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A RECKONING OVER LAW FACULTY INEQUALITY

Melanie D. Wilson*

Abstract

Below, I review Dr. Meera E. Deo's book, Unequal Profession: Race and Gender in Legal Academia, published last year by Stanford University Press. In Unequal Profession, Deo, an expert on institutional diversity, presents findings from a first-of-its-kind empirical study, documenting many of the challenges women of color law faculty confront daily in legal academia. Deo uses memorable quotes and powerful stories from the study's faculty participants to present her important work in 169 readable and revealing pages. Unequal Profession begins by outlining the barriers women of color face when entering law teaching and progresses through the life cycle of the law professor (including the treacherous tenure process). It covers leadership, before concluding with work-life balance.

Unequal Profession is especially timely and important. In the wake of George Floyd's death and the national outrage that it ignited, law schools denounced racism and vowed to take concrete, anti-racist steps to improve society, the legal profession, and law schools themselves. Many law faculties committed to hiring and retaining more underrepresented faculty colleagues and, correspondingly, to attracting a more diverse student body. If law schools are serious about changing, then they should read Unequal Profession. As this review demonstrates, Unequal Profession is a definitive resource for improving inequality in legal education.

INTRODUCTION

As lawyers, we tend to think of ourselves as the defenders of justice – for the rich and poor, Black and White. Indeed, this ideal is engraved above the entrance to the United States Supreme Court with the words “Equal Justice Under Law.” Many aspiring students choose law school, seeking a path to public service and hoping to become advocates for social change.¹ But, before you can become a lawyer licensed to defend justice, most states

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¹ See *Highlights from Before the JD: Undergraduate Views on Law School*, ASSOCIATION OF AMERICAN LAW SCHOOLS (AALS), 3 (2018), <https://www.aals.org/wp-content/uploads/2018/09/BJDReportsHghlights.pdf>.

require that you obtain a law degree.² In the United States, earning that Juris Doctor degree generally requires admission to one of 203 law schools accredited by the American Bar Association.³ Because there are so few, law schools are selective when choosing students and even more particular when hiring faculty.⁴ “[A] handful of elite law schools”⁵ produce the vast majority of law faculty.⁶ Law professors also tend to share other common indicators of success. Most served on law review during law school, ranked in the top 15% of their graduating class, and many landed a prestigious judicial clerkship following law school graduation.⁷ Often, law faculty complete competitive fellowship programs after clerking as further preparation for the rigorous law teaching interview process. Furthermore, Ph.Ds (in addition to law degrees) are commonplace among law faculty credentials.⁸ In short, the practice of law is a highly selective profession, and law teaching is even more exacting.

Given that equal justice under law is a common refrain among lawyers and law students, one would hope that law schools are warm and welcoming places for all who can overcome the steep law faculty hiring hurdles. Especially considering that law school faculties are overwhelmingly ideologically “liberal,”⁹ one might also think that race and gender diversity would be valued and that law faculties would take special care to recruit underrepresented faculty and ensure their success.

Not so. Not only are most law professors credentialed with degrees from a few, highly ranked law schools, but law schools are also filled with white, male professors.¹⁰ The ratio of men to women lawyers is nearly 2:1,

² In Washington, Vermont, California, and Virginia, people can “read” the law as part of an apprenticeship and qualify to take the licensing examination. See Debra Cassens Weiss, *Students Try to Avoid Law School Costs With “Reading Law” Path to Law License*, ABA JOURNAL, July 30, 2014, 5:53 PM, https://www.abajournal.com/news/article/want_to_avoid_the_costs_of_law_school_these_students_try_reading_law_path_t.

³ There are additional law schools that are accredited by the state in which they are located. Graduates of those schools are generally limited to licensure in that one state.

⁴ See, e.g., Spring Reported Entry Level Hiring Report 2020, Prawfs Blawg (May 15, 2020), <https://prawfsblawg.blogs.com/prawfsblawg/2020/05/spring-reported-entry-level-hiring-report-2020-1.html> (reporting 88 tenure-track hires at 66 law schools in 2020).

⁵ Richard E. Redding, “Where Did You Go to Law School?” *Gatekeeping for the Professoriate and Its Implications for Legal Education*, 53 J. LEGAL EDUC. 594, 594 (2003).

⁶ See Spring Reported Entry Level Hiring Report, *supra* note 4.

⁷ *Id.*

⁸ *Id.*

⁹ See Adam Bonica, Adam Chilton, Kyle Rozema, & Maya Sen, *The Legal Academy’s Ideological Uniformity*, 47 UNIV. CHI. J. LEGAL STUD. 1, 2 (2018).

¹⁰ See Peter Levine, *The Most Educated Americans Are Liberal but Not Egalitarian*, A BLOG FOR CIVIC RENEWAL (Apr. 29, 2016), <https://peterlevine.ws/?p=16810>. See also ABOVE THE LAW, *Your Law School’s Predominantly White Male Faculty Profile Pics* (Oct.

and eighty-six percent of lawyers are white.¹¹ Only 5% are African American; another 5% are Hispanic.¹² The numbers are similar in legal academia with almost three-quarters of all law faculty identifying as white,¹³ and about 64% male.¹⁴

In *Unequal Profession: Race and Gender in Legal Academia*, Dr. Meera Deo confirms that legal academia is anything but welcoming or fair for women of color. Reporting results from her first-of-its kind, formal empirical study of law school faculties, Deo documents the many, common challenges facing women of color law faculty. Dr. Deo's work reveals that white, male faculty thrive, while women, particularly women of color, experience multiple barriers to success.

In the wake of George Floyd's death, law schools across the country vowed to act to defeat racism in society, within the legal profession, and inside their own walls.¹⁵ To deliver on that commitment, law schools must hire and proactively work to retain more faculty of color. As Deo's book reveals, the status quo is inadequate. This change will be difficult. The stories Deo shares in *Unequal Profession* reflect our entrenched conscious and unconscious bias in favor of white, male law professors. Thankfully, *Unequal Profession* also gives us tools and strategies to achieve a more just law school experience for both students and faculty.

Part I of this review provides an overview of the structure and purpose of *Unequal Profession* and introduces its accomplished author. Part II briefly discusses Deo's findings, explaining why they are so powerful. Finally, Part III demonstrates why Deo's research matters so much, especially now, as we

16, 2018), <https://abovethelaw.com/2018/10/your-law-schools-predominantly-white-male-faculty-profile-pics/> (noting a review of more than 50 law school websites confirms that tenured and tenure-track faculty are predominantly white men).

¹¹ ABA Profile of the Legal Profession, AMERICAN BAR ASSOCIATION (ABA) (July, 2020), at 37, <https://www.americanbar.org/content/dam/aba/administrative/news/2020/07/potlp2020.pdf>.

¹² *Id.* at 37.

¹³ See MEERA E. DEO, UNEQUAL PROFESSION: RACE AND GENDER IN LEGAL ACADEMIA 4 (2019) (citing AALS data and noting that almost three-quarters of all law faculty are white).

¹⁴ See James Lindgren, *Measuring Diversity: Law Faculties in 1997 and 2013*, 39 HARV. J. L. & PUB. POL'Y 89, 109 (2016). See also Deo, *supra* note 13, at 4 (outlining the racial breakdown of law faculties according to data from the Association of American Law Schools and the American Bar Association). And, see *Committee for Faculty Equity and Inclusion, the Diversity Imperative Revisited: Racial and Gender Inclusion in Clinical Law Faculty*, 26 CLINICAL L. REV. 127, 128 (2019) (finding "limited progress on racial and ethnic inclusion in clinical law faculties in the last 20 years" and noting that white faculty hold "nearly 8 out of 10 clinical faculty positions"); *id.* (indicating that in 2018, eight of ten full-time law professors were white and 55% were men).

¹⁵ See, e.g., *Law Deans Antiracist Clearinghouse Project*, THE ASSOCIATION OF AMERICAN LAW SCHOOLS (AALS), <https://www.aals.org/antiracist-clearinghouse/> (last visited Aug. 17, 2020).

sit at the precipice of a new, dedicated fight for racial justice in America.

I. THE STRUCTURE AND PURPOSE OF *UNEQUAL PROFESSION*

In *Unequal Profession*, published in 2019 by Stanford University Press, author Meera E. Deo presents the results of a first-of-its-kind empirical study about the challenges facing women of color in legal academia. Her specific, articulated aim is to improve legal education for both students and faculty, with a particular focus on improving the experiences of marginalized faculty.

Deo cannot accomplish her goal unless law faculties across the country embrace her suggestions. But, thankfully, *Unequal Profession* gives us the strategies we need to improve our law school cultures and environments. Her research findings are presented in 169 very readable and revealing pages, starting with barriers to becoming a member of a law faculty and progressing through the life cycle of the law professor (including the treacherous tenure process). It covers leadership, before concluding with work-life balance. Using memorable quotes and powerful stories from the study's faculty participants, Deo weaves her findings throughout the book.

Because there are relatively few faculty of color in legal academia,¹⁶ it took effort to identify research subjects. To do so, Deo selected a "seed group" of participants who reflected diversity in race, ethnicity, age, tenure status, leadership experience, and other relevant characteristics.¹⁷ She then used a modified version of snowball sampling to increase the pool of participants.¹⁸ From there, Deo conducted online surveys of all participants before personally interviewing ninety-seven law professors to learn more about their experiences.¹⁹ Sixty-three of the group were women of color. Deo's study also encompassed a comparison group comprised of white women, white men, and men of color.²⁰

Deo is eminently qualified to conduct this study and to present the findings in this must-read book. She is an interdisciplinary scholar with a J.D. from the University of Michigan Law School and a Ph.D. in Sociology from the University of California, Los Angeles. Her scholarly work has appeared in top journals across the country, and she is a frequent nationwide speaker

¹⁶ Deo, *supra* note 13, at 4 (indicating that as of the 2008-2009 academic year (the last year AALS published these statistics), women of color constituted about 7% of law faculty members and that about 7.8% were men of color).

¹⁷ Deo, *supra* note 13, at 172.

¹⁸ *Id.* With snowball sampling a researcher begins with people drawn from a specific population who are asked to name different individuals from the same population. Then the second group of individuals are also asked to name different people from the population. *Id.*

¹⁹ *Id.* at xiv; 171-73; *see id.* at 171 (63 of the 97 were women of color).

²⁰ *Id.* at 171.

on institutional diversity.

II. THE POWERFUL FINDINGS

Deo's own story, she says, "is embedded in the pages of th[e] book."²¹ Perhaps that's why she is so effective in framing the narratives in relatable ways. Deo's study focused primarily on the experiences of women of color in the legal academy; yet, as a white woman, I am able to appreciate many of the stories she tells and empathize with my national colleagues. In fact, because of Deo's effective presentation, I can see myself in some of the interviews.

Through these interviews, Deo documents what every faculty member from an underrepresented group in the legal academy already knows from personal experience and from mentoring and steering others through similar challenges. "These challenges, confrontations, and barriers are pervasive – they are not unique."²² While these barriers do not surprise any Black, brown, gay, or woman law professor, *Unequal Profession* puts concrete, empirical flesh on otherwise anecdotal,²³ and often dismissed or discounted, bones of discrimination and unequal treatment.

A. Impactful Interviews

Perhaps the greatest value of the book, among its many important contributions, is the intimacy Deo captures in the research participants' stories. Through careful questioning and editing, Deo's subjects become the reader's colleagues and the reader's friends. Through this relationship development, the reader experiences powerful empathy for these marginalized faculty and, correspondingly, is better prepared to understand the pain, "disruptions" and "challenges" they face in the legal academy.²⁴

The book documents too many powerful (and troubling) faculty experiences to properly capture in this review. I'll share two that are particularly memorable. The first impressed me because it's an experience I've observed again and again in my own life, and one reportedly experienced by many other female faculty—white women, as well as women of color—at law schools throughout the country. In the introductory chapter, the reader

²¹ *Id.* at ix.

²² *Id.* at x.

²³ As Deo notes in the introduction to *Unequal Profession*, "[M]any challenges facing women of color faculty are well known personally and anecdotally[.]" *Id.* at 9. See generally Richard Delgado & Derrick Bell, *Minority Law Professors' Lives: The Bell-Delgado Survey*, 24 HARV. C.R.-C.L. L. REV. 349 (1989) (reporting on an informal study of law faculty).

²⁴ See Deo, *supra* note 13, at xi (describing "classroom disruptions" and "challenges to . . . competency" participants face).

meets “Carla.”²⁵ Like most law professors, Carla attended an elite university before earning a J.D., and then Ph.D., after which she became a prestigious fellow. Following her fellowship, Carla received multiple offers before accepting a position on a law school faculty where she is now tenured. Carla explains that she has “counted over ten times on my faculty where I’ve said something and a male faculty has repeated it and another male colleague has said, ‘Good idea!’ giving the man credit for Carla’s original contribution.”²⁶ Carla echoes other women of color who say that “the most frustrating obstacle has been in the faculty groups where some faculty members are very comfortable dominating the conversation year, after year, after year.”²⁷ Carla doesn’t specify whether she’s talking about male colleagues or white female faculty in this part of the interview. But notably, even white women faculty, who face their own barriers to success in legal academia, benefit from white privilege and may feel much more comfortable than Carla engaging in faculty conversations in these predominantly white spaces.

Some readers may dismiss this inequity Carla describes as a minor insult, but that makes the example even more powerful. Carla’s experience typifies that of every woman law professor. And, women of color, who daily endure so many other slights, may experience it as particularly degrading and demoralizing, especially from colleagues. If this happened once, it might be insignificant. But this “he-peating” happens frequently to women. And, because in isolation this indignity may appear trivial to some,²⁸ complaints of women faculty may fall on deaf ears. When women law faculty do object, they may be labeled emotional, overly sensitive, or whiners. Some black colleagues have shared with me that they self-censor to avoid the “angry black woman” stereotype. And, in the aggregate, these daily put-downs—better known as microaggressions²⁹—become frustrating, demeaning, and sometimes debilitating. They send a clear message that women, and specifically women of color, are to be ignored. They do not matter. They do not add value to the conversation, to the faculty, or to the institution. At the same time, praising and supporting white men emphasizes that men are to be respected. They hold important views and ideas. Men improve the institution. Men are real law professors.

²⁵ Deo uses pseudonyms. *See, e.g., id.* at 173.

²⁶ Deo, *supra* note 13, at 2.

²⁷ *Id.*

²⁸ *See* Simba Runyowa, *Microaggressions Matter*, THE ATLANTIC (Sept. 18, 2015), <https://www.theatlantic.com/politics/archive/2015/09/microaggressions-matter/406090>.

²⁹ Microaggression is a term first coined by Dr. Chester Pierce, a psychiatrist, to name frequent, subtle put downs and other slights of members of minority groups. *See* Scott Lilienfeld, *The Science of Microaggressions: It’s Complicated*, SCIENTIFIC AMERICAN (June 23, 2017), <https://blogs.scientificamerican.com/observations/the-science-of-microaggressions-its-complicated/>.

“April” gives a second haunting interview. She experienced a controversial and devastating tenure process. She explains that the tenure standards at her institution had been “‘vague’ for years,” but immediately before April applied for tenure, the faculty developed new procedural rules for the tenure process.³⁰ Although neutral on their face, the new procedures made it less likely that people of color would serve as outside reviewers for April’s scholarship, which deals with race, privilege, and critical theory. Despite the procedural modification, April’s tenure committee voted in favor of her tenure, as did her dean. But the faculty voted to deny tenure to April, and her case was sent to the University President to decide. The President eventually voted to tenure April but not before she had lost twenty pounds worrying. April describes the process as “horrific” and says that the uncertainty was “agonizing and painful.” To her, that time period felt like the “longest months of [her] entire life.”³¹ Most striking, perhaps, is that April experienced “guilt” and “bad feelings” about how *she* had “ruined the life of [her] entire family” by moving them to an isolated town in pursuit of this difficult-to-get legal academic job.³²

B. Strong, Clear, and Common Themes

Deo’s qualitative interviews reflect strong, clear, and common themes. The most dominant and overarching thread that ties the interviews together and permeates the book is that women of color “experience[e] legal academia as outsiders.”³³ In contrast, their white male faculty colleagues feel at home and happy in their institutions. Deo’s research documents this outsider theme in interview after interview. The uniform experience of these highly credentialed, eminently qualified, otherwise very different, women suggests that it is the law school system and culture that causes them difficulty and distress, not any shortcoming in them as faculty. If the encounters of these women were not so similar, one might be tempted to say that some of these faculty are simply not as qualified or capable as their male counterparts at teaching law or in their scholarly endeavors. But the commonality in reports belies any suggestion of their deficiency. The fact that all of the women of color participants reported microaggressions, hostility from students and/or colleagues, difficulty during the tenure process, in

³⁰ Deo, *supra* note 13, at 93. *See also id.* at 96-97 (noting other schools with vague and unwritten tenure rules).

³¹ Deo, *supra* note 13, at 94.

³² *Id.* at 94.

³³ *Id.* at 3 (“While each law professor’s narrative is different, all are joined by the commonality of experiencing legal academia as outsiders, women of color in a landscape dominated by whites and men.”).

hiring, and/or in their service loads and leadership endeavors establishes what we already know but have often excused.

This single theme – that women law faculty are treated as outsiders – manifests in multiple ways. Disparate treatment is one strand of the theme. For instance, women of color are targeted for disrespectful and disruptive treatment during class and in anonymous student evaluations. This callous and disrespectful treatment reappears and is amplified in faculty meetings and in other law school spaces.³⁴ In contrast, none of Deo’s white, male research participants reported student confrontations; rather, they enjoy “generally positive student evaluations.”³⁵ Relatedly, 100% of the white men in Deo’s study perceived their colleagues as “open-minded and respect[ful of] opinions that are different from their own.”³⁶ While many of the women of color participants strongly disagreed that colleagues are “accepting of difference.”³⁷ And, while white, male faculty “really enjoy” their colleagues and perceive strong collegiality, “[n]one of the women or men of color in [Deo’s] sample responded similarly.”³⁸ Martha, a Latina professor, says that she tries to keep relationships “cordial and superficial” because her colleagues “utilize a mask of collegiality” and then “gossip and bad talk [you] behind your back[.]”³⁹ In the same vein, white faculty perceive their relationships with faculty of color as much better than faculty of color view those same relationships.⁴⁰

Microaggressions are another part of the disparate treatment that women of color faculty confront. One of the most notable forms, as described by multiple study participants, is being ignored and treated as if they are invisible. “Jennifer” reports that in four-and-a-half years, she’s not had a single conversation with a couple of her faculty colleagues. “[T]hey don’t look at me. They don’t acknowledge me.”⁴¹ “Elaine” “has one faculty colleague ‘who really has never acknowledged my presence.’”⁴²

Achievement of tenure is another striking point of difference from Deo’s interviews of women of color law faculty versus her interviews of

³⁴ See, e.g., *id.* at 60-72.

³⁵ *Id.* at 75.

³⁶ *Id.* at 37.

³⁷ *Id.* at 39 (52% of African American women faculty and 58% of Latina faculty disagreed).

³⁸ *Id.* at 53. See also *After Tenure: Post-tenure Law Professors in the United States*, THE AMERICAN BAR FOUNDATION (2011), available at http://www.americanbarfoundation.org/uploads/cms/documents/after_tenure_report-final-abf_4.1.pdf (documenting the gender and racial difference in the way law professors in the United States are treated in legal academia).

³⁹ Deo, *supra* note 13, at 40.

⁴⁰ *Id.* at 37.

⁴¹ *Id.* at 44.

⁴² *Id.*

white faculty. “[N]ot one of the white male professors who participated in the . . . study expressed tenure concerns—mirroring the quantitative data showing that 100% of white men [law faculty] are satisfied with the tenure process.”⁴³ Women of color perceive the tenure process very differently. Like April above, some women of color earn tenure only over the opposition of faculty colleagues or are denied tenure.⁴⁴ And several women of color faculty discussed peculiarities in the process when they underwent tenure review.⁴⁵

A third point of clear disparity arises in how faculty approach and navigate leadership positions within law schools. If hiring, teaching, and tenure weren’t challenging enough, try leadership. “In many of the same ways that female faculty and faculty of color are challenged in the classroom and hyperscrutinized on evaluations, nontraditional deans are presumed incompetent as leaders.”⁴⁶ Unconscious bias remains one of the greatest barriers to women of color and others underrepresented in leadership. As Deo notes, “even purported supporters of diversity perpetuate white male dominance.”⁴⁷ Deo’s study bears this out with participants reporting how leadership roles are often first offered to white men.⁴⁸ Perhaps this is not surprising given that white men “are more direct about both their interest in leadership and pursuit of it,”⁴⁹ and women of color take note of the unusually harsh treatment of the women who risk accepting leadership roles.⁵⁰ Deo describes an interview of “Melissa” who never wants to be a dean because “[d]eans are treated pretty horribly” and a second of “Patricia” who thought about pursuing a deanship but has been dissuaded “given how nontraditional leaders are so frequently undermined.”⁵¹ Patricia says,

It’s complicated being a woman of color and being a leader. It’s very complicated. There are successful women of color deans, a few; there are many more that go down in flames . . . [R]ace is still such an issue that law faculty members don’t want women of color, Black women especially, in positions of power over

⁴³ *Id.* at 94; *see also id.* at 83 (noting that 100% of white men and white women are satisfied with the tenure process at their law schools, but finding a mix of views from faculty of color).

⁴⁴ *Id.* at 97 (recognizing women of color faculty who were granted tenure after a challenging process and for whom tenure was denied).

⁴⁵ *Id.* at 96-97 (participants recounting a process without written standards and new tenure guidelines that taking effect when diverse tenure candidates applied for tenure).

⁴⁶ *Id.* at 108.

⁴⁷ *Id.* at 110 (citing Victor D. Quintanilla, *Critical Race Empiricism: A New Means to Measure Civil Procedure*, 3 U.C. IRVINE L. REV. 187, 198 (2013)).

⁴⁸ *Id.* at 111.

⁴⁹ *Id.* at 116.

⁵⁰ *Id.* at 108.

⁵¹ *Id.*

them.⁵²

C. Impressions and Takeaways

Deo manages to establish and maintain an optimistic tone throughout the book, despite strikingly disappointing research results, indicating that notwithstanding having some of the brightest and most accomplished minds on faculty, law schools have made relatively few strides in changing the culture of resistance to faculty of color, female faculty, women of color leaders, and other law faculty outsiders. In recent years, a few more underrepresented faculty have joined the law school community, but not that many.⁵³ And all of them – all – continue to confront daily resistance and bias. Challenges begin during hiring, plague them in the classroom, and show up during faculty meetings, as part of the tenure review process, when they seek leadership roles, and even in the balancing of day-to-day faculty responsibilities. No one can thrive with so much adversity. There are professional, personal, and health consequences accompanying such difficulties.

A careful read of Deo's book is a crucial first step for any law school seeking to diversify its students and faculty. The book confirms the many anecdotal hunches we have about how roughly women faculty of color are treated in legal academia. It reveals discernable patterns of difficulty, disruption, and discrimination. It personalizes the participants' experiences and, therefore, their pain, embarrassment, anger, and frustration. *Unequal Profession* also provides a clear path forward toward an equitable and supportive environment for our women of color colleagues.

Deo's concrete strategies for improving the environment for minority women faculty rest on suggestions from those in the study afflicted by the unequal treatment. Chief among these suggestions – ensuring that underrepresented and marginalized faculty find effective mentors and sponsors. “Mentorship is essential for faculty seeking to maximize their full potential Both offering support to others and finding scholars to provide support are necessary.”⁵⁴ Women of color, as much as white men, need “mentors from all racial and gender backgrounds [to] support, nurture, and promote them.”⁵⁵ Even some of the incredibly accomplished women of color

⁵² *Id.* at 108.

⁵³ *See, e.g., supra* note 4.

⁵⁴ Deo, *supra* note 11, at 152. Indeed, this may be the most powerful message from the interviews. Underrepresented faculty often did not have either role models or mentors until later in life, but when they acquired effective mentors, they began to succeed and, indeed, thrive.

⁵⁵ *Id.* at 153.

in Deo's study, who now are members of elite law faculties, say that they grew up with few mentors and even fewer role models. "Jennifer," a Native American woman, for example, "had neither role models nor mentors with a shared background whose path she could follow."⁵⁶ "June's" story is the same. June graduated from an elite law school in the 1980s, then practiced law at a big-city law firm, before earning a tenure-track position.⁵⁷ As an African American woman, she was "not at all . . . mentored by anybody to become a professor. No one I knew of color was mentored in that way."⁵⁸

According to "Sophia," "mentorship relationships matter a lot, and that's why [she's] done a lot of mentoring [her]self."⁵⁹ Sophia "reminds junior scholars that mentors take all shapes, sizes, and backgrounds[.]"⁶⁰ In my own experience, Sophia is right. Some mentors encourage and provide emotional support. These will often be mentors who share your identities. They are particularly effective offering strategies for navigating difficulties unique to women, women of color, LGBTQ faculty, and others who are underrepresented. However, other mentors may hold more power. These are sometimes the mentors who are best positioned to open doors and make connections. Often, these mentors are older, straight, white men. "Abigail" agrees with Sophia about mentors, indicating: "Mentors have been hugely instrumental, [providing] a glimpse of my future self and cautionary tales and advice. I was very lucky to have superb mentors."⁶¹

Relatedly, Deo's interviews reveal that successful women of color faculty have all received help from others. "Isabella's" situation demonstrates the importance of this support. She says that mentors helped prepare her, advising on the necessary judicial clerkship, employment at a prestigious, big law firm, and earning an LL.M. degree.⁶² Support can also come in the form of a coalition of assistance. For instance, coalitions of other women faculty can effectively validate and amplify the voice of a woman of color who might otherwise be ignored.⁶³ And, as "Michelle" explains, everyone can benefit from another "willing to do things like spend capital on [your] behalf."⁶⁴

An emphasis on mentorship and support is one of many tools Deo identifies in *Unequal Profession* to help women of color navigate the white, male law school norms. But her recommendations extend beyond coping

⁵⁶ *Id.* at 12.

⁵⁷ *Id.* at 22.

⁵⁸ *Id.* at 22 (omissions in original).

⁵⁹ *Id.* at 143.

⁶⁰ *Id.*

⁶¹ *Id.* at 152.

⁶² *Id.* at 32.

⁶³ *Id.* at 152 (explaining that a coalition might agree that when one person speaks, others in the group will "say, 'Oh, I agree with what she said.'").

⁶⁴ *Id.* at 154.

strategies for marginalized faculty. She also provides suggestions for institutions seeking to change. In offering institutional solutions, Deo emphasizes that “[b]ecause intersectional discrimination, implicit bias, and gender privilege are institutional rather than purely individual problems, only structural solutions can truly ameliorate them.”⁶⁵ These structural suggestions include: empowering strong administrative leaders who will actively support underrepresented faculty; stocking the faculty and administrative pipelines to law schools; and adopting new, “[o]utside the box” thinking about hiring and retention of law faculty. I urge you to buy and read the book to learn other strategies for institutional and individual change to foster equality.

D. What’s Next?

I don’t know what’s next on Deo’s agenda, but I would welcome a follow up study (and book) or two. I wonder, for instance, how the white, male faculty at the participants’ law schools perceive their women of color colleagues and their own role and responsibility in improving the law school culture to support them. It would also be very interesting to know if the experience and perceptions of law faculty – minority and majority – differ in law schools with white, male deans and less diverse leadership teams versus law schools with women and people of color deans. In other words, how much does law school leadership matter in how women of color faculty are treated?

CONCLUSION

Over the course of my life, I’ve often heard friends, politicians, businesses, and law schools talk about improving inclusivity and increasing diversity. But this time feels different. If it is different, Deo’s book is more important than ever. *Unequal Profession* could not be more timely or relevant. We are in the midst of a racial reckoning with ongoing national protests over unjust killings by police. A Black woman has just been named a vice presidential candidate for the first time. Law schools across the country have vocally declared that Black Lives Matter and that law schools are committed to actively improving the environment for students and faculty of color. Yet, women of color law faculty – among the most highly accomplished lawyers in the country – still face significant challenges, struggles, and discrimination that their male colleagues and their white female colleagues do not confront and sometimes may not even notice. While white men benefit the most from current institutional structures that favor

⁶⁵ *Id.* at 158. See also *id.* at 146 (recognizing that “[i]nstitutional struggles are unfortunately more common than institutional support”).

whiteness and maleness, men of color benefit from male privilege, and white women (like me) benefit from white privilege. Law schools won't change until those of us who profit, wholly or partly, from the benefits of our privilege take part in genuine self-reflection about changing the systems and procedures that keep us in preferred positions of power and influence.

Unequal Profession shows us why we owe it to ourselves and our marginalized colleagues to engage in this introspection and to challenge the status quo, even if changing involves a reckoning over our own privilege and control. Deo offers practical suggestions for improving the experiences and day-to-day lives of our marginalized faculty colleagues. As lawyers, we know that solving a complex problem begins with a full appreciation of the pertinent issues, and this book provides a definitive resource for that understanding and for improving inequality in legal academia. If law schools are serious about attracting more minority students, and diversifying our faculties and the legal profession, then *Unequal Profession* should be assigned reading for a faculty retreat or a series of faculty dialogues.

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