

All I Really Need to Know I Learned in Kindergarten (Playing Soccer): A Feminist Parable of Legal Academia

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My friend's nine-year-old daughter Méabh came home from school the other day and said to her: "You know, Mummy, when it comes to picking the teams for football¹ in the breaks, the boys are always picked first and then the girls. There's one girl who's really good and she gets picked before some boys. But then they pick the rest of the boys, and then me and the other girls, even though we're better than some of the boys who get picked before us. And the boys who tease us the worst about girls not being good at football are always the boys who are the worst players themselves."

If you are a woman reading this Essay now, it is quite likely that in some area of life you were that one girl; this is another one's story. This is a tale of my participation as the only woman on the Law Faculty soccer team at Queen's University of Belfast.² This summer, the main sports event of interest in Belfast was World Cup Soccer in the U.S. During every match, the commentators desperately wanted the North American people to love and adopt soccer as it is loved in Britain and Ireland. They have not, however, targeted this same outreach to women or given a woman's team a bye to the finals, as the U.S. team was given. Just think what this would have done for the game. "Exactly," men might say, thereby proving somebody's point. While men rise up to defend their behavior or condemn this Essay as not legal scholarship, women legal academics can draw the parallels with how we get our courses accepted, our publications written and published, and even our jobs in the first place. These parallels seem almost too obvious to recite, as we struggle to change the institutions in which we work.

I came to the faculty in January 1992 and immediately learned of the soccer team. The "right-on" male members urged me to join while my feminist sisters (all three of them) condemned this bonding exercise as an invidious exclusionary practice. I agreed with my sisters but, fresh from a woman's soccer team in the U.S., I decided to play anyway. After all, I enjoy playing, so not playing did not seem like the ideal solution either. The "to play or not to play" debate came to a height when feminist academic Frances Olsen spoke

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1. Football in England and Ireland is equivalent to American soccer rather than American football or Gaelic football.

2. Members of the team also include lecturers from the University of Ulster and other practitioners.

to Queen's Law Faculty.³ Having been told of the faculty soccer team, she used my participation on it to illustrate three different feminist approaches to equality. Olsen described the first approach as one of formal equality: removing formal barriers to participation so that women could compete with men as equals. This approach does not bring the expected gains—only the “best girl” (as defined by men) gets to play. This approach is also counter-productive; men use the “best girl’s” participation to legitimate the whole system as fair. I epitomized the first approach. My presence on the soccer team allowed men to justify it as not an exclusively “male” activity. Olsen described the second approach as difference equality: changing the rules of the game and exposing formal equality as inherently biased to favor male values. This approach described my feminist friends’ critique of the soccer team as subtly excluding women and perpetuating dubious values for faculty socializing and interaction. The third feminist approach was the most appealing. It showed how the sameness and difference approaches are both based on male standards. It deconstructs the first two approaches and begins to weave together the leftover strands. *But there was no soccer analogy.*

What was I to do? Condemned as an old-fashioned feminist and left out in the cold, I decided to think the situation through. The best I could come up with is the following analysis of soccer behavior to further the debate.

Male legal academics have several standard justifications when challenged about the soccer team. 1. *It's only a bit of fun.* Men dismiss women's complaints about the choice of sport and its on-field dynamic (such as when male students play) as taking the whole thing too seriously; none of the men are that good or committed anyway, they say. Yet, timetabling always gives way to Tuesday afternoons. 2. *It's unrelated to academic life.* However, intrigued by the length of time they spend in the showers afterward, I once asked what they do. I found out that “We talk. Not about anything interesting, mostly work. In fact X and Y were talking about a joint article . . .” (so few surprises there). 3. *You can all play if you want to. In fact, we would like you to.* Having seen the seriousness that does enter the game, however, if five women with no soccer experience came along to play, it would change the dynamics of the game so as to explode this myth. 4. *You learn a lot about people's true personalities when you play soccer with them.* Now that one I can vouch for as true and, adding to Méabh's analysis, here's what I learned.

Male players fall into three main categories, although categories two and three are flexible and, depending on what the score is, or how tired the player is, men may drift in and out of either mode of play: 1. *The normal player.* This player avoids passing to the woman unless he is about to lose the ball to the other side, and unless the woman is in a completely free position and cannot fail but do better than he or any other available man would. If tackled by the woman, this player apologizes non-verbally to his fellow players. The

3. Frances Olsen, Address at Queen's University of Belfast (April 28, 1992).

majority of players fall into this category. 2. *The affirmative-action player.* This player goes to pass to the woman whom he sees is free from the corner of his eye, realizes that it is the woman, hesitates, and then passes anyway for, after all, he told her that she should play. If the score is close and he has a far-out chance of scoring himself, then he will take that chance rather than pass to the woman no matter how close to the goal she might be (although he may treat the poorer male players in the same way). This player will appear unaffected by the woman's winning the ball in a tackle, but will often chase her to the other side of the field to try to get it back. This player is in a minority. 3. *The blatant anti-woman player.* To this player, the woman on the field is totally invisible. This player would rather lose the ball to the other side's immediate counter-attack than pass to the woman. If he loses the ball to the woman, he apologizes to his teammates. Interestingly, the main example of this on my team is the person most involved with equal-opportunity issues outside the soccer team (I feel fairly safe counting on his not reading this, or at least his refusing to recognize himself). So much for praxis. This type, while easy to spot, is also in a minority.

In addition to the above behavior by the men on the field (all apparently unaware of this analysis), women face further obstacles. First, if a woman gets close to goal, she becomes the most popular player on the field. The entire team shouts her name to pass to them for the shot, and it takes a lot of confidence to get a goal herself. Second, she can expect to be tackled more often than the male player. Often, players rush to get the ball from the woman who gets away with nothing. Third, she will have to carefully self-censor her reactions—chiefly, the tendency to apologize for losing the ball and an overwhelming desire to laugh frequently. Fourth, she has to be aware that any failed tackle will be condemned as dirty play, despite the fact that medical attention has never been sought after the woman's tackles, unlike men's tackles. On a somewhat dubious yet more positive side, the woman can occasionally score a goal due to male inaccuracies when they falsely assume a nonchalant posture when the woman approaches the goal. Also, the woman receives a disproportionate amount of congratulations when she plays from fairly well to very well (although this soon becomes wearing).

When I was Méabh's age, the girls did not play soccer at all. The playground was divided in two. We skipped at one end, and the boys played soccer at the other. Sometimes, male teachers came out and refereed for them or even joined. If it rained, they stayed out while we were sent inside to sit. This essay's title, however, is misleading. I always knew that kindergarten soccer was unfair, but I never could articulate or analyze why. Throughout school and even while obtaining my law degree, I still did not learn. Cambridge, England, had no legal feminists that I ever came into contact with, and their readings were never assigned. But when I found them, I already understood what they were saying; it rang true to my experiences of legal

education and practice.

In conclusion, I would like this Essay to be a celebratory, sisterly, communal self-congratulation for women who do and don't play soccer on those great green soccer fields of life. The world is changing slowly. There are glass ceilings, subtleties, and complications never imagined, and sometimes we don't know whether to play soccer or not. But it seems that oppression brings insight, and all the time our daughters are growing stronger and more cunning.