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Introduction

Dreaming in America: In Honor of Professor Trina Grillo

By STEPHANIE M. WILDMAN*

TRINA GRILLO was a spiritual person. While she was a brilliant rational thinker with a keen legal mind, she also understood that more informs our human wholeness than simply our brains. She recounted with joy the time she spent singing gospel songs at a critical race theory workshop, where all those powerful minds joined in the unity of prayerful song.

Trina was committed to including everyone in that unity, the interconnectedness of humanity. She took diversity seriously. Diversity meant having everyone in the room, the atheists and the prayerful ones, across many lines of difference, able to sing and talk together.

Many progressive scholars and activists wax nostalgic, enthusiastically recalling the Warren Court era as a high point in civil rights progress. That era did mark a time of advancement in that a sense of urgency in addressing racial issues existed.¹ The societal goal of integration seemed within reach, sparked by the affirmative actions of community groups as well as those in power.²

As the political pendulum swept the other way, many whites felt racial issues had been resolved or that racial issues had consumed enough attention. For most whites that sense of urgency in reaching racial justice evapo-

* © Stephanie M. Wildman. Professor of Law, University of San Francisco School of Law. Visiting Professor 1997–98, U.C. Davis School of Law. Thank you to the contributors to this symposium for sharing the part of your hearts connected to Trina. Thank you to the U.S.F. Law Review community, particularly Bethany Kaye, Les Chun, and Terry Roman-Micek for bringing this symposium into being. My special thanks go to Catharine Wells, Adrienne D. Davis, and Carol Wilson for reading drafts of this introduction and for being part of Trina's extended family in the academy.

1. See MARI MATSUDA & CHARLES R. LAWRENCE III, *WE WON'T GO BACK: MAKING THE CASE FOR AFFIRMATIVE ACTION* 54 (1997) (explaining that the "liberal Warren Court had set a racial revolution in motion").

2. See *id.* at 11–19 (describing the history of affirmative action and the Black power movement).

rated. Yet people of color continued to live lives knowing that the issues were far from resolved. Many people of color, women of all colors, and gays and lesbians of all colors continued to ask, "Where are we in the American dream?"³

Trina Grillo said that racial politics did not end in the 1960s. She was part of a new generation of scholars seeking to look at race, not to minimize its importance, but to find words to describe the previously invisible dynamics that serve to maintain the racialized status quo.

Her work spanned areas from alternative dispute resolution to academic support, from teaching methods to the status of women in legal education. Her work stood for diversity and inclusion, and she never lost sight of the importance of difference in enriching our academic environments and each of us who inhabit those places.

The essays in this symposium reflect these main areas of her work. An impressive array of legal scholars honor Trina Grillo's work and her memory by contributing to the academic conversation about these issues that were of great concern to her.⁴

In this symposium issue the first voice is Trina herself. In a speech originally written in 1992, Trina addressed the situation of women of color in the legal academy.⁵ She describes the external barriers which hamper women professors of color, including microaggressions⁶ and isolation, as well as the detrimental unconscious assumptions found in the hiring process and the law school environment. She makes a cogent case for schools to go beyond tokenism, hiring women of color in groups in ways that ensure their success.

In the months following Trina Grillo's death, I had a dream in which she appeared. She arrived at the door of my office, bundled up in the black corduroy jacket she often wore. Needless to say I was stunned to see her,

3. See John O. Calmore, *Close Encounters of the Racial Kind: Pedagogical Reflections and Seminar Conversations*, 31 U.S.F. L. REV. 903, 924-25 (1997) (describing the need to construct intercultural classrooms); John O. Calmore, *Random Notes of an Integration Warrior*, 81 MINN. L. REV. 1441, 1470-71 (discussing how the author "colorizes" white people to "include them in the transformative process" of a multicultural society).

4. See also *Dismantling the Master's House: Essays in Memory of Trina Grillo*, 81 MINN. L. REV. 1377 (1997) (a symposium honoring Trina Grillo with essays by Robert A. Stein, Catharine Wells, Richard Delgado, Carrie Menkel-Meadow, Stephanie M. Wildman, John O. Calmore, John A. Powell, Jean Stefancic, and a poem by Jeffrey Grillo and Luisa Grillo-Chope).

5. See Trina Grillo, *Tenure and Minority Women Law Professors: Separating the Strands*, 31 U.S.F. L. REV. 747 (1997).

6. See generally Peggy C. Davis, *Law as Microaggression*, 98 YALE L.J. 1559, 1565 (1989) (describing microaggressions as "'subtle, stunning, often automatic, and non-verbal exchanges which are 'put downs' of [minorities] by offenders'") (quoting Pierce et al., *An Experiment in Racism: TV Commercials*, in TELEVISION AND EDUCATION 62, 66 (1978)).

because I knew she had died. "Trina," I exclaimed, giving her a hug. "How are you?" I managed to blurt out, ushering her in to sit in my desk chair. She looked beautiful. "I'm fine," she said, making it clear this visit was not for chit-chat. She looked at me intently and said, "We have a lot of work to do."

All I could think was about how tired I felt, wondering if we really had to start right then. "How can I help you?" I managed to ask.

She replied, "What I really need is a flashlight, so that I can read in the dark."

I nodded as she hurriedly left.

The essays in this symposium concern the work we all have to do, especially work involving topics that were close to Trina's heart. These articles can serve as flashlights in the darkness that seems to surround the social construction of race, diversity and affirmative action, issues of poverty, academic support programs, pedagogy and teaching methods, and the role of women in the legal academy.

The *U.S.F. Law Review* Symposium honoring Trina Grillo was held on March 14–15, 1997. The brainchild of Bethany Kaye and Les Chun, the symposium reflected the students' hard work and planning. A Friday evening session introduced the topics of racial categories and diversity, followed by the Abby Ginzberg film, "Making a Difference."⁷ The film had been commissioned by the Society of American Law Teachers (SALT) for the occasion of awarding Trina the SALT award for outstanding teaching for 1995. The Saturday session, moderated by Adrienne D. Davis, provided a day of panels in stirring tribute to a lovingly remembered friend and colleague. The essays in this symposium issue are grouped to reflect that conference organization.

In the first of two keynote addresses at the symposium, Charles Lawrence articulates the "deeper meaning" of diversity.⁸ "Diversity cannot be an end in itself," argues Lawrence, because "it is substanceless."⁹ Lawrence explains that universities seek diversity "because a central mission of the university must be the eradication of America's racism."¹⁰ He recites the historical objections to affirmative action and explains why affirmative ac-

7. Videotape: *Making a Difference: University of San Francisco School of Law Academic Support Program* (Abby Ginzberg 1994) (on file with the University of San Francisco Law School Library).

8. See Charles R. Lawrence III, *Each Other's Harvest: Diversity's Deeper Meaning*, 31 *U.S.F. L. REV.* 757 (1997).

9. *Id.* at 765.

10. *Id.*

tion is not only necessary, but must be expanded to achieve the important goal of ending racism.¹¹

Lawrence recalls with pride his own history as an affirmative action hire at U.S.F.¹² as well as the many affirmative action students graduated from the law school in whose lives he played a part.¹³ These outstanding lawyers and judges would not be members of the legal profession in a world without affirmative action.¹⁴ But, they were extremely meritorious applicants under a socially conscious construction of merit.¹⁵ Lawrence notes that the measure of merit becomes clarified and changed, once eliminating racism is an established goal of education.¹⁶ Lawrence concludes that "we must learn the truth from one another about our shared history and its legacy, and we cannot do that learning unless all of us are here."¹⁷

In the second keynote address, Mari Matsuda asks "Were you there? Were you there in 1997, when the richest nation in the world turned its back on the poor? With my friend, Trina Grillo, I am here and I stand in protest against this assault on justice."¹⁸ Matsuda's essay describes the contemporary attack on welfare, an attack directed at the recipients of welfare. She criticizes the logic behind these so-called reforms, exposing the racial coding masked by the politician's rhetoric. The notion of welfare needs to return to its historic meaning of "happiness, well-being, and satisfaction," rather than the existing "negative connotations attached to government aid."¹⁹ Matsuda's vision asks us to dream with her of an America in which that well-being is shared by everyone, including the poor.

At the conference Catharine Wells and I led a session to enable those present to reflect together on what we learned from Trina or what we remembered when we think of her. I first met Trina about twenty years ago, shortly after her daughter Luisa had been born. Trina was about to start teaching sex discrimination and the law, which I was teaching for the second or third time. She came over from Hastings on a Saturday, and we spent the day talking about how to teach the class. And we talked about the

11. *See id.* at 763.

12. *See id.* at 757-59. I am proud to have shared that history with Professor Lawrence, who explains that we were part of a group of affirmative action professors hired by the law school in the mid-1970s. We were drawn to U.S.F. because of its institutional commitment to diversity.

13. *See id.* at 759-61.

14. *See id.* at 760-61.

15. *See id.* at 759-60.

16. *See id.* at 772-74.

17. *Id.* at 778.

18. Mari J. Matsuda, *Were You There? Witnessing Welfare Retreat*, 31 U.S.F. L. REV. 779, 788 (1997).

19. Sylvia A. Law, *Ending Welfare as We Know It*, 49 STAN. L. REV. 471, 473 (1997).

*dangers of contemporary sex discrimination litigation which was trying to make the analogy between sex and race discrimination.*²⁰

What many people don't know about me and Trina is that we shared a big anxiety about speaking before groups of people—not really a helpful trait for a lawyer or for a law professor. This struggle with silence is rarely spoken about in law school culture, although many students share it.

Trina thought it important to make the invisible visible. Sometimes for students this anxiety, which presses them to silence, is related to the feeling that their issues don't really matter within the law school. Another thing I learned from Trina is that for those of us who feel that way, it is an act of courage just to show up. So I guess it is those two phrases: "make the invisible visible" and "it's an act of courage just to show up," that I want to remember as part of the wit and wisdom of Trina Grillo.

The essays in this symposium issue are grouped into categories that reflect the areas in which Trina Grillo wrote, educated, and organized. These are the topics she cared about. The first set of essays concern diversity and inclusion in the legal profession.²¹ The second group involves the importance of academic support programs in legal education and in the profession.²² The next group reflects upon improving pedagogy.²³ The final set of essays examine women in legal education.²⁴

Trina was the definitive humanist. Her passionate advocacy for diversity and inclusion were grounded in caring for people. Early on, she recognized that "merit" came in many different packages. Describing her academic support students, she said, "A lot of our students are first generation college graduates, often first generation high school graduates. They're the mainstays of their families. They've gotten this far by really struggling, and they've gotten this far really by themselves."²⁵

Her commitment to inclusion led to her understanding of the need to combat racism/white supremacy.²⁶ As she has explained, "One of the most difficult struggles we face today is the struggle to overcome racism. Each

20. That conversation ended up being the germ of the article we wrote together many years later, which became a chapter in the book *Privilege Revealed*. See STEPHANIE M. WILDMAN WITH CONTRIBUTIONS BY MARGALYNNE ARMSTRONG, ADRIENNE D. DAVIS & TRINA GRILLO, *PRIVILEGE REVEALED: HOW INVISIBLE PREFERENCE UNDERMINES AMERICA* 85–102 (1996).

21. See *infra* notes 28–45 and accompanying text.

22. See *infra* notes 47–59 and accompanying text.

23. See *infra* notes 61–81 and accompanying text.

24. See *infra* notes 84–101 and accompanying text.

25. Making a Difference, *supra* note 7.

26. See WILDMAN ET AL., *supra* note 20, at 20–21, 87.

person must confront not only his or her own racism but that which is manifested in the surrounding world."²⁷

John Powell,²⁸ Roy L. Brooks,²⁹ and Lorraine K. Bannai and Marie Eaton³⁰ address issues of diversity and inclusion. Powell comments that "Trina was interested in [racial categories] professionally and experientially."³¹ He observes that societal conversations about race often are confused, charged, and unproductive. He describes two sets of claims about racial categories, which point in conflicting directions.

The first claim, the colorblind position, urges an end to all racial categories. The recently passed Proposition 209 in California exemplifies this drive to end using race as a means of classification for any purpose.³² The second, the multiracial position, urges an expanded use of racial categories with specific attention to multiracial categories. The struggle over definition of the census categories exemplifies advocacy for the multiracial position.³³ Examining these claims, Powell concludes that racial categories must be observed relationally. The process of racing is a struggle of power: structural, cultural, economic, and identity politics.³⁴ Because we are all multiracial, we must all be involved, according to Powell.³⁵

Acknowledging the attacks on affirmative action from both white males and disadvantaged minorities, Roy L. Brooks suggests a way to mend affirmative action to meet these critiques. His proposal, Public Interest Affirmative Action, "permits institutions of higher education to admit qualified students committed to plying their talents in underprivileged (socioeconomic depressed) segments of our society after graduation."³⁶ Brooks urges institutions to offer special admissions and loan forgiveness to students who will undertake this financially unrewarding work.³⁷

27. Fred L. Morrison et al., *A Tribute to Dean Robert A. Stein: Former Dean of the University of Minnesota Law School*, 80 MINN. L. REV. 1, 9 (1995).

28. See John A. Powell, *The Colorblind Multiracial Dilemma: Racial Categories Reconsidered*, 31 U.S.F. L. REV. 789 (1997).

29. See Roy L. Brooks, *Public Interest Affirmative Action*, 31 U.S.F. L. REV. 807 (1997).

30. See Lorraine K. Bannai and Marie Eaton, *Fostering Diversity in the Legal Profession: A Model for Preparing Minority and Other Non-Traditional Students for Law School*, 31 U.S.F. L. REV. 821 (1997).

31. Powell, *supra* note 28, at 789.

32. See Stephanie M. Wildman, Opinion-Editorial, *Privilege and Prejudice in America*, S.F. CHRON., Nov. 12, 1996, at A21.

33. See generally Lawrence Wright, *One Drop of Blood*, THE NEW YORKER, July 25, 1994, at 46 (discussing modifications of existing racial categories for use in the 2000 census).

34. See Powell, *supra* note 28, at 803.

35. See *id.* at 804.

36. Brooks, *supra* note 29, at 808.

37. See *id.*

Brooks outlines preferential admissions guidelines, an academic component, and a financial aid component for his proposal.³⁸ Brooks offers his proposal as a compromise in the battle that is being waged regarding race and gender-based affirmative action programs.³⁹

Lorraine K. Bannai and Marie Eaton propose another method for increasing diversity in the legal profession: "identifying and supporting undergraduate minority students who have the potential for success in the law."⁴⁰ Bannai and Eaton urge undergraduate institutions, either alone or in partnership with law schools, to prepare non-traditional students for success in legal education.⁴¹ The authors report on the Law and Diversity Program at Western Washington University, which has for six years created a "challenging, relevant, and supportive learning environment" for minority and other non-traditional students with "interest in the issues of law, diversity, and legal representation for under-represented groups."⁴²

The program, a two-year, interdisciplinary academic program during the junior and senior years of college, fosters a cohort learning experience.⁴³ The program provides academic preparation for law school, assistance through the law school application process, as well as personal and financial support.⁴⁴ The authors conclude by detailing the many successful experiences of graduates of the program.⁴⁵

Describing her work in the area of academic support Trina said:

There is nothing that has compared with academic support in terms of my feeling of making a difference and in terms of people giving back to me. And so it's the best thing I've done. There's some way in which if I could do it forever, that's what I'd do. It's hard work, but it's, <pause> it's just rewarding on a daily basis in a way that you don't often get in academic life.⁴⁶

Martha Peters⁴⁷ and Paula Lustbader⁴⁸ describe the history of academic support programs and give an overview of academic support work and its role within the legal academy and the legal profession. David Do-

38. *See id.* at 810.

39. *See id.* at 808.

40. Bannai & Eaton, *supra* note 30, at 822.

41. *See id.*

42. *Id.* at 824.

43. *See id.* at 825.

44. *See id.* at 825-32.

45. *See id.* at 832-35.

46. Making a Difference, *supra* note 7.

47. *See* Martha Peters, *Bridging Troubled Waters: Academic Support's Role in Modeling and "Helping" in Legal Education*, 31 U.S.F. L. REV. 861 (1997).

48. *See* Paula Lustbader, *From Dreams to Reality: The Emerging Role of Law School Academic Support Programs*, 31 U.S.F. L. REV. 839 (1997).

minguez, Laurie Zimet, Fran Ansley, Charles Daye, and Rod Fong⁴⁹ model collaboration between academic support program directors and other law teachers to illustrate the kind of difference academic support can make to pedagogy in our classes.

Peters persuasively explains the importance of lawyers in a diverse world. The lawyer's role "requires the skills necessary to communicate across difference effectively."⁵⁰ Acknowledging that legal education emphasizes "rational and expressive"⁵¹ communication, Peters observes that other elements necessary to effective client representation include "theoretical knowledge, receptive skills, and emotional processing."⁵² Lawyers use these skills to help resolve conflicts in society. Research has demonstrated that "client satisfaction with legal services correlates as highly with how their lawyers treat them as it does to outcomes produced."⁵³ Academic support programs model helping skills that all students need to be successful counselors.

Paula Lustbader recognizes the responsibility of the legal profession to "represent the values [and] serve the needs of a culturally diverse society."⁵⁴ Academic support programs seek to achieve more diversity in the legal profession by "challenging, and ultimately disproving, the accuracy of traditional admissions indicators."⁵⁵ Lustbader describes principles of academic support pedagogy including starting where students' begin and developing legal concepts based on students' prior experiences, facilitating development of substantive and syntactical schemata, approaching learning as a developmental process, helping students develop and refine metacognitive processes, using a variety of teaching methods in order to reach different learning styles, teaching skills in context and relating those skills to testing expectations, promoting active learning, treating students with respect and promoting excellence, and attending to background, culture, values, and experience. Finally, Lustbader emphasizes that ASP teachers believe in the beauty of students' dreams. She states: "The majority of ASP teachers share Trina's dream of creating a safe and effective learning environment for all students."⁵⁶

49. David Dominguez et al., *Inclusive Teaching Methods Across the Curriculum: Academic Resource and Law Teachers Tie a Knot at the AALS*, 31 U.S.F. L. REV. 875 (1997).

50. Peters, *supra* note 47, at 861.

51. *See id.*

52. *Id.*

53. *Id.* at 864 & n.8 (describing factors more important than results, from a client perspective).

54. Lustbader, *supra* note 48, at 839.

55. *Id.* at 843.

56. *Id.* at 859.

In a demonstration of collaborative teaching and learning, David Dominguez, Laurie Zimet, Fran Ansley, Charles Daye, and Rod Fong discuss their process of using inclusive teaching methods to plan a presentation where the presenters modeled these methods for the classroom.⁵⁷ Their session emphasized different learning styles and perspectives, audience participation, and collaboration among academic support teachers and other law teachers.⁵⁸ To create the program, this diverse group of educators explored their assumptions about the audience and its ability to learn in ways that can be applied to the law school classroom.⁵⁹ The authors presented these techniques at the symposium in a rousing demonstration of classroom possibility.

*Trina and I were mothers together.*⁶⁰ *Trina's first teacher, her mother Catherine, was a shining, loving example of support. Many of my conversations about teaching with Trina began with her children, Luisa and Jeff, and mine, Becky and Ben. We marveled at the things they knew as well as the ideas that the world forced them to forget as they grew to learn about the world around them. We watched their learning process, and we learned from them. Racial categories, adoption, learning styles, and gender equity were not abstract legal issues, but lived reality, part of our children's lives and therefore also ours. Trina believed that children and students learn for themselves. As teachers, it is our job to support that learning process.*

For the topic "Improving Pedagogy," John O. Calmore,⁶¹ Joan Howarth,⁶² Gerald Hess,⁶³ and David Oppenheimer⁶⁴ address a wide range of issues concerning teaching, all near and dear to Trina's work. John Calmore describes his aspiration to construct classes that are intercultural, that is "active, bridge-building, humanistic, and [involving] respectful engagement and search for constructive mutuality with various cultures and people."⁶⁵ Acknowledging the difficulty in talking about race and racial issues across

57. Dominguez et al., *supra* note 49, at 877 (1997).

58. *See id.*

59. *See id.* at 880–88.

60. *See* Stephanie M. Wildman, *Democratic Community and Privilege: The Mandate for Inclusive Education*, 81 MINN. L. REV. 1429 (1997) (describing the use and misunderstanding of that phrase at Trina's funeral).

61. *See* Calmore, *supra* note 3.

62. *See* Joan Howarth, *Teaching in the Shadow of the Bar*, 31 U.S.F. L. REV. 927 (1997).

63. *See* Gerald Hess, *Listening to Our Students: Obstructing and Enhancing Learning in Law School*, 31 U.S.F. L. REV. 941 (1997).

64. *See* David Benjamin Oppenheimer, *Trina Grillo: A Personal Remembrance*, 31 U.S.F. L. REV. 965 (1997).

65. Calmore, *supra* note 3, at 903–04 n.4.

lines of racial difference, Calmore orchestrates⁶⁶ his classes to “explore our diverse mutuality.”⁶⁷ Calmore explains his work in legal education “as the practice of freedom.”⁶⁸ Using new anthologies in critical race theory⁶⁹ in his seminars, Calmore represents that his students will emerge with a “sophisticated knowledge about law and racial subordination.”⁷⁰ He includes student reflection pieces from this seminar.⁷¹ Through these important student voices, Calmore shares with the reader the process of learning that he has described.

Joan Howarth accepts Trina’s critique of standardized tests,⁷² focusing on the bar exam “that serves as gatekeeper for our profession.”⁷³ Howarth describes the pervasive influence the bar exam possesses in the realm of legal education including who is admitted to law school, what is taught there, how law is understood, who achieves academic success in law school, and who flunks out.

Howarth examines two persistent criticisms of the bar exam: first, that the bar examinations do not test readiness or aptitude to practice law; and, second, that bar examinations perpetually produce racially disparate results.⁷⁴ Howarth shows the falsity in the bar’s claim of race neutrality, which has only meant whiteness.⁷⁵ Reminding us of Trina’s call to critically engage the bar exam, Howarth urges that we place hope in the power of change.⁷⁶

Gerald Hess urges law teachers to listen to students’ perceptions. These perceptions can inform professors understanding of the literature on teaching and learning in higher education, particularly principles of adult education and classroom assessment. He outlines key characteristics of adult teaching and learning: voluntary, respectful, collaborative, contextual, active, and evaluative.⁷⁷ Classroom assessment is “designed to help teach-

66. Calmore does liken the teaching exercise to conducting a jazz ensemble. *See id.* at 905–06. *See also* John O. Calmore, *Critical Race Theory, Archie Shepp, and Fire Music: Securing an Authentic Intellectual Life in a Multicultural World*, 65 S. CAL. L. REV. 2129 (1992).

67. Calmore, *supra* note 3, at 905.

68. *Id.* at 908 n.24 (describing Paulo Freire’s concept as developed by bell hooks).

69. *See* CRITICAL RACE THEORY: THE KEY WRITINGS THAT FORMED THE MOVEMENT (Kimberlé Crenshaw et al. eds., 1995); CRITICAL RACE THEORY: THE CUTTING EDGE (Richard Delgado ed., 1995).

70. Calmore, *supra* note 3, at 913.

71. *See id.* at 915–23.

72. *See* Trina Grillo, *Anti-Essentialism and Intersectionality: Tools to Dismantle the Master’s House*, 10 BERKELEY WOMEN’S L.J. 16, 28–29 (1995).

73. Howarth, *supra* note 62, at 927.

74. *See id.* at 930.

75. *See id.* at 933.

76. *See id.* at 939–40.

77. *See* Hess, *supra* note 63, at 942–44.

ers discover what their students are learning and how well they are learning it."⁷⁸

Hess reports student comments from a diverse group of law students on each of the keys to adult learning.⁷⁹ The students describe ways their learning was hindered and ways their learning was enhanced. Hess reminds us that teachers should assess the effectiveness of their teaching and learning methods and then use that feedback, with students, to make adjustments in their courses and classrooms.⁸⁰

Finally, David Oppenheimer, who considers Trina to have been a mentor, remembers an area of teaching in which Trina's work is less well known. She was a supporter of clinical education and the idea of "a community of learning by doing."⁸¹

In one of my last conversations with Trina she said, "It's hard to be a woman."

She was lying in her hospital bed, a skin and bones shadow of herself. With her bald head, she looked like a newborn.

But her piercing alert eyes were clear through the thick spectacles. We were talking about the difficulty of making women's needs known in this big institutional setting.

The presence of women in the environment, here—a hospital—did not seem to alter the difficulty that Trina experienced in being heard.

Maybe all patients are not listened to. It is hard to separate out the koosh ball strands of identity.⁸² Trina would never discount the importance of race⁸³ or the dynamic of white privilege in who is listened to and who is heard.

Yet in her vulnerability, what she felt was: "It is hard to be a woman."

For the symposium panel "Women in the Teaching Profession," Angela Mae Kupenda,⁸⁴ Susan B. Apel,⁸⁵ and Margalynne Armstrong⁸⁶

78. *Id.* at 944.

79. *See id.* at 947-62.

80. *See id.* at 963.

81. Oppenheimer, *supra* note 64, at 966.

82. *See WILDMAN ET AL., supra* note 20, at 22-23 (1996) (describing the koosh ball as a metaphor for the many components of identity that might be privileged and unprivileged at the same time).

83. *See id.* at 85-102 (chapter 5, *Obscuring the Importance of Race*).

84. *See* Angela Mae Kupenda, *Making Traditional Courses More Inclusive: Confessions of an African American Female Professor Who Attempted to Crash All the Barriers at Once*, 31 U.S.F. L. REV. 975 (1997).

85. *See* Susan B. Apel, *Gender and Invisible Work: Musings of a Woman Law Professor*, 31 U.S.F. L. REV. 993 (1997).

86. *See* Margalynne Armstrong, *Women of Color in the Law: The Duality of Transformation*, 31 U.S.F. L. REV. 967 (1997).

presented issues involving women in law teaching that often remain unspoken. Angela Mae Kupenda relates her "true confessions" as she attempted "to crash all barriers of exclusiveness at once."⁸⁷ Her story begins in her first semester of law school teaching, when she considered her goals for her course as well as for each class meeting.⁸⁸ Kupenda confronts her "fear of not being accepted,"⁸⁹ an ironic fear because inclusiveness was one of her primary goals.

Kupenda comments on the importance of the physical presence of faculty of color in academic institutions,⁹⁰ making a contribution not just as role models for students of color, but for members of the white majority as well. She struggles to be herself and also to provide a forum for diverse voices in her classroom.⁹¹ Finally she describes some of the classroom materials she used to create an inclusive classroom.⁹²

Susan B. Apel tackles the unspoken discomfort and frustration that women faculty feel. "Women are bearing the brunt of the 'invisible work,'"⁹³ in the institution, Apel observes. This invisible work includes "appearing at faculty and student functions, counseling students, attending to the minutia that builds and maintains an academic community."⁹⁴ As Apel explains, these problems are so "completely ordinary, so normalized as to be unremarkable, and hence, invisible in the academic community."⁹⁵

The pressures on women faculty to perform this invisible work come both from external sources, such as the Dean who says, "Well, there's so few women on the faculty,"⁹⁶ and internal sources, as women faculty strive for excellence. "[W]omen faculty do not necessarily want to do less of the invisible work, they simply want the work to be made visible and valued."⁹⁷ Apel concludes with a call to action.⁹⁸ As educators develop a vocabulary for naming the problem, institutions can no longer plead ignorance.

87. Kupenda, *supra* note 84, at 976.

88. It is all too rare in legal education for the educators to discuss goals. Yet establishing goals and making these expectations clear to students enhances learning. *See* Hess, *supra* note 63, at 954-55.

89. Kupenda, *supra* note 84, at 977.

90. *See id.* at 978-79.

91. *See id.* at 981.

92. *See id.* at 983-87.

93. Apel, *supra* note 85, at 994.

94. *Id.*

95. *Id.* at 995.

96. *Id.* at 1001. Apel's source asks, "Whose fault is that?" *Id.*

97. *Id.* at 1002.

98. *See id.* at 1111-14.

Margalynne Armstrong focuses on the transformative role of women in the legal profession.⁹⁹ She examines Trina Grillo's transformative role both in the academy and in the courthouse. "The educational innovation is the formation and growth of the law school academic support program. The development in legal practice is the rise of alternative dispute resolution in family court."¹⁰⁰ Highlighting Trina Grillo's understanding of the dynamic of power, Armstrong reminds us that Trina believed "[l]ife is enhanced by difference and justice requires an open heart."¹⁰¹

*Trina thought it was very important to listen to our bodies, because they tell us the truth.*¹⁰² Jeanette Winterson, writing about her loss of someone she loved who died and how people are always saying to her "You'll get over it," said:

*It's the clichés that cause the trouble. To lose someone you love is to alter your life forever. You don't get over it because 'it' is the person you loved. The pain stops, there are new people, but the gap never closes. How could it? . . . This hole in my heart is in the shape of you and no-one else can fit it. Why would I want them to?*¹⁰³

Warm, energetic, committed, and caring are only some of the words that describe Trina Grillo. She had a vision of pedagogy that recognized difference when such a notion was minimized or discarded. Using student collaboration, active learning, and student voices, she created a learning community where students who differed from other law students because of class, race, gender, sexual orientation, physical ability, or cognitive processing ability could thrive. Her legacy, incorporating diversity into the curriculum and into our institutions, continues to be at the cutting edge of legal education.

We can best honor her memory by carrying on this work. Many people, from many identity categories, could say about her, "She was my best friend." Remember her; make a friend. Shine a flashlight into the darkness and continue the work.

99. See Armstrong, *supra* note 86, at 968.

100. *Id.* at 968.

101. *Id.* at 973 (citing Trina Grillo's contribution to Fred L. Morrison et al., *A Tribute to Dean Robert A. Stein: Former Dean of the University of Minnesota Law School*, 80 MINN. L. REV. 1, 8 (1995)).

102. See Grillo, *supra* note 72, at 22; Catharine Wells, *The Theory and Practice of Being Trina: A Remembrance of Trina Grillo*, 81 MINN. L. REV. 1381, 1387-88 (1997).

103. JEANETTE WINTERSON, *WRITTEN ON THE BODY* 155 (1992). I want to thank Sarah Flicker for calling this passage to my attention.

