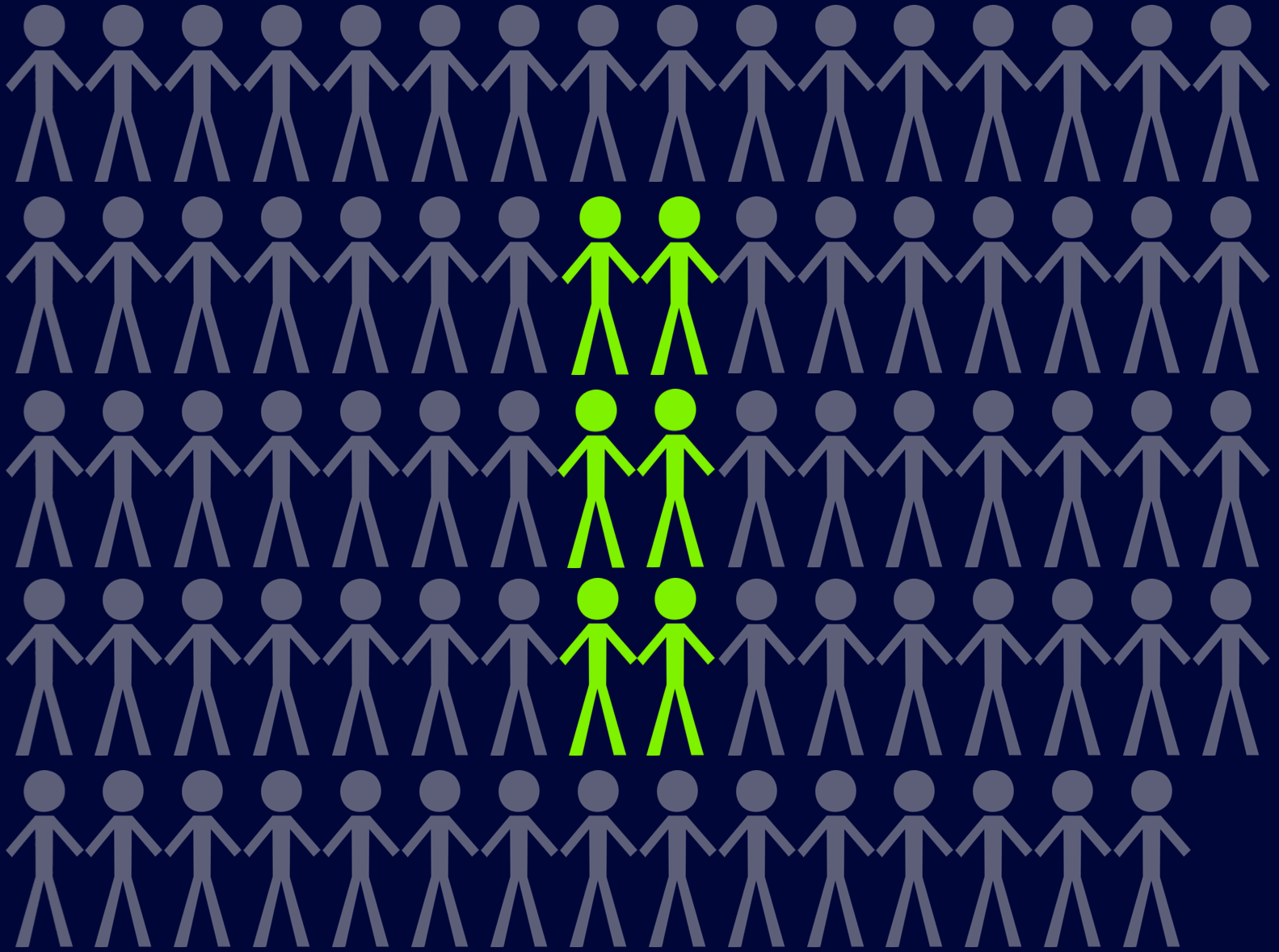




YLW
Yale Law Women

proudly presents . . .



the PORTRAITS PROJECT

74 portraits hang in the halls of YLS.
Only 6 feature women.

This guide aims to celebrate the six remarkable alumnae whose portraits grace the walls of the Law School, to draw attention to the unequal visual representation of women, to describe the process by which portraits are created, and to highlight women whose accomplishments might merit a portrait. We hope this resource inspires interested students and alumni to change the disparate visual representation that currently persists in the halls of YLS.

THE WOMEN IN THE PORTRAITS

Carolyn Agger (LL.B. 1938)

Portrait Painted in 1949; Located in the Alumni Reading Room.



Carolyn Agger was an influential tax lawyer in Washington, D.C. at a time when extremely few women were lawyers. She graduated from Barnard College in 1931 and earned a master's degree in economics from the University of Wisconsin in 1932 before starting her career in Washington at various New Deal agencies. Agger attended Yale Law School at the suggestion of her husband, Supreme Court Justice Abe Fortas, who was a professor there. After graduating from Yale Law School in 1938, Agger worked in government at the National Labor Relations Board, the Senate subcommittee on education and labor, and the tax division of the Justice Department, as well as in private practice at Lord, Day & Lord. She later became a partner and one of the top tax lawyers in D.C. at Paul, Weiss, Rifkind, Wharton & Garrison. In 1960, Agger led an exodus of attorneys from Paul, Weiss to Arnold, Fortas & Porter, where she was a senior partner and head of the tax practice. Agger remained at the firm for three decades.

In her later years, Agger became a philanthropist, endowing a scholarship fund at the Law School for women graduates who engage in low-paying legal careers or who pursue postgraduate legal studies and making a major bequest to the John F. Kennedy Center for the Performing Arts.

Carla Anderson Hills (LL.B. 1958)

Portrait Painted in 2001; Located in the Alumni Reading Room.



Carla Anderson Hills served as a Presidential Cabinet member and an international trade negotiator in the Gerald Ford and George H.W. Bush administrations. She was the first woman to serve as Secretary of Housing and Urban Development, and the third woman to serve as a Cabinet member. After graduating from Yale Law School in 1958, Hills worked as an Assistant United States Attorney, co-founded the law firm Munger, Tolles, Hills & Rickershauser, taught as an adjunct professor, and served as an United States Assistant Attorney General before being appointed Secretary of the Department of Housing and Urban Development in the Ford administration. Hills returned to the private sector during the Carter and Reagan years, and later returned to the White House as the U.S. Trade Representative under President George H.W. Bush. She was a key figure in negotiating the North American Free Trade Agreement and in updating the General Agreement on Tariffs and Trade. Since then, Hills has remained active in international trade work. She founded Hills & Company International Consultants and the

Forum for International Policy, and has served as a member on the International Advisory Boards of several Fortune 500 companies and on several not-for-profit boards, including serving as chair of the National Committee on U.S.-China Relations.

Carolyn Dineen King (LL.B. 1962)

Portrait Painted in 2001; Located in Room 120.



Carolyn Dineen King was the first woman to serve as Chief Judge of the Court of Appeals for the Fifth Circuit and the first woman to chair the influential Executive Committee of the Judicial Conference of the United States. After graduating from Yale Law School in 1962, King was denied a job as an Assistant United States Attorney at the U.S. Attorney's Office in Houston because she was a woman. She was instead hired by Fulbright & Jaworski, where she negotiated to receive the same salary as newly-hired men and established herself as an accomplished corporate securities lawyer. King worked in private practice until 1979, when she accepted President Carter's nomination to the Fifth Circuit Court of Appeals. King has authored over 4,400 opinions on the court, and she served as Chief Judge from 1999 to 2006. Chief Justice Rehnquist appointed King to the Executive Committee of the Judicial Conference of the United States, where she served as Chair from 2002 to 2005. King assumed senior status on the Fifth Circuit at the end of 2013. King has

served in leadership positions across the legal world, including serving on both the Executive Committee and the Council of the American Law Institute, where she advised on the Restatement of the Law Third, Torts and the Transnational Insolvency Project. She has also been actively involved in community and civic organizations, serving as a member of the Board of Trustees of Baylor College of Medicine, the United Way, and Saint Thomas University.

Eleanor Holmes Norton (LL.B. 1964)

Portrait Painted in 1989; Located in the Alumni Reading Room.



Congresswoman Eleanor Holmes Norton has served as the congressional delegate representing the District of Columbia since 1991 and was previously the first woman to serve as Chair of the Equal Employment Opportunity Commission (EEOC). Norton was active in the civil rights movement, organizing and participating in the 1964 Mississippi Freedom Summer. After graduating with an LL.B. and an M.A. in American Studies from Yale in 1964, Norton clerked for Judge A. Leon Higginbotham, Jr. and was the assistant legal director at the American Civil Liberties Union. She subsequently served as the head of the

New York Human Rights Commission and was appointed by President Carter to chair the EEOC in 1977. Following her time at the EEOC, Norton became a tenured professor at Georgetown University Law Center. Throughout her career, Norton has been a feminist leader and constant champion of human and civil rights. In her work as the congressional delegate from the District of Columbia, Norton has advocated for greater representation for D.C. citizens and has advanced economic development efforts in the District. She is the Ranking Member of the House

Subcommittee on Highways and Transit and serves on the Committee on Oversight and Government Reform and the Committee on Transportation and Infrastructure.

Ellen Ash Peters (LL.B. 1954)

Portrait Painted in 1983; Located in Room 127.



Ellen Ash Peters was the first woman appointed to the Supreme Court of Connecticut, the first woman to serve as Chief Justice of the Supreme Court of Connecticut, and the first woman to become a tenured professor at Yale Law School. Peters was born in Berlin in 1930 and fled to the United States with her family when she was nine years old. Peters graduated from Yale Law School in 1954, and, after clerking for Chief Judge Charles E. Clark of the United States Court of Appeals for the Second Circuit, returned to the Law School at the age of 26 as the first woman appointed to the faculty. Peters, a scholar of contracts and commercial law, taught at Yale Law School from 1956 until her appointment to the Connecticut Supreme Court in 1978. After serving as Associate Justice on the Connecticut Supreme Court for six years, she became the first female Chief Justice in 1984. Peters authored many important state constitutional decisions during her time on the court, including the notable case *Sheff v. O'Neill*, which held that Connecticut's

schoolchildren had a right under the state's constitution to substantially equal educational opportunities. After she ceded her position as Chief Justice in 1996 and took senior status, Peters served as a Judge Trial Referee at the Appellate Court in Hartford from 2000 to 2014, and is now a Visiting Professor of Law at the University of Connecticut Law School.

Patricia McGowan Wald (LL.B. 1951)

Portrait Painted in 1987; Located in the Alumni Reading Room.



Patricia McGowan Wald was the first woman appointed to the D.C. Circuit Court of Appeals, where she served for twenty years, including five years as Chief Judge. The daughter of a single-parent family, Wald won a scholarship to Connecticut College for Women and graduated from Yale Law School in 1951. After clerking for Judge Frank on the Second Circuit Court of Appeals and working briefly for a law firm, she left the practice of law for ten years to raise her five children. During that period, Wald co-authored a book, *Bail in the United States*, which catalyzed a change in the national prison bail system and prompted her return to the legal profession. In the late 1960s-1970s, Wald worked as an attorney at the Department of Justice and for one of the only existing public interest law firms at the time, the Center for Law and Social Policy, where she advocated for children and the disabled. She later served as an Assistant Attorney General of Legislative Affairs in the Carter Administration. Wald was appointed to the D.C. Circuit by President Carter in

1979, served as Chief Judge from 1986-1991, and wrote over 800 opinions on the court. After retiring from the bench in 1999, she was appointed to a two-year term as U.S. representative to the International Criminal Tribunal in The Hague. Since then, Wald has served on commissions and boards such as the Open Society's Justice Initiative Board and the Privacy and Civil Liberties Oversight Board.

WHY VISUAL DISPARITIES MATTER

Women and men currently graduate from law school in almost equal numbers.¹ But women make up only 34% of the legal profession and earn 78.9% of what men lawyers earn in the United States.² Over the last four decades, numerous studies have documented the feelings of alienation that are common among women in law school, and the detrimental effects of that alienation on women's achievement.³

Visual representation can serve as an important medium of feelings of inclusion or alienation. Social science research has documented the effects of visual imagery on human understanding.⁴ A 2008 study on the visual representation of Black people and women in criminal justice textbooks explained that visual underrepresentation in introductory professional materials may hamper entry into historically exclusive fields.⁵ The study recommended that to avoid being lost as valuable professional assets, women and minorities "should be equitably represented in a nondiscriminatory manner."⁶ These themes were echoed by a 2010 study on the influence of gender stereotypic textbook images as a threat on students' science comprehension.⁷ Results indicated that female students had higher comprehension after viewing counter-stereotypic images (women scientists) than after viewing stereotypic images (men scientists). These studies suggest that images of role models that share salient characteristics, such as gender, may rebut assumptions of group inferiority that undermine confidence and performance.

Although alumni portraits are only one factor shaping the gender dynamics at Yale Law School,⁸ they are noticeable and prominently placed pieces of the visual environment. The two largest lecture halls are lined with them, special events are often held in the Alumni Reading Room, and even if one rarely treads into the rooms in the library that contain the portraits, most students probably do not go a single day without passing below them, as they line the main stairwell. Several observers have noted the overwhelming lack of diversity in the portraits. A 1987 study of alienation among women Yale Law students specifically cited the portraits as a source of alienation: "Throughout our three years, there was one portrait of a woman in the law school. There were none of people of color. There were

¹ According to data released by the American Bar Association, women comprised 47.3% of students who were awarded JDs in the U.S. in 2013. AMERICAN BAR ASSOCIATION, A CURRENT GLANCE AT WOMEN IN THE LAW 4 (2014), http://www.americanbar.org/content/dam/aba/marketing/women/current_glance_statistics_july2014.authcheckdam.pdf.

² *Id.* at 2, 6.

³ See, e.g., Paula Gaber, "Just Trying to Be Human in This Place": The Legal Education of Twenty Women, 10 YALE J.L. & FEMINISM 165 (1988); Lani Guinier et al., *Becoming Gentlemen: Women's Experiences at One Ivy League Law School*, 143 U. PA. L. REV. 1 (1994); Suzanne Homer & Lois Schwartz, *Admitted but Not Accepted: Outsiders Take an Inside Look at Law School*, 5 BERKELEY WOMEN'S L. J. 1 (1990); Catherine Weiss & Louise Melling, *The Legal Education of Twenty Women*, 40 STAN. L. REV. 1299 (1988); and Yale Law Women, *Yale Law School Faculty and Students Speak Up About Gender: Ten Years Later* (2012), http://issuu.com/yalelawwomen/docs/yiw_speak_up_study.

⁴ See, e.g., STEPHEN BAKER, VISUAL PERSUASION: THE EFFECT OF PICTURES ON THE SUBCONSCIOUS (1961).

⁵ Vicky E. Dorworth & Marie Henry, *Optical Illusions: The Visual Representation of Blacks and Women in Introductory Criminal Justice Textbooks*, 3 CRIM. JUST. EDUC. 251 (1992).

⁶ *Id.* at 258.

⁷ Jessica J. Good et al., *The Effects of Gender Stereotypic and Counter-Stereotypic Textbook Images on Science Performance*, 150 J. SOC. PSYCHOL. 132 (2010).

⁸ Beyond artistic portrayals of women, there are other ways for students to see visual representations of women in positions of power – for instance, by having women professors. But this form of visual representation is lacking too, as women comprised only 21% of the faculty pool at YLS in 2012. *Yale Law School Faculty and Students Speak Up About Gender: Ten Years Later*, *supra* note 3, at 9.

scores of portraits and photographs of white men.”⁹ Yale Law School graduate and Professor of Law at Harvard Law School Lani Guinier has also articulated the effects that the portraits had on her. When Guinier returned to YLS to speak on a panel, in the presence of the portraits, the alienation and isolation she had experienced in law school returned. Guinier wrote, “I felt the weight of the presence of those stern portraits. For me, this was still not a safe space . . . the gigantic male portraits had captured and frozen in time the alienation from class, race, and gender privilege we had felt as students.”¹⁰

ELIMINATING VISUAL DISPARITIES: CREATING NEW PORTRAITS

Alumni can help reduce the visual disparities that currently exist within the halls of the Sterling Law Building. New portraits may be selected by alumni of the Yale Law School, who then work with law school administrators to see the project to fruition. Interested students or alumni may propose and sponsor the creation of a new portrait, either through a group of donors or through a single large donation. Portrait sponsors typically work with the Development Office to help coordinate fundraising efforts and with Law School administrators to determine whether a proposed portrait may be hung and to determine its placement. Portraits can also be developed through other means—for example, former clerks sometimes sponsor portraits of their judges and the Office of the Dean sponsors portraits of deans of the Law School and United States presidents. But beyond that, the process of creating and sponsoring the portraits that hang in YLS is alumni-driven.

Women, having only attended Yale Law School in very small numbers for most of the history of the institution, comprise a significantly smaller proportion of the school’s pool of alumni than men and represent only a small fraction of the professors who have taught here. But while the small historical proportion of women students and professors at Yale may explain why there are so many more men in portraits than women, it does not excuse so visible a gender disparity enduring on the walls of the school. The fact that women and people of color were historically denied admission to institutions such as Yale Law School and to careers in the legal profession should not be celebrated on the walls of our institution.

ELIMINATING VISUAL DISPARITIES: CANDIDATES FOR PORTRAITS

There are numerous distinguished women graduates of Yale Law School who would be excellent candidates for portraits. Alumnae of Yale Law School have served as judges and justices, academics and activists, and politicians and practitioners. Several have won the Yale Law School Award of Merit, bestowed each year by the Yale Law School Association upon an esteemed graduate or faculty member. These award recipients include **Sonia Sotomayor ’79**, Associate Justice of the United States Supreme Court, the first Latino/a and third woman to hold that position; **Margaret H. Marshall ’76**, the first woman to serve as Chief Justice of the Massachusetts Supreme Court and the first woman to serve as Senior Fellow of the Yale Corporation, the governing board and policy-making body for Yale University; and **Hillary Rodham Clinton ’73**, current presidential candidate and former United States Secretary of State, United States Senator, and First Lady. They also include **Linda**

⁹ Weiss & Melling, *supra* note 3, at 1323 n.78.

¹⁰ Lani Guinier, *Models and Mentors* in *BECOMING GENTLEMEN: WOMEN, LAW SCHOOL, AND INSTITUTIONAL CHANGE* 85, 86 (Guinier et al., eds. 1997).

Greenhouse '78, Pulitzer-Prize winning Journalist and Senior Research Scholar in Law, the Knight Distinguished Journalist in Residence, and Joseph Goldstein Lecturer in Law at Yale Law School; **Marian Wright Edelman '63**, the first African-American woman admitted to the Mississippi bar, prominent civil rights activist, and Founder of the Children's Defense Fund; **Rosalyn C. Higgins '62**, the first woman judge elected to the International Court of Justice, where she served as President; and **Florence M. Kelley '37**, the first woman to be Chief Judge of the Domestic Relations Court of New York City, the first administrative judge of the modern Family Court in New York City, and a trial judge for the Supreme Court of New York.

Many other alumnae also would be excellent candidates for portraits. They include **Jane Bolin '31**, the first African-American woman to graduate from Yale Law School and to serve as a judge in the United States; **Susan P. Graber '72**, a judge on the Ninth Circuit Court of Appeals and the second woman to serve as a justice of the Oregon Supreme Court; **Nancy Gertner '71**, a retired judge for the United States District Court for the District of Massachusetts, current Harvard Law School professor, and prominent civil rights and criminal defense lawyer; and activist **Pauli Murray '65**, co-founder of the National Organization for Women and prolific civil rights and women's rights activist credited with pioneering the argument that the 14th Amendment applies to sex discrimination.

Over half of the portraits in the Sterling Law Building portray past Yale Law School professors. Traditionally, current professors have not been honored with portraits. Several celebrated and oft-cited women professors at YLS would be excellent candidates for portraits in the future. They include **Judith Resnik**, the Arthur Liman Professor of Law who teaches about federalism, procedure, courts, prisons, equality, and citizenship; **Lea Brilmayer**, the Howard M. Holtzmann Professor of International Law who studies conflict of laws, federal jurisdiction, and international law; and **Reva Siegel '86**, the Nicholas deB. Katzenbach Professor of Law who studies constitutional law, sex equality, reproductive rights, and social movements.

Portraits of these alumnae and professors would make wonderful additions to Yale Law School's collection. We at Yale Law Women hope to work to create a gender equitable visual environment at Yale Law School, and increasing the representation of women in the Yale Law School portrait collection would be an important step in the right direction.

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