A Place at the Table: Part One


This Report is submitted to the ABA Commission on Women in the Profession by the University of Pennsylvania Law School’s Fall 2021 Women, Law, and Leadership Class

Special thanks to Judge Peter Reyes on the ABA Commission on Women in the Profession for championing our work
FOREWORD:
A Place at the Table: Of Inclusive Leadership and Allyship

This class on Women, Law, and Leadership celebrated the life and legacy of Deborah Rhode and brought together many influential leaders in law, business, and public life to engage with a new generation of leaders in the law. As the Introduction to this report, I would like to share this letter from Frederick Douglass to Ida B. Wells. This communication between these two great leaders models the essence of enlightened allyship that we studied in class. Frederick Douglass was the only African American to participate in the Seneca Falls Convention, the first convention on women's rights in the US in 1848. At the Convention, Douglass made an impassioned appeal in favor of women's suffrage.

"In this denial of the right to participate in government, not merely the degradation of woman and the perpetuation of a great injustice happens, but the maiming and repudiation of one-half of the moral and intellectual power of the government of the world."

Rangita de Silva de Alwis, December 2021

Activist, journalist and sociologist, Ida B. Wells’s letter from Mr. Frederick Douglass

- Frederick Douglass (1817-1895): An advocate for women’s rights, and specifically the right of women to vote, Douglass’ legacy as a leader endures.

HON. FRED. DOUGLASS'S LETTER
Dear Miss Wells:
Let me give you thanks for your faithful paper on the lynch abomination now generally practiced against colored people in the South. There has been no word equal to it in convincing power. I have spoken, but my word is feeble in comparison.
You give us what you know and testify from actual knowledge. You have dealt with the facts with cool, painstaking fidelity and left those naked and uncontradicted facts to speak for themselves.
Brave woman! you have done your people and mine a service which can neither be weighed nor measured.
Very truly and gratefully yours,
DOUGLASS
Cedar Hill, Anacostia, D.C.
Oct. 25, 1892

Brady-Handy portrait of Frederick Douglass, 1865-1880
Our Cover Art: A Place at the Table

For the cover of our report, we pay homage to the feminist artist Judy Chicago and her iconic work "The Dinner Party," permanently on display at the Brooklyn Museum.

The Dinner Party shows 39 elaborate place settings around a triangular table, each decorated for and labeled with a woman of historical significance, and 999 more names on the floor connecting these women together.

We also acknowledge a need to continue to acknowledge leaders at the margins who may not have previously seen widespread recognition—many of whom have intersecting marginalized identities. To that end, students from our class nominated the following women leaders who inspire us:

<table>
<thead>
<tr>
<th>Leader Name</th>
<th>Leader Title or Profession</th>
<th>Country of Origin</th>
<th>Year of Birth</th>
<th>Year of Death (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarsila do Amaral</td>
<td>Brazilian painter, draftswoman and translator</td>
<td>Brazil</td>
<td>1886</td>
<td>1973</td>
</tr>
<tr>
<td>Sadie Alexander</td>
<td>First African American to receive a Ph.D. in Economics in the U.S, first woman to receive a law degree from Penn, first Black woman admitted to the Pennsylvania bar.</td>
<td>United States</td>
<td>1898</td>
<td>1989</td>
</tr>
<tr>
<td>Pauli Murray</td>
<td>Civil rights activist, lawyer, women's rights activist, Episcopal priest, and author</td>
<td>United States</td>
<td>1910</td>
<td>1985</td>
</tr>
<tr>
<td>Carolina Maria de Jesus</td>
<td>Brazilian writer, composer and poet. Before being recognized as writer, she supported her family as a waste picker.</td>
<td>Brazil</td>
<td>1914</td>
<td>1977</td>
</tr>
<tr>
<td>Clarice Lispector</td>
<td>Brazilian writer, graduated from law school</td>
<td>Ukraine and Brazil</td>
<td>1920</td>
<td>1977</td>
</tr>
<tr>
<td>Shirley Chisolm</td>
<td>Politician, educator, and author. First Black Congresswoman, first Black woman from a major party to run for a presidential nomination</td>
<td>United States</td>
<td>1924</td>
<td>2005</td>
</tr>
<tr>
<td>Maya Angelou</td>
<td>Poet, Writer, Civil Rights Activist</td>
<td>United States</td>
<td>1928</td>
<td>2014</td>
</tr>
<tr>
<td>Audre Lorde</td>
<td>Writer, womanist/feminist, civil rights activist</td>
<td>United States</td>
<td>1934</td>
<td>1992</td>
</tr>
<tr>
<td>Maria da Penha Maia Fernandes</td>
<td>Brazilian pharmacist who fights against domestic violence and inspired the Brazilian law towards the issue</td>
<td>Brazil</td>
<td>1945</td>
<td></td>
</tr>
<tr>
<td>Ellen Gracie Northfleet</td>
<td>First Woman in the Brazilian Supreme Court</td>
<td>Brazil</td>
<td>1948</td>
<td></td>
</tr>
<tr>
<td>Michelle Bachelet</td>
<td>Physician, politician, and first woman President of Chile</td>
<td>Chile</td>
<td>1951</td>
<td></td>
</tr>
<tr>
<td>Angela Merkel</td>
<td>Chancellor</td>
<td>Germany</td>
<td>1954</td>
<td></td>
</tr>
<tr>
<td>Sonia Sotomayor</td>
<td>Supreme Court justice, lawyer, former law school professor</td>
<td>United States</td>
<td>1954</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Profile</td>
<td>Country</td>
<td>Year</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
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<td></td>
</tr>
<tr>
<td>Christine Lagarde</td>
<td>First woman to head the European Central Bank, former managing director of the International Monetary Fund, lawyer</td>
<td>France</td>
<td>1956</td>
<td></td>
</tr>
<tr>
<td>Rachel Levine</td>
<td>United States Assistant Secretary for Health, first openly transgender government official in a position that requires Senate confirmation</td>
<td>United States</td>
<td>1957</td>
<td></td>
</tr>
<tr>
<td>Melinda French Gates</td>
<td>Philanthropist committed to gender quality</td>
<td>United States</td>
<td>1964</td>
<td></td>
</tr>
<tr>
<td>Kamala Harris</td>
<td>Lawyer and Politician; First Woman, African American, and South Asian American Vice President</td>
<td>United States</td>
<td>1964</td>
<td></td>
</tr>
<tr>
<td>Michelle Obama</td>
<td>Lawyer, author, first African American First Lady of the United States, activist, and advocate</td>
<td>United States</td>
<td>1964</td>
<td></td>
</tr>
<tr>
<td>Ramborg Elvebakk</td>
<td>Lawyer, feminist, partner in one of Norway's top law firms</td>
<td>Norway</td>
<td>Unknown</td>
<td></td>
</tr>
<tr>
<td>Lourdes Germán</td>
<td>Lawyer, professor at Harvard, used to be the Vice-president of Fidelity, co-author of book called &quot;Finance for City Leaders&quot;</td>
<td>United States</td>
<td>Unknown</td>
<td></td>
</tr>
<tr>
<td>Lisa Leslie</td>
<td>Sports analyst, former professional basketball player, actress, fashion model</td>
<td>United States</td>
<td>1972</td>
<td></td>
</tr>
<tr>
<td>Stacey Abrams</td>
<td>Lawyer and politician dedicated to equality; kind and relentless leader</td>
<td>United States</td>
<td>1973</td>
<td></td>
</tr>
<tr>
<td>Jineth Bedoya Lima</td>
<td>Journalist, Activist, Survivor. She was kidnapped, tortured and raped by militia in Colombia while working as a journalist.</td>
<td>Colombia</td>
<td>1974</td>
<td></td>
</tr>
<tr>
<td>Chimamanda Ngozie Adichie</td>
<td>Novelist</td>
<td>Nigeria</td>
<td>1977</td>
<td></td>
</tr>
<tr>
<td>Amal Clooney</td>
<td>International Law/Human Rights Lawyer/Diplomat</td>
<td>United Kingdom and Lebanon</td>
<td>1978</td>
<td></td>
</tr>
<tr>
<td>Abigail Shrier</td>
<td>Lawyer, Staunch advocate for women and girls, Journalist-recipient of the 2021 Barbara Olson award for Excellence and Independence in Journalism, best-selling author</td>
<td>United States</td>
<td>1978</td>
<td></td>
</tr>
<tr>
<td>Lee Hyeon-seo</td>
<td>North Korean activist</td>
<td>Korea</td>
<td>1980</td>
<td></td>
</tr>
<tr>
<td>Jacinda Ardern</td>
<td>40th Prime Minister of New Zealand and leader of the Labour Party since 2017</td>
<td>New Zealand</td>
<td>1980</td>
<td></td>
</tr>
<tr>
<td>Michelle Kwan</td>
<td>Figure skater, former public diplomacy envoy and ambassador for the Obama administration</td>
<td>United States</td>
<td>1980</td>
<td></td>
</tr>
<tr>
<td>Michaeala Coel</td>
<td>Writer, Director, Actress whose work explores race, gender, sexuality, and power</td>
<td>United Kingdom</td>
<td>1987</td>
<td></td>
</tr>
<tr>
<td>Alexandria Ocasio-Cortez</td>
<td>Congresswoman and activist</td>
<td>United States</td>
<td>1989</td>
<td></td>
</tr>
<tr>
<td>Yuna Kim</td>
<td>Figure skater</td>
<td>South Korea</td>
<td>1990</td>
<td></td>
</tr>
<tr>
<td>Malala Yousafzai</td>
<td>Nobel Peace Price laureate, activist for girls' education</td>
<td>Pakistan</td>
<td>1997</td>
<td></td>
</tr>
<tr>
<td>Amanda Gorman</td>
<td>Poet, activist, committed to racial and gender equality</td>
<td>United States</td>
<td>1998</td>
<td></td>
</tr>
</tbody>
</table>
### Students in class:

| Isabela Amorim | Ting-Hao Hsu | Katia Pallares |
| Valeria Arango | Katelyn Hughes | Sarah Perlman |
| Rebecca Beale | Simone Hunter-Hobson | Carolina Romero |
| Carolina Brandão | Noor Irshaidat | Keshara Senanayake |
| Lexi Brenza | Hye Rin (Karen) Joo | Chayla Sherrod |
| Lei Brutus | Abigail Keyes | Juni Solbraekke |
| Carolina Bueno | Mary Loftus | Emily Su |
| Olivia Chowdry | Tess Markovich | Carolina Tiru |
| Meeghan Dooley | Sager Moritzky | Melanie Toledo |
| Shuxin Fang | Jordan Oh | Rith Tshimanga |
| Ellen Yang Gao | Maria (Lola) Oliveira De barros | Jane Wang |
| Victoria Gross | Rebecca (Becca) Orton | Miriam Weinstock |
| Grace Hale | Chloe Pakiry | Khalia Williams |
| Jessica Hochberg | | Angela Wu |
Leadership and Allyship Survey

- Total respondents: 136
- The data collection period lasted September 29, 2021 through October 21, 2021
In Class/Not In Class

Respondents In Class

- Yes
- No
Work Status

- Graduate or Professional Student
- Working Full-Time
- Working Part-Time
- Unemployed or Other
Gender

- Male
- Female

Pie chart showing the gender distribution.
• Median: 27
• Mean: 27.86
Word Cloud: In your experience, what are the largest impediments to overcome in inclusion and diversity?
Key Themes: Impediments

• Many participants noted structural impediments to change and performative allyship by corporations:
  • “Every corporation and institution has a DEI team and publishes glossy paperbacks with people of color at the front. These efforts are in place, but it is unclear how much substantive impact they have.”
  • “Lack of institutional investment in diversity efforts and programs”
  • “Resentment from non-diverse colleagues, idea of diversity as an ESG rather than a mainstream business issue”
  • “not having proper training programs/learning opportunities, not prioritizing inclusion or diversity”
Key Themes: Impediments

• Participants also spoke of bias at the individual level:
  • “The cliche that women are too emotional”
  • “From my personal experience, individuals who do not offer the same opportunities to women have implicit beliefs as to why women do not deserve those opportunities, should not be afforded those opportunities, or "probably don't want" to partake in the opportunities being afforded to men.”
  • “Trying to persuade why DEI is important to people who never experienced discrimination.”
  • “make people of privilege understand and to be put in the shoes of the people who suffers by being different”
  • “outdated assumptions that minorities and women are not capable for the job”
Key Themes: Impediments

- Participants also addressed how cultural change can be challenging:
  - “Most people will never change their minds about inclusion and diversity. The biggest hope is for gradual change as new generations are formed”
  - “statistics demonstrate that women and people of color are significantly underrepresented in leadership positions, so the majority of people that want these changes to be made are not those in positions to make them”
  - “Inertia, lack of motivation to change, tradition, and legacy”
  - “Change in general. People don't like it. It is easier to stay the same. It is harder to create a space that encourages change.”
Overall Average: Q9

Best Strategies for Engaging Allies in Diversity

- Make the case for allyship: Average
- Make the moral case for equality: Average
- Make the case for representation: Average
- Make the business case for women and minority leadership: Average
Overall Average: Q10

How Does Having Women in Leadership Add Value to Work

- it is the right thing to do
- it is the smart thing to do to
- women bring hard skills
- women bring soft skills
- women bring different perspectives

Women bring different perspectives.
Gender and Age Split: Q10

• The biggest skew was Q10_3 (Women Bring Hard Skills) in Man/Woman. Women think women bring hard skills (average 4.26/5) and that adds value. It is hard to say that the contrapositive is true for Men (average 3.59/5).

• Q10_5 (It is the Right Thing to Do) seemed to have a negative correlation between Age ~ Score. In other words, the older you were, the lower you scored Q10_5. This was actually the highest of all correlations between Age and an answer.
Overall Average: Q12

Which Biases Have Largest Impact On Women?

- Prove it Again Bias
- Class Bias
- Gender Bias
- Appearance Bias
- Stereotype threat
- Affinity Bias
- Implicit Bias
Gender Split: Q12

- The 2nd biggest skew is in Q12_5; Women think Gender Bias is much more prevalent than Men

- Women think this is the biggest bias impacting women; Men think stereotype threat is the biggest bias
Overall Average: Q13

Barriers to Men Supporting Women

- Fear that it may be thought of as performative
- Women may not need support
- Fear of the MeToo Movement

[Bar chart showing the average scores for each barrier]
The 3rd biggest skew was in Q13_1 (Fear of the #MeToo Movement); this is interesting given the self selection bias, and compared to School or Working.

This was also the biggest skew in School or Working; do people working think fear of MeToo is less a barrier?

Workers actually score Q13_2 (Fear it May Be Thought of as Performative) and Q13_3 (Women may not need support) higher than Q13_1, and higher than students in each question.
Effective Ways to Incentivize Diversity and Inclusion

- by implementing training programs
- by making it a CEO priority
- by making it performance driven

Overall Average: Q14
What would be the most effective way for institutions to elevate a more diverse group into leadership?

- Develop diversity teams
- Create diverse hiring committees
- Hire from a diverse group
- Set diversity targets
Appendix: Survey Methodology and Content

Each student in Women, Law, and Leadership took our class survey and sent it to three peers to complete. The data collection period lasted from September 29, 2021 through October 21, 2021. 136 respondents completed the survey.

This is the content and questions that participants saw when completing the survey.

Introduction Page:

This Survey expands on the ABA Commission on Women in the Profession: Report on Men in the Mix and examines the perspectives of a new generation. In this most recent undertaking, the Commission has reached out to men in the legal profession in an effort to develop strategies for how men can become allies to women’s advancement. ABA Commissioner Honorable Peter Reyes Jr. guided this project on allyship: “Men in the Mix: How to Engage Men on Issues Related to Gender in the Legal Profession” and is collaborating with the Class on Women, Law and Leadership.

The global pandemic, and other global crisis situations have laid bare the primacy of an intersectional lens to solve global challenges. The legal scholar Kimberly Crenshaw in 1989 unpacked the ways in which identities overlap and overlapping inequalities often compound lived experiences of injustice. In other words, intersectionality is a prism to address the interlinked nature on gender, race, disability, age, socio-economic, migrant status, urban/rural and other social identities. In collecting relevant data on intersectional bias, we are looking at gender as only one axis of difference. I urge you to dig below the surface to reveal stories of affinity bias, in-group favoritism, stereotype threat, prove it again syndrome, emotional tax, and other forms of intersectional challenges that impede inclusive leadership, workplace equity and allyship.

The Goal:
1) To unmask gender and intersectional bias and develop a blueprint to advance women, in the future of work.
2) To understand the roadblocks to the road map on diversity and inclusion

Key terms
Allyship: Allyship is defined as “using one's power or position to support or advocate for coworkers with less power or status, -Leanin.org

Upstander: In our class, we borrow the definition of an ally as a upstander from Martha Minow, 300th Anniversary Professor at Harvard University. Minow says she learned the word “upstander” from her former student, Ambassador Samantha Power. An upstander is someone who stands up against injustice, inequality, bigotry, violence, or other wrongdoing and is the opposite of a bystander. Power first used the term in her first book, “Problem from Hell.” To Minow, upstanders seek a sense of common purpose that makes all of us more likely to stand up against wrongs and on behalf of rights.
The value of standing up: "Pushing to construct peer cultures of upstanding, reducing fears of speaking out against bullying and discrimination, and building social networks of mutual aid and support, will help us all be upstanders and help us rescue the humanity of others and of ourselves." --Martha Minow, Former Dean of Harvard Law School and 300th Anniversary Professor of Harvard University

“My Philosophy is very simple: when you see something that is not right, not fair, not just, stand up.” ---Congressman John Lewis, 2018 at the Harvard Commencement

Norm Entrepreneurs: Cass Sunstein developed a lexicon for norm entrepreneurship in his 1996 paper “Social Norms and Social Roles” and identified a category of people, who he calls norm entrepreneurs, who are interested in changing social norms.

Stereotype threat: Stereotype threat was coined by the leading cognitive psychologists Claude Steele and Joshua Aronson. They defined the term to mean: "stereotype threat is being at risk of confirming, as a self-characteristic, a negative stereotype about one's group . . . the existence of such a stereotype means that anything one does or any of one's features that conform to it make the stereotype more plausible as a self-characterization in the eyes of others." In-group favoritism is a central aspect of human behavior. People often help members of their own group more than members of other groups. --Harvard Business Review

Affinity bias: Affinity bias — having a more favorable opinion of someone like us — is one of the most common biases. In hiring this often means referring or selecting a candidate who shares our same race or gender, or who went to the same school, speaks the same language, or reminds us of our younger selves. --The Harvard Business Review

Prove it Again Bias: The studies show that women and people of color often need to provide more evidence of competence than majority men in order to be seen as equally competent. --Joan Williams, ABA Report

Q1. Are you a student in the Women, Law, and Leadership class?
   • Yes
   • No

Q1A. (Only asked if yes to Q1) What is your name?

Q2. What is your work status?
   • Graduate or Professional Student
   • Working Full-Time
   • Working Part-Time
   • Unemployed or Other

Q3. How do you describe yourself?
   • Male
   • Female
   • Non-binary / third gender
   • Prefer to Self-Describe (With Blank Space)
Q4. What is your age? (In years)

Q9. In your opinion, what are the best strategies for engaging allies in diversity? (On a scale of 1-5)
  • Make the business case for women and minority leadership
  • Make the case for representation
  • Make the moral case for equality
  • Make the case for allyship

Q10. In your experience, how does having women in leadership add value to work? (On a scale of 1-5)
  • Women bring different perspectives
  • Women bring soft skills
  • Women bring hard skills
  • It is the smart thing to do
  • It is the right thing to do

Q11. In your experience, what are the largest impediments to overcome in inclusion and diversity? (Open-Ended)

Q12. In your opinion, what biases have the largest impact on women? (On a scale of 1-5)
  • Implicit Bias
  • Affinity Bias
  • Stereotype Threat
  • Appearance Bias
  • Gender Bias
  • Class Bias
  • Prove it Again Bias

Q13. Which of these are barriers to men supporting women? (On a scale of 1-5)
  • Fear of the MeToo Movement
  • Women may not need support
  • Fear that it may be thought of as performative

Q14. What are the most effective ways to incentivize diversity and inclusion? (On a scale of 1-5)
  • By making it performance driven
  • By making it a CEO priority
  • By implementing training programs

Q15. What would be the most effective way for institutions to elevate a more diverse group into leadership? (On a scale of 1-5)
  • Set diversity targets
  • Hire from a diverse group
  • Create diverse hiring committees
  • Develop diversity teams