

BLACK MEN MAY BE CLOSING THE GENDER GAP IN AFRICAN-AMERICAN LAW SCHOOL ENROLLMENTS

the Democratic Party than with the GOP. But Senator Specter's voting record on Pell Grants demonstrates that this is not the case. He scored a 0 in JBHE's Pell Grant rating. Black voters in Pennsylvania should have second thoughts on throwing their support to Arlen Specter in next year's Democratic senatorial primary in Pennsylvania.

Connecticut Senator Joseph Lieberman was reelected as an independent but he still caucuses with the Democrats. However, he bolted from the Democratic Party to support John McCain in the 2008 presidential election. Senator Lieberman's reluctance to support Barack Obama rested mainly on differences on foreign policy issues and the war on terrorism. His domestic voting record in the U.S. Senate remains liberal. He scored a perfect 100 on our Pell Grant rating scale.

Many Obama Opponents Claim Their Votes Put Him in Office



Americans long to be closely associated with historic events whether or not they actually participated in them. For example, the number of people who say they attended Don Larsen's perfect game in the 1956 World Series was four or five times the number of seats in Yankee Stadium.

So, too, it appears that Americans today are quick to say they voted for the historic election of Barack Obama as president of the United States when in fact they did not. A poll taken by *The New York Times* found that 48 percent of all adult Americans said they voted for Obama. Twenty-five percent said they voted for McCain. The rest reported that they did not vote or that they cast their ballots for third-party candidates.

If these poll numbers reflected actual voting patterns, the election results would have shown Obama winning the popular vote by a landslide margin of 60 percent to 32 percent. Yet the actual vote totals show a much smaller margin of victory of 53 percent to 46 percent.

Most of the disparity appears to be caused by people who declared that they voted for Obama but in fact did not vote at all. Pollsters agree that people are reluctant to reveal that they neglect their civic duty. These nonvoters will instead say they voted for the candidate who won the election.

This phenomenon has been apparent in other postelection polls. But the disparity is wider in the Obama election than has been the case in the past. In all probability this happened because nonvoters also want to convey to pollsters that they are not racist and therefore tend to state that they voted for Obama when in fact they did not.

Black Men May Have Begun to Close the Gender Gap in African-American Law School Enrollments

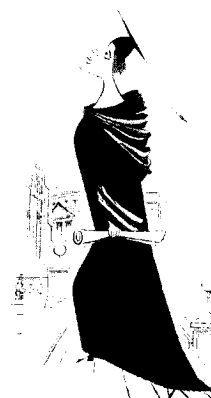
Over the past quarter of a century, black women have been outperforming black men in almost every area of higher education.

In law school education, a field that once was almost exclusively reserved for men, African-American women now make up more than 61 percent of all black enrollments at the nation's highest-ranked law schools. The good news is that black men now may have begun to close the gap.

Since this journal was founded in 1993, we have repeatedly addressed a persisting and highly disturbing trend. This is that in higher education black women now hold a huge advantage over black men by almost every measure of attainment. Moreover, the higher education gender gap among blacks is worsening every year. In fact, if the trend in bachelor's degree attainments over the past quarter century were to continue on a straight-line basis into the future, black men will not be earning a single degree in higher education by the year 2100.

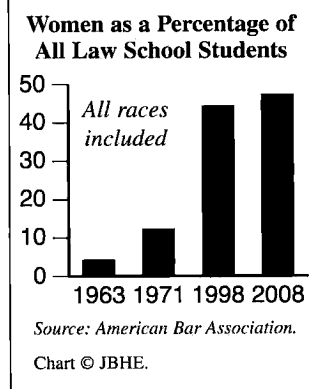
This result, of course, is highly unlikely, yet the projection informs us of a very serious problem.

Traditionally, the legal profession has told a different story. Legal education for blacks and whites has been dominated by both black men and white men. In 1873 the U.S. Supreme Court, in the case *Bradwell v. Illinois*, upheld the right of a state to prohibit a woman from practicing law on account of her gender. As late as the 1960s Harvard Law School admitted women, but one faculty member refused to



call on them except on what he designated as Ladies Day, a class time he set aside for that purpose. In 1963 there were only 1,739 female students enrolled in law school in the United States. They made up less than 4 percent of all law school enrollments.

But during the 1970s



**Black Women Now Dominate
African-American Law School Enrollments**

*Black Women at the Nation's 50 Highest-Ranked Law Schools
(Ranked by the Highest Percentage of Black Women)*

Law School	Black Students	Black Women Students	% of All Black Students Who Are Women
College of William and Mary	77	59	76.6 %
Emory University	71	54	76.1
Univ. of California Berkeley	38	28	73.7
University of Georgia	83	61	73.5
American University	142	104	73.2
Univ. of Calif. San Francisco	38	27	71.1
University of Virginia	71	50	70.4
Southern Methodist University	44	30	68.2
Brigham Young University	9	6	66.7
University of North Carolina	45	30	66.7
George Washington University	109	71	65.1
Georgetown University	177	115	65.0
Vanderbilt University	54	35	64.7
Wake Forest University	34	22	64.7
Columbia University	98	63	64.3
Univ. of Southern California	44	28	63.6
Duke University	57	36	63.2
University of Texas	76	48	63.2
Indiana University	51	32	62.7
University of Washington	16	10	62.5
Tulane University	52	32	61.5
University of Alabama	36	22	61.1
Fordham University	87	53	60.9
New York University	90	54	60.0
University of Utah	5	3	60.0
University of Wisconsin	57	34	59.6
Cornell University	37	22	59.5
Boston College	34	20	58.8
Stanford University	51	30	58.8
Harvard University	205	120	58.5
George Mason University	24	14	58.3
Ohio State University	57	33	57.9
University of Maryland	114	66	57.9
University of Pennsylvania	57	33	57.9
Boston University	32	18	56.3
Yale University	48	27	56.3
University of Michigan	61	34	55.7
University of Chicago	38	21	55.3
University of Iowa	26	14	53.8
University of Notre Dame	26	14	53.8
University of Colorado	17	9	52.9
Univ. of California Los Angeles	40	21	52.5
Washington University	77	40	51.9
Washington and Lee Univ.	22	11	50.0
Yeshiva University	42	20	47.6
University of Arizona	17	8	47.1
Northwestern University	72	33	45.8
University of Illinois	51	23	45.1
University of Minnesota	13	5	38.5
Univ. of California Davis	11	4	36.4
TOTAL	2,833	1,747	61.7 %

Source: American Bar Association

women of all races began to attend law school in large numbers. In 1971 there were 6,682 women enrolled in American law schools. By the end of the decade, women enrollments in law schools had increased about fivefold to more than 37,000. As late as 1980, women still made up only 12 percent of all lawyers in the United States.

"At 43 of these 50 top-rated law schools in the 2008-09 academic year, women made up a majority of the African-American students."

Over the past 25 years women have made huge strides in legal education. Today there are more than 71,000 women enrolled in law schools in the United States, making up 46.9 percent of total enrollments. In 2008 women earned 47.1 percent of all law degrees awarded in the United States.

Historical statistics on black women enrollments in law school are sketchy. But we do know that it was not until 1956 that the first black woman graduated from the nation's then most highly regarded school of law, Harvard Law School. This was nearly a century after the first black man had earned a law degree at Harvard.

Black Women at Top Law Schools Today

Black women now have become dominant in African-American legal education as they have in almost every area of higher education in the United States. A JBHE analysis finds that in the 2008-09 academic year black women made up 61.7 percent of the African-American enrollments at the nation's 50 highest-ranked law schools. This is nearly 15 percentage points higher than for women enrollments in law schools as a whole.

In the 2008-09 academic year there were 1,747 black women enrolled at the 50 highest-rated law schools. At 43 of these 50 top-rated law schools, women made up a majority of the African-American students. At 25 of the 50 top-rated schools, black women made up 60 percent or more of the African-American students.

At seven law schools with large numbers of black students — Emory, the College of William and Mary, the University of California at Berkeley, the University of Georgia, American University, the University of California at San Francisco, and the University of

Virginia — black women made up more than 70 percent of African-American enrollments.

Today black women make up less than 50 percent of the African-American enrollments at only six of the nation's 50 highest-ranked law schools: the University of Arizona, the University of California at Davis, Northwestern University, the University of Illinois, the University of Minnesota, and Yeshiva University.

The emerging dominance of black women over black men in the legal profession is also happening at the nation's six historically black law schools. Black women make up a clear majority of the law students at each of these six schools. At all six of these schools combined, black women make up 63.2 percent of all African-American enrollments. This rate is very similar to the percentage of black women among African-American law school students at the nation's top 50 law schools.

Black Men May Have Stemmed the Tide

JBHE conducted a similar survey five years ago. Since that time black men have narrowed the gap with black women. Five years ago black women made up 64.3 percent of all African-American enrollments at the nation's 50 highest-ranked law schools compared to 61.7 percent today. Five years ago there were only three top law schools at which black men were a majority of all African-American enrollments. In this survey there are six.

Five years ago black women were 60 percent or more of African-American enrollments at 33 of the 50 top law schools. Today the figure is 25. In our earlier survey there were nine leading law schools where black women made up 70 percent or more of all African-American enrollments. In this year's survey there are seven top law schools where black women are at least 70 percent of all black enrollments.

Five years ago black women made up 63.4 percent of all African-American enrollments at the black law schools. As we stated earlier, today black women are 63.2 percent of all African-American enrollments at the six law schools at HBCUs.

Why Do Black Women Excel in Legal Education?

What is the reason black women have come to dominate African-American legal education in this country? Clearly, the fact that black women earn nearly two thirds of all black bachelor's degrees in the United States necessarily will

Black Women Also Dominate Law School Enrollments at Historically Black Universities

Law School	Black Students	Black Women Students	% of All Black Students Who Are Women
Univ. of the District of Columbia	74	51	68.9 %
North Carolina Central Univ.	285	191	67.0
Florida A&M University	279	183	65.6
Howard University	346	213	61.6
Texas Southern University	276	167	60.5
Southern University	307	185	60.3
TOTAL	1,567	990	63.2 %

Source: American Bar Association.

result in a larger pool of black women, compared to black men, who have the option of entering law school.

Furthermore, some surveys show that upwards of 80 percent of all students on the honor rolls at the nation's historically black colleges and universities are women. Therefore, black women appear more likely than black men to be achieving the high grade point averages in their undergraduate years that will enable them to qualify for admission to law school.

"At 25 of the 50 top-rated law schools, black women made up 60 percent or more of the African-American students."

But the issue of why black women are pursuing a difficult law curriculum at a faster rate than black men also raises some extremely sensitive issues:

- Some standardized tests suggest that black women tend to be better writers than black men. Writing ability is an important qualification for success in law school.
- Law firms, in common with commercial organizations in general, get employment credit for "two-fers" — the hiring of a black *and* a woman. Black women often attend law school to take advantage of the strong demand for African-American women at law firms.
- According to some demographers, 75 percent of African-American children spend a portion of their childhood without a father. If, as is likely, the presence of a father as a guide and role model is more important to the future ambitions of boys than of girls, it seems likely that for this reason alone fewer young African-American males will be showing up to face the minefield of three years of law school.

