

# DETROIT REVOLUTIONARY MOVEMENT RECORDS

BOX 7 OF 16

FOLDER 29

WOMENS ISSUES

## DISCUSSION - DIVORCE PROJECT

### INTRODUCTION

The womens committee of the Guild has been meeting the last few months to decide what the Guild should do in relation to the divorce issue. The question we were to decide was - divorce kit or clinic, and after much discussion we have concluded that a divorce center is the necessary and proper approach. The area of divorce/family law is very important to the women's movement and deserves more from us than summary treatment by the dispensation of kits.

As part of the discussion of whether the divorce center is an appropriate Guild project, we feel that it is essential to raise some fundamental questions about the Guild first. These questions seem to arise periodically and inspire the same boredom each time they are asked. People nod in agreement that, "yes, we ought to discuss that sometime", yet we never really do; we just continue on various assumptions, each one of us having a different view of what the Guild is or can be, and hoping that those assumptions never rise to conflict with each other. There are problems with functioning under a silent common denominator. Many issues that should be discussed and resolved are avoided, tabled, to keep the peace. Yet, we must admit that we have been functioning well in many areas and that much good work has gotten done. But, our present approach has severe limitations. There is no real growth and (I use this word hesitantly because it is so overused, but it accurately describes our situation) there is no struggle.

We feel that it is once again time to ask

1. what is the role of the radical lawyer
2. what is the purpose of the Guild and what should we be doing

in order to answer

1. whether the Guild should involve itself in a divorce center and
2. to what end and by what means.

### OUTLINE

#### I. The Guild

1. the role of the radical lawyer
2. the role of the Guild
  - a) defense
    - political prisoners
    - movement in general, constitutional attacks to keep a "climate of liberalism" so that movement can keep alive

① labor org.

NLG-independent  
Party Particular  
Rel. Group

- b) legal service to the movement
- c) independent legal projects that
  - organize and radicalize lawyers, law students and legal workers
  - expose reactionary nature of legal system
  - raise the awareness of those oppressed by the particular area of the law we are working with

Independent  
Projects  
of its own

Standing  
Committee

3. Reorganize Guild structure - new structure,

- a) permanent executive committee
- b) permanent project committee--with assigned responsibility

① Standing Comm.  
② Steering Comm.



II. Divorce Center - response of gov't women's liberation movement

The object of the divorce center is to:

1. take an area of present legal concern to woman,
2. pose a solution whereby woman have to and can get intimately involved in changing an existing condition (their legal problem),
3. and treat that area in a manner that can expose fundamental contradictions,
4. so that in the process of working out a legal solution they recognize the limits in the very change they are working for and thereby
5. feel the necessity to organize and challenge the fundamental relationships of a society that oppresses us all.

Areas of Work:

1. Pro Se Divorce
2. Pro Se Contempt Hearings
3. Be prepared to defend:
  - a) person's right to represent self
  - b) practicing without a license charges
4. Mandamus - Suits
  - a) peace bond, injunction, complaints
  - b) police order
  - c) NY Family Intervention Unit
  - d) legal, legis. and political action
5. Administrative Resolution to Divorce
  - a) data collection
6. Other areas - for later
  - paternity
  - rape
  - prostitution
  - media law suit

Structure -  
Class of 12 on  
how to divorce  
Funding - thinking  
of occupying

Mandamus  
action re  
Police failure  
(refusal) to  
help.

III. Projection of how center will operate:

- a) Legal aspect -
- b) political aspect -  
films, speakers, discussions

Investigate solutions  
to problems -  
How to process - limited  
exclusively to women



RESOLUTION OF THE WOMEN'S CAUCUS --which was called during the course of the NY NEB meeting and was composed of lawyers, law students and legal workers.

We, the legal workers of the Women's Caucus, believe that the National Lawyers Guild should be strengthened by the membership and participation of the following categories of legal workers:

- [1] all workers in private law offices, law schools, and non-profit legal organizations. For example: secretaries, receptionists, bookkeepers, office managers, file clerks, copiers, librarians, messengers, legal organizers and law clerks.
- [2] all workers in offices of the National Lawyers Guild
- [3] legal workers within movement groups (legal liaisons, legal defense organizers, lay advocates) and others who work closely in an ongoing relationship with the Guild.

We recommend that the next National Lawyers Guild convention admit those workers in the above three categories who wish to join.

However, since many Guild lawyers in private law offices and in non-profit legal organizations continue to exploit workers in their own offices, some of us working under these conditions will not join the Guild at this time. Our primary political priority is to organize and unionize ourselves and other workers in similar offices.

\* \* \* \* \*

The Women's Caucus at the October 1970 New York NEB fully endorses the above statement.

Plt also are lawyers - are they priority areas.

# WOMEN AND THE GUILD

Position Paper of the Womens Caucus  
Detroit Chapter NLG, June 22, 1972

① NLG has men who have  
Men are not sensitive  
Women waste  
brain wash

Sexism is an evil that is demoralizing and debilitating to individuals, organizations, and society as a whole. The Detroit Chapter of the National Lawyers Guild has never directly confronted the issue of sexism either within or without the organization. That sexism exists is now acknowledged; where, why, and how it is to be combatted is the issue.

→ The womens movement for liberation is the most exciting and meaningful movement of our generation. Those who fail to grasp the political significance of half the world's population awakening to their potential should not call themselves progressive. Historically, the Guild has been in the forefront of the struggles of progressive movements; it is incredible that the Detroit Guild chapter is not participating in the womens movement.

The time has come to deal with the issue openly, to name it accurately, and to join this front against oppression. Until now, the Guild has viewed sexism as merely another example of oppression within a capitalist society and has seen no need to deal with it specifically. We women of the Guild feel that it is not enough to recognize sexism as an evil within the larger society. It is important to recognize that the oppression of women has to be fought now, with energy and urgency. The Guild must formally agree that sexism is evil and that combatting sexism is a priority of the Guild on par with fighting racism and repression. + class prejudice.

The fight against sexism should be a joint effort of the women and men of the Guild. If the Guild does not make this effort with us, then we will have to make it alone--and the Guild will be left wondering not only where the Blacks are, but also, what happened to the women.

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→ Sexism manifests itself differently in various situations. The nascent attempts by individual Detroit Guild women to deal with sexism have been viewed with disdain and contempt, because our struggle has been seen as merely individualistic and personal; but this is only the lowest level of the struggle. For purposes of this paper we will discuss sexism in the Guild in terms of three levels: what we think the Guild must do to fight sexism (1) externally--the Guild's responsibility to women in our society; (2) internally--restructuring the organization to provide equal participation; and (3) in personal relationships between the men and women of the Guild.

## 1. External

Womens cases, both defensive and affirmative, must be taken on by the Detroit chapter immediately. It should be recognized that the nature of womens suffering is a day-by-day wearing down rather than a spectacular or emergency situation; often the result of sexism on the oppressed sister is not the immediate endangering of her life, but of her spirit and economic standing, which can be devastating.

(a) Examples of cases that the Guild should be taking:

law suits against labor unions for failure to bargain equally for women and to properly represent their interest in areas such as maternity leave, seniority, and working conditions;

suits against conditions in detention and prison facilities for women (DeHoCo);

→ assisting the Domestic Workers fight for decent wages and working conditions--suits to apply NLRA and minimum wage laws to domestic labor;

→ ADC/Welfare--suits for damages (women being forced to be on a system of aid that is degrading for reasons beyond their control, failure of the system to make decent jobs available, and adequate day care centers);

Discrimination in credit -married women can not get credit in their own names and are thus limited by credit available to their husbands;



Legal org. J. P. Howard

discrimination in high schools--tracking in courses , career planning (aptitude tests that discriminate), segregated sports;

suit to change the laws dealing with prostitution along the lines of discriminatory classification and application;

preventing the performance of unnecessary sex-related operations on women.

(b) The Guild should be drafting and actively supporting legislation in the following areas:

- abortion
- day care
- divorce law
- prostitution
- workmens comp
- minimum wage law
- domestic workers
- state equal rights amendment.

Women's caucus - different  
 pt. philosophy among  
 the women.

(c) The Guild should only support candidates for elective office who pledge to also fight sexism.

2. Internal

If the above is done, the Guild will surely have more contribution from women; but it should affirmatively strive for equal participation by women at all levels. If a meeting is all males, they should ask themselves why-- should child care have been provided, is a small clique of male sportsmen meeting, did others know about the meeting and its true importance?

A womens committee to coordinate work in the area should be formed. It should comprise men and women, with the majority being women.

Recognizing that most legal workers are women, the Guild should formulate a precise position on the Guild's attitudes towards legal workers as members, as employees, and as professionals.

3. Personal

The "personal" struggle of the womens movement is not one we wish to collectively engage in with our professional brothers (i.e., we're not going to conduct consciousness-raising sessions). This is not to derogate its importance to womens liberation; but, our struggle within the Guild is of a different nature. We wish to make law responsive to a liberation movement that is as or more politically significant than many others the Guild participates in. In order to use the weapons of law to fight the oppression of women, we must have an organization that is not sexist to us in the battle field as well as not sexist in its vision of the battles to be fought.

This is not to say that every act that we find personally offensive will be ignored; on the contrary, we'll point them out.

0+0+0+0+0

The womens movement, like any other, encompasses many political viewpoints. We recognize that there are both progressive and reactionary elements within it. It is our responsibility to differentiate between the various positions and to support those that we believe to be politically correct. We are aware that women can not merely strive for equality in an unequal society. Womens true liberation cannot be achieved without the liberation of all of society-- and we have always been and will be a part of that larger struggle. But, we ask you to recognize that society can not be free unless women are also. Although the struggles are interconnected, the achievement of one does not necessarily include the other. We must insure that no one is left out.

1 very obvious  
 2 paper not clear  
 deeply felt

- Inadequate struggle thought.

# III FOUNDING A RADICAL FEMINIST MOVEMENT:

## **ISSUES: THE LEFT DEBATE**

### Women and The Left

by ELLEN WILLIS

Ellen Willis is a founder of Redstockings and the author of several important pieces on women's liberation, notably "Up From Radicalism: A Feminist Journal," in *US* #2 (Bantam, October 1969). The present article, published in the *Guardian*, February 1968, was a cornerstone for the establishment of a radical feminist movement independent of the male-dominated Left.

The women's liberation movement was created by women activists fed up with their subordinate position in radical organizations. Their first goal was to take an equal, active part in the radical movement instead of being relegated to secretarial and other service chores.

This circumstance has led to certain assumptions about the women's movement. In the standard radical view, women's liberation is a branch of the Left and women a constituency like students or GIs. Granted that we suffer our own forms of oppression and that radical men have oppressed us as women, the emphasis is on contributing our special insights to the Left as a whole and using feminist issues as an organizing tool. In return, male radicals are expected to endorse women's liberation and combat their male chauvinism.

Many of us now reject this view of our purpose as anti-woman. We have come to see women's liberation as an independent revolutionary movement, potentially representing half the population. We intend to make our own analysis of the system and put our interests first, whether or not it is convenient for the (male-dominated) Left. Although we may cooperate with radical men on matters of common concern, we are not simply part of the Left. We do not assume that radical men are our allies or

that we want the same kind of revolution they want.

This divergence in outlook was apparent when several women's liberation groups met in Washington in January, 1968 to plan anti-Inaugural activities. The theme of the women's liberation was "Give back the vote." Since women's 80-year struggle for the vote had achieved a meaningless victory and vitiated the feminist movement, we planned to destroy our voter registration cards publicly as a symbol that suffragism was dead and a new fight for real emancipation beginning. Some women wanted to invite men to burn their voters' cards with us during or after our action. This idea was rejected on grounds that it would change the action from a repudiation of suffrage as a sop for women to a general protest against the electoral process.

There was also some wrangling over the speech we had scheduled. Some of us wanted to inform movement men that we were sick of participating in other people's revolutions and were working for ourselves. Others were horrified at the thought of criticizing the movement publicly. We decided on two short speeches—one a general statement of women's oppression, the other a militant declaration of independence from radical men.

Ensuing events bore out the separatist argument. The Mobilization Committee, supposedly

sympathetic, neither included women's liberation among the issues listed in its *Guardian* ad, nor mentioned our action in its mimeographed program. Mobe spokesman Dave Dellinger announced at the Saturday rally that the Mobe had come to demonstrate against the war and for black liberation. When some women on the stage yelled at him, he mentioned women's liberation as an afterthought. During our presentation—which began with the moderate, pro-movement statement—men in the audience booed, laughed, catcalled and yelled enlightened remarks like "Take her off the stage and fuck her." Instead of reprimanding the hecklers (as he did during an unpopular speech by a black GI), Dellinger tried to hurry us off the stage.

It is a mistake to think that education alone will change this. Radical men have a power position that they will not give up until they have to. They will support our revolution only when we build an independent movement so strong that no revolution at all is possible without our cooperation.

To work within the movement is to perpetuate the idea that our struggle is secondary. We will continually be tempted to defer to "the larger good of the movement" just as we have always deferred to "the larger good of the family." We must remember that women are not just a special interest group with sectarian concerns. *We are half the human race.* Our oppression transcends occupations and class lines. Femaleness, like blackness, is a biological fact, a fundamental condition. Like racism, male supremacy permeates all strata of this society. And it is even more deeply entrenched. Whites are at least defensive about racism; men—including most radicals, black and white—are proud of their chauvinism. Male supremacy is the oldest form of domination and the most resistant to change.

The radical movement has been dominated by men. Its theory, priorities and strategies reflect male interests. Here are some of the more obvious points radical feminists must consider:

Theory: An anti-capitalist, anti-imperialist analysis is insufficient for our purposes. Women's oppression antedated capitalism by some 2000 years

and has outlasted it in socialist countries.

Priorities: Women are the only oppressed people whose biological, emotional and social life is totally bound to that of the oppressors. The function of the ghetto, the army, the factory, the campus in reifying an oppressed group's separate existence must be assumed by women's liberation. We must provide a place for women to be friends, exchange personal griefs and give their sisters moral support—in short, develop group consciousness. Yet this function is often derogated by movement-oriented women—"How can we indulge in group therapy while *men* [my italics] are dying in Vietnam?"

Strategies: (1) In deciding what role, if any, confrontation and violence should play in our movement, we must consider that women are at a disadvantage physically and that our aggressiveness has been systematically inhibited. On the other hand, we must realize that one reason men don't take us seriously is that they are not physically afraid of us.

(2) We must admit that we will often have more in common with reformist women's organizations like NOW (National Organization for Women) than with radical men. Repeal of abortion laws, for example, is not a radical demand—the system can accommodate it. But it is of gut concern to radical as well as liberal women.

(3) We will never organize the mass of women by subordinating their concrete interests to a "higher" ideology. To believe that concentrating on women's issues is not really revolutionary is self-depreciation. Our demand for freedom involves not only the overthrow of capitalism but the destruction of the patriarchal family system.

It is not only possible but imperative for women to build a specifically feminist radical consciousness. As radicals we must do our best to foster this consciousness. But we should have the humility to realize that women who have never been committed to a male-oriented radical analysis may have clearer perspectives than we. Unless we shed our movement prejudices and help women's liberation go its own way, we will not be a revolutionary vanguard but reactionary obstructionists.



# FEMINISM LIVES



Photo: Michael Hardy



# Sequel: Letter to a Critic

by ELLEN WILLIS

Letters poured in to the *Guardian*, in response to "Women and the Left." Though most were favorable, the *Guardian* chose to print those that were not. Here is Ellen's unpublished reply to one critic, extremely valuable to us in the way that it cogently resolves the "Left Debate."

*Dear Wanda,*

I was disturbed by your comments on my *Guardian* article, not because you disagreed but because you accused me of not thinking seriously. On the contrary, not too long ago I was exactly where you are, but I changed because I did some serious thinking. To me, the first requirement of thinking is to look at a problem without preconceptions. For an oppressed group, the first step in a serious analysis is to think about one's personal experience. Why do I feel oppressed? (No glib quoting from some book about why I am supposed to feel oppressed, but what in my daily experience makes me feel oppressed?) What unpleasant experiences have I shared with other women? With both men and women? Who, specifically, is hurting me? (Husband, boss, parents, friends?) How? Then I look for an underlying pattern that fits the facts, always being open to new facts and refusing to accept any theory that doesn't fit *all* the facts, except as a partial truth or a helpful guide to something more. Unfortunately, too many radical women go about analysis in exactly the opposite way. They already have a theory, in which they have deep emotional involvement and a vested interest (all these years in the movement, have I really been going about things the wrong way?). They then select aspects of their personal experiences and try to fit it into the theory. That part of their experience that does fit they consider politically significant (though half the time it turns out they have mistaken effects for causes). Anything that doesn't fit in is labeled a personal, i.e., non-political, hangup or is twisted and misinterpreted out of recognition to try to make it fit somehow.

You say "the basic misperception is that our enemy is man, not capitalism." I say, the basic misperception is the facile identification of "the system" with "capitalism." In reality, the American system consists of two interdependent but distinct parts—the capitalist state, and the patriarchal family.

Engels, in *Origin of the Family, Private Property and the State*, explains that the material basis of history is twofold: the means of production of commodities, and the means of production of new human beings. The social organization for the production of commodities is the property system, in this case the capitalist state. The social organization for the production of new human beings is the family system. And within the family system, men function as a ruling class, women as an exploited class. Historically, women and their children have been the property of men (until recently, quite literally, even in "advanced" countries). The mistake many radicals make is to assume that the family is simply part of the cultural superstructure of capitalism, while actually both capitalism and the family system make up the material substructure of society. It is difficult to see this because capitalism is so pervasive and powerful compared to the family, which is small, weak, and has far less influence on the larger economic system than vice versa. But it is important for women to recognize and deal with their exploited position in the family system, for it is primarily in terms of the family system that we are oppressed *as women*. Of course capitalism also exploits us, but the way in which it exploits us is primarily by taking advantage of, turning to its own purposes, our subordinate position in the family system and our historical domination by man, which stems from a time when the family system was all-powerful and the state did not yet exist. If you really *think* about our exploitation under capitalism—as cheap labor and as consumers—you will see that our position in the family system is at the root. This does not mean we shouldn't fight capitalism. Unless the power of the corporate state is broken, there can be no revolution in the family system. Furthermore, to attack male supremacy (i.e., man's class dominance in the family system) consistently inevitably means attacking capitalism in vulnerable areas. But if we simply work to destroy

capitalism, without working to destroy male supremacy on all levels, we will find that the resulting revolution is only vicarious. So feminists' insistence that men, as a group, are oppressing us (in so far as they uphold and exercise their privileged position in the family system) is not false consciousness—it has an objective basis.

So much for ideology. Now for some practical politics. Our position here is exactly analogous to the black power position, with male radicals playing the part of white liberals. White liberals (and radicals, too, before they got wise to themselves) made exactly the same argument you're making. "Racism affects us too, we should work together, divisions between us only help the common enemy." (Incidentally, I thought you were being a little disingenuous in saying there are no "women's issues." A women's issue—or a black issue—means, in the accepted usage, a way in which women are oppressed because they are women, or blacks because they are black. This doesn't mean that men, and whites, are not affected by such issues.) Blacks answered "We can't work together because you don't understand what it is to be black; because you've grown up in a racist society, your behavior toward us is bound to be racist whether you know it or not and whether you mean it or not; your ideas about how to help us are too often self-serving and patronizing; besides, part of our liberation is in thinking for ourselves and working for ourselves, not accepting the domination of the white man in still another area of

our lives. If you as whites want to work on eliminating your own racism, if you want to support our battle for liberation, fine. If we decide that we have certain common interests with white activists and can form alliances with white organizations, fine. But we want to make the decisions in our own movement." Substitute man-woman for black-white and that's where I stand. With one important exception: while white liberals and radicals always understood the importance of the black liberation struggle, even if their efforts in the blacks' behalf were often misguided, radical men simply do not understand the importance of our struggle. Except for a hip vanguard, movement men have tended to dismiss the woman's movement as "just chicks with 'personal' hangups," to insist that men and women are equally oppressed, though maybe in different ways, or to minimize the extent and significance of male chauvinism ("just a failure of communication"). All around me I see men who consider themselves dedicated revolutionaries, yet exploit their wives and girl friends shamefully without ever noticing a contradiction. Anyone who was at that incredible rally in Washington knows it will be a long time before the majority of men, even those on the Left that should be closest to us, grasp that we have a grievance, and that we are serious. When they do grasp this, then we can talk about working together.

*Sincerely,  
Ellen Willis*

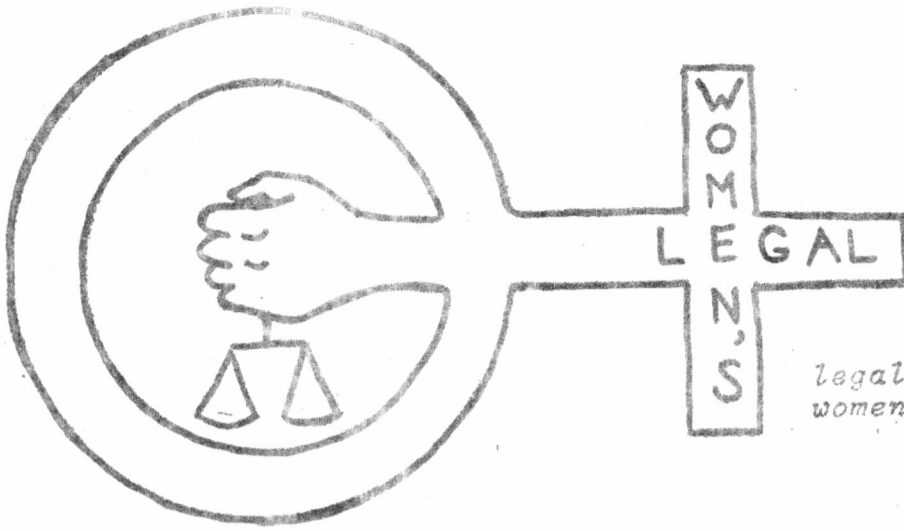
### HOT AND COLD FLASHES . . . Kathie Sarachild

There are no female privileges, only some compensations.

Love, like war, is a continuation of politics by other means.

Communism will seem like child's play compared to feminism.





legal events in the  
womens rights struggle

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FREE TO ALL, especially  
men--you need it most

### SUPREME COURT GIVES SOME EQUAL PROTECTION TO WOMEN AT LAST

Limited application of the Equal Protection clause of the Fourteenth Amendment to women was the holding in Reed v. Reed, 40 LW 4013, handed down by the Supreme Court on November 22. The short opinion of the unanimous court was written by Chief Justice Burger.

The Reed case involved an Idaho statute designating a hierarchy of classes of persons entitled to be administrators of estates. One class, "father or mother", included Mr. and Ms. Reed who both sought to be appointed for their son's estate. The Idaho law also added that for resolving claims of persons in the same entitlement class, "males must be preferred to females". The trial court had noted that both Reeds were equally entitled and not legally disabled, but that by statute, the male was to be preferred.

In finding the statute unconstitutional, the United States Supreme Court reiterated that "the Fourteenth Amendment does not deny to states the power to treat different classes of persons in different ways" and added that "[t]he Equal Protection clause of that Amendment does, however, deny to States the power to legislate that different treatment be accorded to persons placed by a statute into different classes on the basis of criteria wholly unrelated to the objective of that statute." Such classifications will be upheld, however, the Court said, citing Royster Guano Co. v. Virginia, 253 U.S. 412, 415 (1920), if they are "reasonable" and "rest upon some ground of difference having a fair and substantial relation to the object of the legislation." In Reed the Court found no rational relationship between sex and

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### TOWARD EQUALITY FOR WOMEN AT WSU LAW SCHOOL

After an open meeting for all women of the law school (students, faculty, secretaries) the Women's Liberation Congress has drawn up a list of recommendations for correcting the second-class status of women in this school. The recommendations were presented to Dean Gordon on Dec. 13 with a request for a written response and commitment and a suggestion of a meeting in January after exams. The complete list of recommendations follows.

1. Admission of females to equal 51% of each first year class. Preferential admission of female applicants when females and males are equally qualified, recognizing that many LSAT scores are statistically equivalent, e.g., there is no difference between scores of 570 and 600. Suspension of current policy which permits admission of "super" qualified applicants as soon as their applications are received until both female and minority student enrollment fairly reflects the school's commitment to rectify the effects of 200 years of discrimination in law schools and in the legal profession. Publication of the school's commitment in all official literature. Appointment of female and minority group faculty members to permanent seats on the admissions and placement committees.
2. Implementation of a law school sponsored recruitment program for women in addition to the normal recruiting efforts. Appointment of a female faculty member to the position of recruiting officer with release time provided so she can develop and implement a program to include: orientation programs for women to be held at colleges, universities, high schools and continuing education centers; regular communication with counselors and guidance personnel in major public school systems around the state; organization of a women lawyers speakers bureau; recruiting programs at shopping centers; tours of the law school for grade school children with representatives of all segments of student body available to answer questions.

continued on page 2

3. Formation of a committee representing the secretaries, faculty and administration to consider the following problems among others: exploitation of secretaries; apparent unwillingness to recognize many demands on the secretary's time and energy; e.g. the fact that each secretary "serves" several faculty members; disregard for and impatience with the woman untrained in legal secretarial skills and concomitant neglect of on-the-job training; intolerable work conditions, e.g. 12 secretaries in one heavily trafficked room, with multiple phone lines and noisy machinery is not an atmosphere conducive to concentration or efficient work; and most important the condescending attitude of the faculty and administration towards women, manifested by their treatment of the women who have been hired to work with them.
4. Elimination of sexist stereotypes and "jokes" from the repertoire of law school faculty members, and the encouragement of the use of non-sexist language by both students and faculty, e.g. the reasonable person standard.
5. Appointment of a Women's Advocate to represent women of the law school--faculty, staff, and students--in all phases of school administration as well as to provide direct services for women, e.g. liaison with other parts of the university--financial aids, child-care, Women's Commission.
6. Development of active placement program for women including appointment of a placement specialist to make contacts with firms, government agencies, etc. who have expressed an interest in hiring women attorneys.
7. Study of the effectiveness of the placement office for women seeking employment, e.g. compare women to men in terms of percentage places out of percentage interested in placement; placements office's role in handling complaints of sex discrimination; placements office's investigation of employment practices of firms using Wayne's placement services.
8. Child-care subsidies for students and staff who demonstrate need and who have major responsibility for child-rearing. Or equivalent subsidization of Wayne University child-care facilities.
9. Institution of a part-time day program enabling students whose family or job responsibilities do not permit them to enroll full-time to attend law school.
- 10.. Approval of funding for Wayne Law School Women's Group. The Women's group at University of Michigan receives an annual budget of \$600. Over \$100 is spent each year at Wayne Law School for "putting hubbie through" diplomas! The Women's Group currently receives no support although it has voluntarily performed extensive recruiting functions for the Law School.
11. Placement of pictures of female jurists, lawyers, professors, in classrooms, corridors, etc.
12. Affirmation of the Wayne Commission on Women's recommendation re: elimination of discriminatory policies in the University salary system, announcement of vacant positions, and pension plan program, and proposal re: expansion of parental leave program.
13. Adoption of sick leave policy for students, so students who are hospitalized or recovering from serious illness, surgery, child birth will not be harrassed by arbitrary attendance policies.
14. Elimination of unnecessary requests for information regarding marital status and number of children, e.g. application form, attendance cards.
15. Creation of a special library section dealing with the problems of women in the law.

administering estates. The Court took judicial notice that many widows administer estates.

The door is still open, however, for sex classifications to be found reasonable, and thus, constitutional, though now such classification should be more closely scrutinized. Shortly prior to Reed the Court refused to interfere with a Wisconsin ruling that a pension program compelling women to retire at an earlier age than men was constitutional.

#### EQUAL PROTECTION FOR WOMEN PRISONERS

A federal district judge in San Francisco has ordered that women must be accepted into the county jail work furlough program because the discrimination is a "clear violation of equal protection".

#### EMPLOYMENT DISCRIMINATION AGAINST UNWED MOMS

Judge Sarah Hughes, a federal judge in Texas, has ruled that a bank that refused to hire a woman because she had illegitimate children is guilty of sex discrimination in hiring. She also ruled that the American National Bank of Terrell, Texas, was guilty of racial discrimination in refusing to hire the plaintiff, Phyllis Davis, a black woman, and ordered the bank to change its recruiting policies so as not to discriminate against women and blacks. Bank officials had actually contended that an unwed mother is immoral and therefore dishonest and a poor employment risk. Judge Hughes ruled that such a policy discriminates against women because it's hard to tell who the men with illegitimate children are.

Another federal judge in Kansas, held that a pregnant unmarried woman fired from a hospital business office was the victim of unlawful discrimination and entitled to reinstatement. The suit was filed in the name of "Jane Doe", whom the hospital contended was in a condition to "adversely affect the hospital's 'public image' and the morale of other office employees." The judge ruled that her condition (early pregnancy) did not effect her work.

#### CELLER WASN'T THERE EITHER

Imploring his all-male colleagues on the House Judiciary Committee to support him in his unsuccessful fight against the Equal Rights Amendment, Congressman Emanuel Celler shouted:

"Remember that there were no women at the last supper."

Men wrote the Bible too, Mr. Celler.

#### SEXISM ON THE COURTROOM WALL

The precepts of the law are these: To live honorably, to injure no other man, to render to every other man his due. (emphasis added)

Ironically, the above words are emblazoned in wood over the bench of Wayne County Circuit Judge Charles Kaufman who is currently presiding over the Michigan womens abortion suit. There are those who will argue that women are included in the sentiment, but we really believe that women are specifically excluded from such noble precepts. The fact that women cannot even control their own bodies certainly bears witness to this. Why not omit "man", or substitute "person" when it would be so easy to do so? In the words of the bellicose man in the cartoon: "...when I say "mankind" I don't mean womankind!"

At every turn women are hit in the face with the fiercely male orientation of the English language and the sexism it so effectively represents. Courage is "balls"; the test for behavior is what the "reasonable man" would do, think, say; a jury is "twelve good men and true"; and of course we have mankind, humanity, freshmen, chairmen, may the best man win, be a man about it, and so forth.

A mere restructuring of the language is no way to erase the deeply-rooted prejudices which women have to face, but a greater consciousness of the sexism incorporated into our language and an honest attempt to change it would at least eliminate the daily insult to women which the English language currently represents. The WLC is preparing letters to Judge Kaufman and to the Circuit Court expressing our outrage at Judge Kaufman's slogan and suggesting it be changed or removed. We think the precepts of the law should apply equally to 100% of the population, not just to less than half of it.

#### EQUAL RIGHTS

The Equal Rights Amendment, passed the U.S. House by a vote of 354 to 23 on October 12. Last year the amendment also passed in the House but died in the Senate where male Senator Sam Ervin (D - N.C.) filibustered. He has threatened to do it again. The house-approved amendment reads that "Equality of rights under the law shall not be denied or abudged by the United States or by any State on account of sex."

Recently the Senate Subcommittee on Constitutional Amendments voted to outlaw legal distinctions between men and women except those based on "physiological or functional differences"-- a loophole that's a mile wide judging from the discrimination historically found to be acceptable as "reasonable".

LETTERS TO THE EDITOR

(address letters to marilyn mosier c/o  
wsu law school)

Dear Editor:

Congratulations on your first edition.

We have one quibble with your first effort, although perhaps we should address it to the WSU Commission on the Status of Women. Are not you (or the Commission) falling into a stereotyped assumption as to which parent should have primary child-rearing responsibility? The Commission (with your implied approval) recommends "An employee with one year's service should have the right to a 12 month maternity leave; those with two should get 24 months. A woman taking such leave should be returned to her same or equivalent position."

(Emphasis added.) Admittedly physical facts may require the woman to leave the job for part or all of her pregnancy and for some time afterwards, but the two year period is far more than would be needed for that in most cases. Why not allow fathers to use some part of that leave after the child is born? Or to allow both father and mother, if both are WSU employees, each to take a part-time leave, the total not to exceed that available to the mother? Such a system would be no more subject to abuse than the Commission's proposal and would make life easier for families seeking less rigid sex roles.

Sincerely yours,

Patricia Blair  
Assistant Professor  
of Law

Sincerely yours,

Elwood Hain  
Associate Professor  
of Law

the editor replies

We were merely reporting the recommendations of the committee and not endorsing or discussing any particular ones. Perhaps we should have been more critical, however. Your point is a good one -- men should have an equal role in child raising and parental leave should be granted to the parent most suited and inclined to take it. Note that the recommendation of the women at this law school refers to parental leave rather than maternity leave. Thanks for writing to us.

STRUCK OUT

Capt. Susan Struck, the first Air Force Officer to give birth to a child while on active duty lost her case in the 9th Circuit Court of Appeals last month. Captain Struck fought to stay in the Air Force on the grounds that male impregnators were not similarly treated. The 9th Circuit found "a compelling public interest in not having pregnant female soldiers in the military establishment." You might recall that their friend Nixon is against abortion in the military establishment too.

NIXON VETOES CHILD CARE AS  
UNNECESSARY AND IMMORAL

In a 5-page message vetoing an OEO bill providing for \$2.1 billion in comprehensive child care, Nixon explained: "Neither the immediate need nor the desirability of a national child development program of this character has been demonstrated." The bill would have provided free day care for children in a family of four with income less than \$4,320 per year. Higher income families would have paid more, on a sliding scale. Local community groups would have gotten priority, and, of course, Nixon prefers power in the states instead.

Nixon said he feared family breakdown as a result of the plan: "For the federal government to plunge into supporting child care would commit the vast moral authority of the national government to the side of communal approaches to child rearing [horrors!] over against the family-centered approach [mom drudging at home, or leaving kids in bad care or none at all and poor kids having dull, unstimulating environment]."

?????

The U.S. Equal Employment Opportunity Commission recently disclosed results of a year-long study aimed at proving that Ma Bell could lower its rates (or increase profits) if it did not discriminate against women, blacks, and chicanos. The report was filed with the FCC, which will start hearings in January on EEOC charges of illegal job discrimination at Bell.

The EEOC claims that if women weren't discriminated against, Bell rates could be reduced 2 to 4%. An EEOC attorney explained that "[i]f you artificially restrict a job to white males, you have to pay a premium ... The salary levels for management, for example, would not be as high today if Bell had not kept women out of them."

PARAMOOR KILLING -- HUSBANDS ONLY

The Delaware Supreme Court recently failed to overturn a statute that allows a simple misdemeanor conviction for a husband who kills another man caught in the act with his wife but has no similar rule for wives. The court would not apply the statute to a cheated wife who caught her husband with another woman but shot him, not the woman. Kalejta v. State of Delaware, 9/9/71, 10, Cr. L. 2011. Texas and a few other states have such husband-can-protect-his-exclusive-meat statutes also.