speaking, but both of us were
always busy ahead of time, trying to blunt the opposition, and lining up votes. We were successful, more often than not, and although there were defeats, these may have been caused by poor planning or sometimes poor candidates.

I tried to be a good colleague. I served on committees, completed any task that was assigned and conferred with any colleague that was willing to talk to me. Most of the time, however, I was left alone. I went to lunch alone or with the one other woman on the faculty if her class schedule permitted. Otherwise, I was quite isolated except if, by chance, we had a gregarious visitor, who didn’t know any better and included me in a faculty group going to lunch.

I remember only two incidents of direct sexual harassment, one was the comment from a younger member of the faculty who said, “Do you realize that Mrs. Solender fits into the song ‘Hello, Mrs. Robinson,’ as well as Mrs. Robinson?” I was careful never to be alone with that young man, and nothing came of it. Another time, when I was wearing a gray suit with shoes and stockings to match, a colleague asked if I was also wearing gray underwear. I was quite taken aback. I remained silent and gave him a blank stare. He said nothing further.

While sexist comments were not directed at me, the atmosphere was definitely hostile. Body-parts were almost always a topic of conversation, particularly when discussing the entering female students. The faculty would make comments about “[t]he blonde with the big boobs.” If there were several students who might fit that description, then they would get more and more graphic. It was quite chilling.

I did not want to be one of the boys and tried not to be around during the telling of sexist jokes or stories. Sometimes, however, I could not help being present when a faculty member would use obscene or scatological language, but since my own children used the same language it did not surprise or offend me. The problem was that some of the older faculty would become upset and demand that I be given an apology. This was always embarrassing and put me at a disadvantage as far as becoming a member of the group.

Ordinary social events were difficult as well. The faculty wives spoke to me, and the faculty spoke to my husband. These gatherings were mirror images of community social events where the women congregated together, while the men discussed sports. I got along well with the wives. They were not career women, but we had common interests such as children and household concerns. Sometimes, I
found out about particular concerns of my colleagues that were useful when pressing for the hiring of a female candidate.

Since the addition of a number of females to the faculty, social events have changed. Even in the larger community there is more mixing and mingling of the sexes. Many of my colleagues' spouses are working or have worked outside the home. At parties the faculty no longer splits on gender lines and it is possible for the spouses to converse with faculty members regardless of gender. All of us have many interests and we can share them with a colleague's spouse or the colleague.

V. CONCLUSION

Looking back at my early years there, I wonder why I persisted. I have never felt really secure and am still expecting someone to tell me I should never have been allowed on the faculty. But then I remind myself that they did vote for me to be tenured, they could have kept me out, so why this nagging concern about not measuring up.

Was it worth the effort of changing my personality from a feisty upfront person to a pleasant, even-tempered, devious person? At times, it must have been very hard on my family. At least I did not get ulcers or migraines, but I did an awful lot of swallowing. I swallowed not only anger, but often my pride. Finally, I became the role I was playing, so that now I am even tempered and able to appear calm and serene even though the sky is falling. I hope that I am no longer devious, but should that become necessary I am sure I could revert.

SMU law school has come a long way. The last ten years have been quite exciting. We women and minorities are not yet in the majority, but we have achieved a critical mass. So much so that it was possible for two women from other law schools to consider SMU as a possibility for a lateral transfer. We are able to have fun together or share insights. Whether or not we are asked, we can advise each other on the best method for achieving a particular ambition.

For me personally, the greatest gain has been a feeling of validation. I can look back and think that the difficult years were worth the cost. I now believe that maybe I was a good law professor. I served the profession and I made a difference.

Women and minorities did not succeed by accident. It has been the result of numerous conscious decisions. We need more women and minorities on the faculty and in the profession. We must continue to be alert. Wrong decisions or votes on seemingly
unimportant questions can later come back to haunt us and all the gains could be lost.

On this point, a quote from Ninth U.S. Circuit Court of Appeals Judge Shirley Hufstedler is most appropriate. "People must understand that whatever rights or freedoms there are, they are not won forever. There is no such thing as a free ride when it comes to preserving your rights."5

5. Shirley Hufstedler, Women at Work: War Stories and Other Memories, 14-MAR CAL. LAW. 64, 122 (Mar. 1994) (presenting various anecdotes from female lawyers, judges and others in the legal profession, beginning in the 1950s and going up to the present).