

Understanding #MeToo by Listening to the Past: Preserving, Mining, and Promoting the American Bar Association's Women Trailblazers in the Law Oral History Collection @ Stanford Law School

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Abstract:

The dialogue created by the #MeToo movement continues to be a catalyst for change, particularly for women working in the legal profession. Law students are openly and collectively resisting employment arbitration clauses, which can be seen as vehicles to silence evidence of sexual harassment in the workplace. And women are speaking out as they've rarely done before about their experiences being sexually harassed as judicial clerks and law firm associates. The American Bar Association's Women Trailblazers in the Law is an oral history collection of 100 pioneering women who entered the legal profession in the 1970's. Newly digitized by the Robert Crown Law Library at Stanford Law School, this truly unique corpus of stories contains a wealth of information about women succeeding within challenging environments where their accomplishments could be (and sometimes were) dismissed, rather than heralded. The stories also exhibit ways of talking about sexual harassment and violence against women that need to be mined for their meaning about the past, present, and future of women in the law. This paper will investigate what this collection of women's stories, as told by themselves, has to say to our current generation of law students; in addition, it will tell the story of how the Robert Crown Law Library used the opportunity to curate this archival collection to promote our services, to connect with our community, and to support new scholarly endeavours.

Keywords: Law Libraries, Legal profession, Law Schools, #MeToo, gender discrimination

Introduction

Great libraries are a symbiotic combination of collections and communities, but it can be easy to lose sight of linking our special collections with our patrons. Sometimes we forget because we have heavy demands to fill elsewhere; sometimes it's because valuable

collections were built and lovingly maintained by retiring colleagues who take a wealth of institutional knowledge with them; sometimes financial demands relegate valuable collections to neglected locations. I have been inspired by the “dialogue for change” theme of this conference throughout my career. My first and greatest academic love was philosophy, and I’ve carried the Greek dialectic and a passion for meaningful change with me through the practice of law and now librarianship and teaching at Stanford Law School.

It is my honor to be with you all today to talk about connecting one of our unique collections with communities both local and global. I’ll begin with a brief description of the oral history collection and our process for digitizing and preserving it. Finally, I’ll describe our approaches to engage users with this collection, with particular emphasis on connecting these stories with the #MeToo movement and its impact today on women in the legal profession.

What is WTP?

The Women Trailblazers in the Law (hereinafter “WTP”) collection contains over 100 oral histories taken of women who entered the legal profession in the 1960’s and 70’s. These women were leaders in the “second wave” of women lawyers in the United States, a much larger group than the very first women in the US to study law in the late 19th and early 20th century. These women faced blatant discrimination and a variety of unique challenges and dilemmas that resonate with law students and women lawyers today, who continue to work combat these issues.

The project was the brainchild of Linda Ferrin, then Executive Director of the Historical Society of the District of Columbia Circuit. Linda oversaw the DC Historical Society’s Oral History Program, profiling lawyers and judges in the Circuit, and noticed that the profiles were almost all men. Linda approached Brooksley Born, a highly prominent lawyer who was known for, among other things, co-founding the American Bar Association’s Women’s Caucus and having taught the first “Women in the Law” course at Catholic University’s Columbus School of Law. Together, their goal was to create the first comprehensive, nationwide oral history collection of leading women lawyers from the judiciary, academia, law firms, government, corporations, and public interest organizations.

The ABA’s Commission on Women in the Profession adopted Linda and Brooksley’s idea and sponsored the project. Later, the American Bar Foundation joined the ABA as a collaborative research partner and co-sponsor of the WTP. For over a decade, Linda Ferrin and Brooksley Born recruited and trained interviewers to conduct over 100 profiles of senior women in the law. The WTP collection marks a critically important moment in the history of American women in the legal profession, from a time when women comprised roughly 3% of the legal profession – a figure that had not substantially changed from the late 19th century – to the present, when women make up roughly 34% of the legal profession and nearly half of law school student bodies nationwide.

Most of the interview transcripts are about 200 pages long; for many years, these transcripts were available exclusively on the American Bar Association’s website and in the physical collections of the Library of Congress and the Arthur Schlesinger Library at Harvard

University. In 2016, Brooksley Born approached me about hosting a new website at Stanford to preserve and promote this collection. Brooksley happens to be an alumna of Stanford Law School – she graduated first in her class in 1964 and she was the first woman elected President of the Stanford Law Review. Though I would have been intrigued by this collection regardless, her connection to Stanford further picqued my interest. My colleagues and I at the

We have taken several approaches so far to connect communities to this collection. First, and most importantly, we wanted to connect our current law students to these stories.

Acknowledgments

Special thanks to my colleagues at the Robert Crown Law Library for their outstanding work in preserving this priceless collection; and to the many brave and brilliant women who made my life in the law possible.

References

Please visit the WTP oral history collection at <https://abawtp.law.stanford.edu/>.

For a fascinating and thoroughgoing history of the WTP, read Jill Norgren's *Stories from Trailblazing Women Lawyers: Lives in the Law* (New York University Press 2018).