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Female Legislators in the United States and Rhode Island

Leah J. Donaldson* **

INTRODUCTION

The number of women in Congress has more than tripled in the last twenty years.¹ There were twenty-five women in the 100th Congress (1987-88), while the 111th Congress (2009-10) boasted ninety women (a growth of 360%).² As the number of women in legislative roles has increased, voters and researchers have questioned how gender affects a candidate's ability to win elections as well as a legislator's effectiveness once in office.

Recent studies have found that women nationwide are more effective legislators than men.³ One study found that, on average, Congresswomen introduce more bills, attract more co-sponsors, and bring home more money for their districts than

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** The analysis in this article relies on data current prior to the elections in November of 2010. The websites have been archived with the author.

1. See Craig Volden et al., *The Legislative Effectiveness of Women in Congress* 1 (Working Paper, 2010), <http://psweb.sbs.ohio-state.edu/faculty/cvolden/VWWWomenLEP.pdf>.

2. See *id.* at 1.

3. See *id.* at 3.

Congressmen.⁴ Another study reports that women exert a greater effort when developing legislative strategies and are better than their male peers at consensus-building, especially women in the minority party.⁵

At the same time, the premise that a female candidate for public office, typically, will have to fight harder than her male opponent to win an election is generally accepted. Questions arise, including: Does a female legislator feel she has something more to prove? Does she work harder than her male colleagues to gain and to keep the respect and trust of her constituents and peers? This article will address these areas. The primary goals of this article are to review the history of women in the federal and state legislature, analyze common misconceptions about gender inequality, and analyze the hurdles women face when seeking elected office. This article further hopes to investigate the male-to-female ratio of Rhode Island's General Assembly, to explore whether Rhode Island's female legislators are as effective as their male peers, and to explore the reasons and motivations that lead to superior performance of female lawmakers once elected.

To meet these goals, Part I of this article reviews a historical perspective of women and politics, beginning with women's suffrage and the first women to serve in the legislature in the United States and Rhode Island. Part II examines the challenges that female legislators face that male legislators generally do not, which plays a significant role in whether and how often women are elected or re-elected. Part III summarizes recent studies regarding the success of female lawmakers once elected. These studies offer not only the male-to-female success rates, but also reasons behind women's success rates. Part IV analyzes Rhode Island's General Assembly with regard to its female representation from 1922 to the present, including comparisons to rates of female representation for other states in the northeast and to the current national rates. Part V looks to the future of the female representation in the Rhode Island General Assembly. The process of researching these ideas led to eye-opening and

4. See Sarah Anzia & Christopher Berry, *The Jackie (and Jill) Robinson Effect: Why Do Congresswomen Outperform Congressmen?*, 15-16, 26 (Working Paper, 2009), <http://ssrn.com/abstract=1013443> (permission to cite on file with author).

5. See, e.g., Anzia & Berry, *supra* note 4.

sometimes disappointing results, discussed more in depth throughout this article.

I. HISTORICAL PERSPECTIVES OF WOMEN LEGISLATORS

Any analysis of women lawmakers in Rhode Island and in the United States must begin with a visit to the early 1900s when women gained the right to vote and first entered into elected offices.

A. Women's Suffrage and Service in the United States

For most of the United States' early history, women's exclusion from voting in national and state elections restricted their participation in many aspects of public life.⁶ Those opposing women's suffrage argued that a woman's place was in the home and that granting women the right to vote would damage the family unit.⁷ Opponents to suffrage claimed that the government should protect the unity of the family and permitting women to vote would create discord and disharmony between husband and wife.⁸ Anti-suffragists further argued that women were "made" to be the "help-mate[s]" of men and that women's duties were different from men's duties ("not inferior but different in kind and quality").⁹ An additional argument was that fighting for women's equality in politics and voting went against the "laws written by the Creator on the Nature of the two sexes."¹⁰ Others opposing suffrage worried that granting women the right to vote would result in "an enormous army of unqualified voters . . ."¹¹

6. See, e.g., Jennifer K. Brown, Note, *The Nineteenth Amendment and Women's Equality*, 102 *YALE L.J.* 2175 (1993); see also Berta Esperanza Hernandez-Truyol, *Sex, Culture, and Rights: A Re/Conceptualization of Violence for the Twenty-First Century*, 60 *ALB. L. REV.* 607, 616-17 (1997) (discussing limits and abuse of women in non-U.S. countries where women are not permitted to vote) ("If one cannot vote one cannot elect representatives to support and promote one's interests . . . Women's absence from public office not only denies women their civil and political rights, but it also excludes women from full enjoyment of social, economic and cultural rights.").

7. H.M. Goodwin, *Women's Suffrage*, 43 *NEW ENGLANDER & YALE REV.* 194-95 (1884) (article written by contemporary anti-suffragist).

8. See *id.* at 196.

9. *Id.* at 198.

10. *Id.* at 199.

11. *While there is Life there's Hope*, *LIFE*, Nov. 15, 1906, at 564, 564.

The earliest successes for women in the political arena were won state-by-state. Some were short-lived. In 1790, for example, the colony of New Jersey granted "all free inhabitants" the right to vote.¹² However, in 1807, the law's repeal cost women the right to vote.¹³ Similar to many other states, the women of Rhode Island fought for suffrage. In 1917, Rhode Island's female citizens won a limited right to vote in presidential elections only.¹⁴ After these state-by-state battles, women across the United States were granted the right to vote by federal law. In 1919, Congress passed the Women's Suffrage Amendment and in August 1920, the Nineteenth Amendment to the United States Constitution was ratified, giving women the right to vote.¹⁵

Interestingly, the first woman was elected to Congress in 1917.¹⁶ Women in Montana gained the right to vote in 1914; during the next federal election, Montana elected Jeannette Rankin to the House of Representatives.¹⁷ She ran for office on a nonpartisan platform, pledging to work for social welfare issues and women's suffrage.¹⁸ Upon her election, Representative Rankin observed, "I may be the first woman member of Congress, but I won't be the last."¹⁹

In November 1922, Rebecca Latime Felton, the first female senator, was sworn into the Senate after being appointed to fill a vacancy left by the sudden death of Senator Tom Watson of

12. TIMELINE FROM A HISTORY OF THE AMERICAN SUFFRAGIST MOVEMENT, available at <http://www.suffragist.com/timeline.htm> (last visited Dec. 5, 2010).

13. *Id.*

14. *Id.*

15. *See id.*

16. *Jeannette Rankin, Representative from Montana*, WOMEN IN CONGRESS, <http://womenincongress.house.gov/member-profiles/profile.html?intID=202> (last visited Dec. 5, 2010).

17. *Id.*

18. *Id.* Rankin served two terms as Representative from Montana. *Id.* The first was from 1917-1919 and the second was from 1941-1943. *Id.* Representative Rankin was also a longtime pacifist, the only member of Congress to vote against U.S. participation in both World War I and World War II. *Id.* She was the only Representative to vote against United States involvement in World War II, even after the attack on Pearl Harbor. *Id.*; see also Jennifer E. Manning & Colleen J. Shogan, *Women in the U.S. Congress: 1917-2009*, CONGRESSIONAL RESEARCH SERVICE 2 (Dec. 23, 2009), <http://www.fas.org/sgp/crs/misc/RL30261.pdf>.

19. *Jeannette Rankin*, *supra* note 16 (internal citation omitted).

Georgia.²⁰ To a certain extent, Governor Thomas Hardwick appointed Felton, the lifelong community activist, to garner goodwill with his constituents following his earlier opposition to the Nineteenth Amendment.²¹ Senator Felton was active in Georgia politics for decades, supporting women's suffrage, prohibition, and public education, especially vocational training for girls.²² Senator Felton holds three Senate records.²³ In addition to being the first woman to serve in the Senate, she holds the record for shortest time in the Senate (one day), and also was the oldest person ever to begin Senate service (eighty-seven years old).²⁴

Although Senator Felton was seated in the Senate for only one day, her fleeting Senatorial career was more than simply symbolic.²⁵ When Senator Felton reported to Washington D.C. to be sworn in, the ceremony was delayed because Montana Senator Thomas J. Walsh took time on the floor to examine the arguments for and against allowing Felton to be sworn in as a United States senator.²⁶ Senator Walsh asserted that "if the Senate chose to seat her it should be because 'she was entitled to take the oath'

20. Manning & Shogan, *supra* note 18, at 2; *First Woman Senator*, U. S. SENATE ART & HISTORY: HISTORICAL MINUTE ESSAYS (Oct. 3, 1922), http://www.senate.gov/artandhistory/history/minute/First_Woman_Senator_Appointed.htm (last visited Dec 8, 2010) [hereinafter *First Woman Senator*].

21. *First Woman Senator*, *supra* note 20.

22. *Id.*; Rebecca Latimer Felton, *Senator from Georgia*, WOMEN IN CONGRESS, <http://womenincongress.house.gov/member-profiles/profile.html?intID=74> (last visited February 21, 2011). Felton was also an outspoken advocate of racial segregation. *First Woman Senator*, *supra* note 20.

23. Manning & Shogan, *supra* note 18, at 6.

24. *Id.*

25. Felton was appointed by Governor Hardwick on October 3, 1922 to fill the Senate vacancy until an election could be held in November. *First Woman Senator*, *supra* note 20. The Senate was out of session and was not expected to convene again prior to the election; therefore, it was not likely Felton would take the oath to become a senator. *Id.* Felton's supporters contacted President Warren Harding and requested that a special session of Congress be called before the November election, so that Felton could be sworn in, but these requests were ignored. *Id.* Democrat Walter George won the election and reported to Washington D.C. on November 21, 1922 to be sworn in as the Senator from Georgia. *Id.* However, newly elected Senator George had the forethought to step aside and permit Felton to be sworn in as the first female Senator, even if only for a day, before claiming his seat the following day. *Id.*

26. Rebecca Latimer Felton, *supra* note 22.

rather than ‘as a favor, or as a mere matter of courtesy or being moved by the spirit of gallantry.’”²⁷ The ceremony did occur and after being sworn in, Felton made a prediction about the female legislators of the future:

When the women of the country come in and sit with you, though there may be but a very few in the next few years, I pledge you that you will get ability, you will get integrity of purpose, you will get exalted patriotism, and you will get unstinted usefulness.²⁸

B. Women’s Suffrage in Rhode Island and the First Woman in Rhode Island’s General Assembly

In 1887, Rhode Island was “the first eastern state to vote on a women’s suffrage referendum,” however the referendum did not pass.²⁹ In 1917, women in Rhode Island gained the right to vote in presidential elections only.³⁰ Three years later, and more than thirty years after the first women’s suffrage referendum’s introduction in Rhode Island, the women of Rhode Island finally won full voting rights with the ratification of the Nineteenth Amendment to the United States Constitution.³¹

Two years later, Isabelle Ahern O’Neill from Smith Hill became the first woman elected to the Rhode Island General Assembly.³² O’Neill was a Democrat, initially elected in 1922 to the Rhode Island House of Representatives, from District 15 (Providence).³³ She represented her constituents for three terms in the House of Representatives (1923-1930), followed by two terms in the Rhode Island Senate (1930-1934).³⁴ She fought to expand pensions for widows and helped to create a Rhode Island

27. *Id.*

28. *First Woman Senator, supra* note 20.

29. TIMELINE FROM A HISTORY OF THE AMERICAN SUFFRAGIST MOVEMENT, *supra* note 12.

30. *Id.*

31. *Id.*

32. *See Women Members of the R.I. Gen. Assemb. 1922-Present*, OFFICE OF SEC’Y OF STATE, <http://sos.ri.gov/library/history/generalassembly/> (last visited Dec. 1, 2010).

33. *See id.*

34. *See id.*

Narcotic Board.³⁵ O'Neill later worked for the U.S. Bureau of Narcotics at the request of President Roosevelt.³⁶

While a major accomplishment, achieving the right to vote did not ensure success for women running for office. Gender-related issues arose that women have had to rise above over the years.

II. UNIQUE DEMANDS FOR FEMALE LAWMAKERS

According to studies, women seeking leadership positions face certain distinct challenges that men do not.³⁷ Obstacles are created by gender stereotypes, motherhood, and the misconception that gender inequality no longer exists. Women must overcome these hurdles in order to successfully reach and remain in any position of leadership, especially in a traditionally male-dominated field like state and federal legislatures.

A. Gender Stereotypes

The most obvious stumbling block to women who strive to join the legislature is gender stereotypes that affect the beliefs and voting choices of their constituents.³⁸ Gender stereotypes can affect voters at both conscious and unconscious levels.³⁹ Further, many women internalize these stereotypes and as a result question their own beliefs – about their qualifications, their skills, their ability to lead – thereby preventing qualified women from ever stepping into the political spotlight.⁴⁰

Research shows a wide array of stereotypes that are applied to women.⁴¹ Not all stereotypes about women are negative. For

35. H.Res. 6139, 2007 Gen. Assemb., Jan. Sess. (R.I. 2007).

36. *Isabelle Ahern O'Neil Papers*, R.I. HISTORICAL SOC'Y, <http://www.rihs.org/mssinv/Mss1077.htm> (last modified Oct. 2001).

37. Deborah L. Rhode, *The Difference "Difference" Makes*, in *THE DIFFERENCE "DIFFERENCE" MAKES: WOMEN & LEADERSHIP* 3-34 (Deborah L. Rhode ed., 2003). While beyond the scope of this article, it is worth noting that the challenges that face women of color are greater still. ELIZABETH CHAMBLISS, *ABA COMM'N ON RACIAL & ETHNIC DIVERSITY IN THE LEGAL PROFESSION, EXECUTIVE SUMMARY: MILES TO GO: PROGRESS OF MINORITIES IN THE LEGAL PROFESSION* (2005). This is evidenced by the significant underrepresentation of minority women in state and federal legislative bodies.

38. See Rhode, *supra* note 37, at 3, 7-9.

39. See *id.* at 7-8.

40. See *id.* at 9.

41. See, e.g., Deborah L. Rhode, *The Subtle Side of Sexism*, 16 COLUM. J.

example, women are generally perceived by male managers as: hard-working, good with people, warm and nurturing, good team players, creative, and loyal.⁴² Unfortunately, the same studies find that more often stereotypes about women are unfavorable. Negative stereotypes about women include the perception that women lack quantitative skills, are too emotional, too passive, and unable to make decisions.⁴³ Additionally, women are seen as unwilling or unable to relocate or to work long or unusual hours, or are not as committed as men to their careers.⁴⁴

In order to overcome these stereotypes, a woman must be extremely dedicated to the profession in which she wishes to excel, especially if it is a male-dominated field like law or politics. Studies show that a person who holds a particular stereotype or prejudice is more likely to notice and remember situations that conform or enforce those stereotypes.⁴⁵ People tend to disregard actions or events that do not conform to their stereotypes as anomalous and are more likely to disregard those situations as an exception, rather than the norm.⁴⁶

To overcome a stereotype that women are not willing to work long hours or that women are less committed to their careers than men, it is not enough for a woman to work “as long as” or be “as committed as” her male peers.⁴⁷ In order to appear “as committed as” her male colleagues, a woman must put in more effort and more time than her male counterparts.⁴⁸ In order to appear “as competent as” or “as skilled as” her male colleagues, she will have to exhibit more competency (not equal competency) and more skill (not equal skill).⁴⁹

This struggle ensures that only very highly qualified women are elected because women have to be perceived as “more capable

GENDER & L. 613, 617-24 (2007) [hereinafter Rhode, *The Subtle Side of Sexism*].

42. FED. GLASS CEILING COMM'N, GOOD FOR BUSINESS: MAKING FULL USE OF THE NATION'S HUMAN CAPITAL 148 (1995), available at <http://www.dol.gov/oasam/programs/history/reich/reports/ceiling.pdf>.

43. *Id.*

44. *Id.*

45. Rhode, *supra* note 37, at 11.

46. *See id.*

47. *See Anzia & Berry, supra* note 4, at 5-7.

48. *See id.*

49. *Id.*

than” (as opposed to “as capable as”) their male opponents in order to win.⁵⁰ This area is discussed in more detail in Part III.

B. Women with Children

As a general rule, working mothers are held to a different standard than working fathers.⁵¹ A working father has traditionally been supported in his working life and his home life.⁵² This is not the case for working mothers.⁵³ A woman with children is all too often criticized as uncommitted in both her professional and personal roles.⁵⁴ These criticisms come from multiple directions in her life, that is in both her personal and professional aspects of her life.⁵⁵ When she is at work, she is advised she should be at home spending time with her children – because that is what a “good mom” does.⁵⁶ But when she is at home, she is told she should be at the office giving 110% – because that is what a “good worker” does.⁵⁷ Women internalize these mixed messages, leaving many women “with the uncomfortable sense that whatever they are doing, they should be doing something else.”⁵⁸

This double standard affects women in politics as well.⁵⁹ Voters are suspicious of women who have children as well as women who are childless.⁶⁰ A working mother’s commitment to her elected position and her constituents is constantly questioned.⁶¹ Can she fulfill her duties in her legislative role as well as her role as mother? As Representative Patricia S. Schroeder and Massachusetts Lieutenant Governor Jane M. Swift

50. *See id.* at 7-8.

51. Rhode, *supra* note 37, at 10.

52. *See id.* at 15.

53. *Id.*

54. *Id.*

55. *Id.*

56. *Id.*

57. *See id.*

58. *Id.*

59. *See, e.g.,* Ann C. McGinley, *Hillary Clinton, Sarah Palin, and Michelle Obama: Performing Gender, Race, and Class on the Campaign Trail*, 86 DENV. U. L. REV. 709 (2009); *see also* Angie K. Young, *Assessing the Family and Medical Leave Act in Terms of Gender Equality, Work/Family Balance, and the Needs of Children*, 5 MICH. J. GENDER & L. 113, 120-21 (1998).

60. Rhode, *supra* note 37, at 15.

61. *Id.*

discovered, women running for political office are questioned in ways male candidates are not.⁶²

Representative Schroeder was the first woman elected to Congress from Colorado in 1972.⁶³ A wife, a mother, and a Democrat, Representative Schroeder ran as an anti-Vietnam War candidate who also supported women's rights and increased honesty in government.⁶⁴ She was repeatedly re-elected by her constituents and served twelve terms in office.⁶⁵ Among the many successes Schroeder achieved during her tenure in the House, she devoted much time and energy to issues related to "women's rights and reforms affecting the family."⁶⁶

Representative Schroeder worked to pass vital legislation to support other working mothers like herself. In 1978, she helped pass the Pregnancy Discrimination Act, which prevented employers from terminating female employees simply because they were pregnant or denying them disability or maternity benefits.⁶⁷ She was also a key fighter for the passage of the 1993 Family and Medical Leave Act (FMLA), which provides "up to 18 weeks of unpaid leave for the care of a newborn, sick child or parent."⁶⁸

When she initially ran for office, Representative Schroeder was a thirty-two-year-old mother of two young children (ages two and six).⁶⁹ Her husband encouraged her political goals but her male colleagues in Congress were not so supportive.⁷⁰ She once compared the male-dominated atmosphere to an "over-aged frat house."⁷¹ Despite this, Schroeder was not shy about her status as a working mother. She was known to have crayons on her office coffee table and diapers in her bag while on the floor of the

62. *Id.*

63. *Patricia S. Schroeder, Representative from Colorado, WOMEN IN CONGRESS*, <http://womenincongress.house.gov/member-profiles/profile.html?intID=220> (last visited Dec. 8, 2010).

64. *Id.*

65. *Id.* When she retired from politics in 1997, Representative Schroeder was the longest-serving woman in the House. *Id.*

66. *Id.*

67. *Id.*

68. *Id.*

69. *Id.*

70. *Id.*

71. *Id.*

House.⁷² When asked by a male colleague how she could be a mother of two small children and a member of Congress at the same time, she answered, "I have a brain and a uterus, and I use both."⁷³

More recently, when Massachusetts Lieutenant Governor Swift became the acting governor in April 2001 after Paul Cellucci resigned, Swift had a two-year-old daughter and was pregnant with twins.⁷⁴ At the time of her appointment, Massachusetts voters were skeptical about her ability to do the job.⁷⁵ Voters took little consolation in the fact that Swift's husband would be serving as the full-time primary caretaker for the children.⁷⁶ The public questioned how she would balance budgets and babies.⁷⁷

A few weeks after her appointment, Swift was admitted to the hospital with contractions and her doctors advised her she must remain in the hospital until the twins were born.⁷⁸ To fulfill her duties as acting governor, Swift continued to exercise her executive authority while in the hospital and later from home.⁷⁹ She even presided over a Governor's Council meeting (via conference call) from her hospital room.⁸⁰ Not surprisingly, she was publicly criticized for not taking a traditional maternity leave.⁸¹

C. The Misperception that Gender Inequality No Longer Exists

Another challenge for women running for legislative office is the misperception of many Americans that gender inequality is a thing of the past. Perception about gender equality does not

72. *Id.*

73. *Id.*

74. Carey Goldberg, *Two New Jobs for Mass. Official: Acting Governor and Mother of Twins*, N.Y. TIMES, Feb. 15, 2001, at A22, available at <http://www.nytimes.com/2001/02/15/politics/15GOVE.html>. Acting Governor Swift would become the first woman to give birth while serving in office. *Id.*

75. Elizabeth Mehren, *Acting Mass. Governor to Run in '02*, L.A. TIMES, Oct. 19, 2001, at A31.

76. Rhode, *supra* note 37, at 10.

77. See Goldberg, *supra* note 74, at A22.

78. Elizabeth Mehren, *Pregnancy, Politics Collide in Boston*, L.A. TIMES, May 11, 2001, at A16.

79. *Id.*

80. *Id.*

81. Letter to the Editor, *Swift Should Take a Real Maternity Leave*, BOSTON GLOBE, May 20, 2001, at D8.

always translate into reality. Over the last few decades, we have seen women enter high-ranking and highly visible political positions. Partly because of this high-profile progress, the severity of the gap that remains between the percentage of male-to-female legislators in the nation and Rhode Island goes largely unnoticed.⁸² Due to media coverage of women and minorities in elected office, it can appear that we have achieved gender equality in the legislature.⁸³ Research shows this is a common misconception in our culture, especially among men. For example, one study found that two-thirds of men surveyed did not believe women encounter discrimination for top positions in government.⁸⁴ Unfortunately, the facts and numbers tell another story.⁸⁵

Research for this article revealed eye-opening statistics about just how underrepresented women remain in our legislative bodies. The number of women currently serving in the legislature is lower than one might expect, only 17% in the United States Congress⁸⁶ and 22% in the Rhode Island General Assembly.⁸⁷ However, this disparity makes the successes of female legislators that much more noticeable, and it is a testament to what a woman

82. See, e.g., Rhode, *The Subtle Side of Sexism*, *supra* note 41, at 613. (“We see women so frequently in positions of power and in non-traditional occupations that we lose track of where they are absent as well as the dynamics that might explain why.”).

83. See generally Zoe Savitsky, *Inertia and Change: Findings of the Shriver Report and Next Steps*, 25 BERKELEY J. GENDER L. & JUST. 172 (2010) (“... very few public portrayals of women depict their actual lived experience, a knowledge gap that leads to significant confusion over the image versus the reality of women’s lives.”).

84. Rhode, *supra* note 37, at 6; see generally FED. GLASS CEILING COMM’N, *supra* note 42, at 145. The Federal Glass Ceiling Commission was created by the Civil Rights Act of 1991. *Id.* at 3. Its mandate was to identify the artificial barriers to the advancement of women and minority men into decision-making positions in the private sector. *Id.*

85. See generally DEBORAH L. RHODE, ABA COMM’N ON WOMEN IN THE PROFESSION, *THE UNFINISHED AGENDA: WOMEN AND THE LEGAL PROFESSION* (2000).

86. Volden et al., *supra* note 1, at 1.

87. *Member Contacts – Senate*, R.I. GEN. ASSEMB., <http://www.rilin.state.ri.us/Email/SenEmailListDistrict.asp> (last visited Dec. 1, 2010). Eight out of thirty-eight Rhode Island Senators are female (21%). *Id.* Seventeen out of 75 Rhode Island Representatives are women (23%). *Member Contacts-House*, R.I. GEN. ASSEMB., <http://rilin.state.ri.us/Email/RepEmailListDistrict.asp> (last visited Dec. 1, 2010).

can accomplish when she breaks through the glass ceiling in politics and enters the ranks of the House of Representatives and the Senate.

Another misconception regarding gender equality stems from the belief that all Americans are equal under the Constitution and Bill of Rights. Specifically, citizens should be able to cite the application of “equal protection of the laws” under the Fourteenth Amendment to support an argument that all persons shall be treated equally, despite their gender.⁸⁸ To the contrary, prior to the 1970s, the United States Supreme Court routinely denied women equal treatment under the Fourteenth Amendment strictly based on gender. For example, in 1873, the Court upheld the Illinois state government’s ruling denying a woman a license to practice law based strictly on her gender.⁸⁹ The Court reasoned that women were unfit for occupations such as that of attorney and were more suited for “the domestic sphere.”⁹⁰ In the late 1800s, the Court also noted that the Fourteenth Amendment did not require state governments to permit women to vote or serve on juries.⁹¹

Because of this disparate treatment of women under the law, the Equal Rights Amendment (ERA) was first introduced to Congress in 1923 as a counterpart to the Fourteenth Amendment.⁹² It stated, “[m]en and women shall have equal rights throughout the United States and every place subject to its jurisdiction.”⁹³ Introduced in every Congressional session from 1923 until it passed in 1972, the text of the 1972-version of the

88. U.S. CONST. amend. XIV, § 1.

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Id.

89. *Bradwell v. The State*, 83 U.S. 130, 139 (1873).

90. *Id.* at 141 (Bradley, J., concurring).

91. *See Strauder v. W.Va.*, 100 U.S. 303, 310 (1880); *Minor v Happersett*, 88 U.S. 162, 178 (1875).

92. *See Equal Rights Amendment*, NATIONAL ORGANIZATION FOR WOMEN, <http://www.now.org/issues/economic/eratext.html> (last visited Dec. 4, 2010).

93. *Id.*

ERA had only been slightly amended from the original.⁹⁴ Congress passed the ERA in the following form: “Equality of Rights under the law shall not be denied or abridged by the United States or any state on account of sex.”⁹⁵

Once passed by Congress, the Equal Rights Amendment needed to be ratified by 38 states to become law.⁹⁶ Congress placed a seven-year deadline for the ratification process and later extended that deadline to 1982.⁹⁷ Only 35 states ratified the Amendment before the deadline, three less than necessary.⁹⁸ The ERA has been introduced to Congress every year since 1982⁹⁹ but because the ERA was never fully ratified, it is still not law in the United States and women who are American citizens lack protection under the United States Constitution.¹⁰⁰

Today, because of the unique demands on women running for office, women remain underrepresented in both state and federal legislative bodies; while it has been more than 100 years since the Fourteenth Amendment was ratified, women are still not fully protected under the Constitution or by the Courts. The universal lack of awareness regarding present gender inequality is a significant hurdle for women who run for an elected office. Although women face these large obstacles, they have worked hard to achieve at the legislative level and their success can be proven.

III. STUDIES FIND WOMEN ARE EFFECTIVE LEGISLATORS

Despite factors that isolate and even exclude women from the political arena – institutional hurdles, segregation by male counterparts, earning respect as a woman – several studies suggest female legislators may be more effective lawmakers for multiple reasons. Congresswomen are inclined to work harder to overcome gender limitations, cooperate and work together toward

94. *See id.*

95. *Id.*

96. *Id.*

97. *Id.*

98. *Id.*

99. *The Equal Rights Amendment: 111th Congress*, OFFICE OF CONGRESSWOMAN CAROLYN B. MALONEY (July 13, 2009), <http://maloney.house.gov/documents/women/era/AUGUST%2012%20Facts%20About%20the%20ERA%20in%20the%2011th%20Congress.pdf>.

100. *See generally Equal Rights Amendment*, *supra* note 92.

a similar consensus, and focus on legislation that effects many women, thereby acting as spokeswomen for the female population.¹⁰¹

A. Studies Show Women Are More Effective Once Elected

According to recent studies, Congresswomen are more effective legislators than Congressmen.¹⁰² One combined study by researchers at Stanford University and the University of Chicago examined House members for the twenty-year period between 1984 and 2004.¹⁰³ To measure effectiveness, researchers evaluated the number of bills sponsored by each legislator per session, the number of co-sponsors for each bill, and the amount of discretionary spending allotted to the legislator's district.¹⁰⁴

Congressional rules stipulate that a bill may have only one sponsor.¹⁰⁵ However, each bill may have multiple supporting co-sponsors.¹⁰⁶ During one twenty-year period (1984-2004), the average member of the United States House of Representatives sponsored eighteen bills per session.¹⁰⁷ On average, each Representative co-sponsored 289 bills.¹⁰⁸ The average bill had sixteen co-sponsors.¹⁰⁹

"[C]ongresswomen sponsor considerably more legislation than Congressmen" and assemble a greater number of supporting co-sponsors for their own bills than the average male.¹¹⁰ Evidence shows that during the same twenty-year period, the average female Representative sponsored twenty-one bills per session (approximately 17% more than the average).¹¹¹ In addition, on average, a bill sponsored by a female had twenty-five more co-sponsors than the average bill sponsored by a man.¹¹² Women

101. See, e.g., Anzia & Berry, *supra* note 4, at 24, 26; see also Volden et al., *supra* note 1.

102. See, e.g., Anzia & Berry, *supra* note 4, at 29.

103. Anzia & Berry, *supra* note 4, at 9-10.

104. *Id.* at 8-9.

105. *Id.* at 25.

106. *Id.*

107. *Id.*

108. *Id.*

109. *Id.*

110. *Id.* at 26.

111. See *id.*

112. *Id.*

also tend to co-sponsor more bills than their male colleagues (approximately twenty-six more bills per session).¹¹³

Congresswomen also succeed in directing more discretionary federal funds to their home districts than their male counterparts.¹¹⁴ On average, a district with a female legislator will benefit from an additional \$49 million (approximately 9%) over similar districts with male legislators.¹¹⁵ The spending advantage is even greater in districts where women were elected amidst challenging conditions.¹¹⁶ These statistics suggest that women excel at collaboration, an important tool in legislative policy-making.

B. Reasons for the Female Success Rate Once in Office

Why are women more effective lawmakers than men? Given that the “glass ceiling” still exists, women lawmakers feel they need to work harder than men to attain the same level of respect and success.¹¹⁷ Research is also highly indicative that female success in Congress is consistent with women’s skills at cooperation and consensus building.¹¹⁸ Women may also put forth a higher level of effort because they may feel their status as a female leader bestows upon them the responsibility to represent all women, not just those in their districts.¹¹⁹

One theory is that due to gender bias a woman must consistently outperform any male opponent in order to win an election.¹²⁰ Researchers suggest that if voters can easily replace a female legislator with a male legislator who is equal to her in performance, voters will do so.¹²¹ Therefore, in order to be elected (or re-elected) a woman must successfully outperform her male opponents.¹²² This phenomenon results in systematically ensuring only high-performing and dedicated women are elected

113. *Id.*

114. *Id.* at 18.

115. *Id.*

116. *Id.* at 22.

117. *See id.* at 7-8.

118. *See Volden, supra* note 1, at 3.

119. *Id.* at 6.

120. Anzia & Berry, *supra* note 4, at 5.

121. *See id.* at 5.

122. *See id.* at 5, 7-8.

as legislators.¹²³

Researchers in one study call this phenomenon the “Jackie (and Jill) Robinson Effect.”¹²⁴ Jackie Robinson debuted with the Brooklyn Dodgers in 1947, becoming the first black man to play in Major League Baseball since baseball became segregated in 1889.¹²⁵ In addition to the important role he played in the fight for racial equality, Robinson is also known as one of the greatest baseball players of all time.¹²⁶ It is no accident that Robinson was such a talented ball player. He had to be better than his white teammates in order to rise above the racial prejudice of team owners, fellow players, and baseball fans, just as female legislators must rise above the gender prejudices of voters and colleagues.

According to Hank Aaron, another significant figure in Major League Baseball who experienced incredible racial prejudice during his career:

Jackie Robinson had to be bigger than life. He had to be bigger than the Brooklyn teammates who got up a petition to keep him off the ball club, bigger than the pitchers who threw at him or the base runners who dug their spikes into his shin, bigger than the bench jockeys who hollered for him to carry their bags and shine their shoes, bigger than the so-called fans who mocked him with mops on their heads and wrote him death threats.¹²⁷

Evidence shows that in professional sports and in the job market, people who face racial discrimination face higher performance standards to be hired and to receive the same wage as other workers.¹²⁸ Similarly, if voters are prejudiced against women, then in order to win against a male opponent, a woman must be better than the man. Further, if a woman anticipates

123. *See id.*

124. *Id.* at 4.

125. *Biography*, THE OFFICIAL SITE OF JACKIE ROBINSON, <http://www.jackie-robinson.com/about/bio.html> (last visited Dec. 5, 2010).

126. *See id.* (“As a result of his great success, Jackie was eventually inducted into the Baseball Hall of Fame in 1962.”).

127. Hank Aaron, *Jackie Robinson*, TIME: THE 100 MOST INFLUENTIAL PEOPLE OF THE CENTURY, June 14, 1999, available at <http://www.time.com/time/magazine/article/0,9171,991262,00.html>.

128. Anzia & Berry, *supra* note 4, at 5.

that she will face discrimination by voters or have her ability underestimated for some other reason, the women who do run for office must be those who are the most ambitious and who expect to exceed the higher performance standards demanded by voters.¹²⁹ This self-selection process results in elected female legislators being better positioned to outperform their male colleagues once in office.

Other research suggests that women are more effective lawmakers because their approach to the political process differs from that of their male colleagues.¹³⁰ Researchers at The Ohio State University examined 138,246 bills introduced by men and women in the United States House of Representatives for the thirty-five year period between 1973 and 2008.¹³¹ They found that the female political approach of cooperation, conciliation, and consensus building vastly differs from a male's solitary competitive approach.¹³² Congresswoman Sue Myrick, who in 2001 was a Republican legislator from North Carolina, agrees, "[w]omen tend to look at things differently. I'm a great believer in that anyway. I think that we are more prone to try to find ways to work together, to bring people together."¹³³

The skills of consensus building assist all female legislators. However, evidence shows this is especially beneficial to minority-party women, who are able to cooperate and work across the aisle to build support for their bills.¹³⁴

Finally, since women are still underrepresented in state and federal legislatures, female legislators may feel a sense of responsibility to all women, even those outside their districts.¹³⁵ The idea of a legislator representing constituents outside his or her district has been termed "surrogate representation."¹³⁶ The responsibility of "surrogate representation" for the issues and concerns of all women is another reason female lawmakers exert a

129. *Id.* at 6.

130. *See* Volden et al., *supra* note 1, at 4.

131. *Id.*

132. *Id.* at 4, 6.

133. Mary Hawkesworth et al., *Legislating By and For Women: A Comparison of the 103rd and 104th Congresses*, CTR. FOR AM. WOMEN & POLITICS 9 (2001), www.capwip.org/readingroom/women_103_104.pdf.

134. *See* Volden et al., *supra* note 1, at 3, 12.

135. *Id.* at 6 (internal citation omitted).

136. *Id.*

higher level of effort than their male peers.¹³⁷

For example, Senator Barbara Boxer, Democrat from California, has explained: "There are still so few women in Congress So you really do have to represent much more than your own state [W]omen from all over the country really do follow what you do and rely on you to speak for them It is a pretty big burden."¹³⁸ Congresswoman Louise Slaughter, Democrat from New York, also feels responsibility to all women:

I do feel an obligation to all women in the country
We all have to do it from our own ideology . . . but in my
view, one of the most important things for me and for the
women I represent is to make sure that those women
have equal opportunity and equal access to what we have
. . . .¹³⁹

Most of the studies completed about female legislators look at the national picture in the United States. Next, we will examine the status of the legislature at home in Rhode Island.

IV. HOW DO WOMEN IN THE RHODE ISLAND GENERAL ASSEMBLY MEASURE UP?

A. History of Women in the Rhode Island General Assembly Since 1922

Since 1922, a total of 126 women have served in the Rhode Island General Assembly.¹⁴⁰ Over the past eighty-eight years, the number of women in the Rhode Island House and Senate has fluctuated. From 1923 until the mid-1970s, while there were always women present, their numbers remained small. In the late 1970s, both the House and the Senate began seeing a growing number of women in their ranks.¹⁴¹ Between 1993 and 2002, the Rhode Island General Assembly was more than thirty percent women.¹⁴² The greatest number of female legislators to serve in

137. *Id.*

138. Hawkesworth et al., *supra* note 133, at 9.

139. *Id.*

140. *Women Members of the Rhode Island General Assembly 1922-Present*, *supra* note 32.

141. *See id.*

142. *See id.*

the Rhode Island General Assembly was in 1997-1998 when there were eleven women in the Senate (29%) and twenty-eight serving in the House (37%), for a total of thirty-nine female members.¹⁴³ After 2002, the number of women elected to the General Assembly dramatically decreased.¹⁴⁴ In 2005-2006, only 18% of the General Assembly elected were women, with only eight women in the Senate (21%) and eleven in the House (15%), the lowest since 1982.¹⁴⁵ Thankfully, those numbers have been gradually increasing again.

Broken down by session year, it is easy to see the slow rise and sudden fall in the number of women elected to serve in Rhode Island's legislature.¹⁴⁶ Note the highest years in bold.

Session Years	Women in R.I. Senate	Women in R.I. House	Total Women in R.I. General Assembly
1923-1924	0	1	1
1925-1926	0	1	1
1927-1928	1	1	2
1929-1930	1	1	2
1931-1932	1	0	1
1933-1934	1	1	2
1935-1936	0	1	1
1937-1938	0	4	4
1939-1940	1	4	5
1941-1942	0	2	2
1943-1944	0	1	1
1945-1946	0	1	1
1947-1948	0	2	2

143. *See id.*

144. *See id.*

145. *See id.*

146. Adapted from *Women Members of the Rhode Island General Assembly 1922-Present*, *supra* note 32.

1949-1950	1	1	2
1951-1952	1	1	2
1953-1954	1	2	3
1955-1956	1	3	4
1957-1958	1	1	2
1959-1960	1	3	4
1961-1962	1	3	4
1963-1964	0	5	5
1965-1966	0	5	5
1967-1968	2	5	7
1969-1970	1	3	4
1971-1972	0	3	3
1973-1974	1	3	4
1975-1976	2	7	9
1977-1978	4	8	12
1979-1980	4	9	13
1981-1982	5	10	15
1983-1984	9	14	23
1985-1986	8	15	23
1987-1988	10	15	25
1989-1990	9	14	23
1991-1992	9	16	25
1993-1994	11	26	37
1995-1996	10	26	36
1997-1998	11	28	39
1999-2000	11	27	38
2001-2002	10	25	35
2003-2004	9	14	23

2005-2006	8	11	19
2007-2008	7	15	22
2009-2010	8	17	25

B. Rhode Island State House of Representatives – Today

Women held seventeen of the seventy-five seats (23%) in the Rhode Island House of Representatives during the 2009-2010 sessions.¹⁴⁷ Like in the Rhode Island Senate, Rhode Island has a larger percentage of women serving as Representatives when compared to the United States House of Representatives, which was 18% female during the 2009-2010 session.¹⁴⁸ However, Rhode Island has a smaller percentage of women serving as Representatives at the state level compared with most other states in the northeast.¹⁴⁹

Currently, every state in New England has a higher ratio of female-to-male Representatives than Rhode Island and in the northeast, only Pennsylvania has a lower percentage, as can be seen in the chart below.

State	Percentage of Women in State House of Representatives
Vermont	37%
New Hampshire	36%
Connecticut	33%
New Jersey	33%
Maine	31%
New York	27%
Massachusetts	24%
Rhode Island	23%
Pennsylvania	16%

147. *See id.*

148. U.S. HOUSE OF REPRESENTATIVES, www.house.gov/house/memberWW.shtml (last visited Dec. 7, 2010).

149. *Women in State Legislatures 2010 Fact Sheet*, CTR. FOR AM. WOMEN & POLITICS, http://www.cawp.rutgers.edu/fast_facts/levels_of_office/documents/stleg10.pdf (last visited Dec. 8, 2010).

Massachusetts is the closest to Rhode Island with 24% female Representatives.¹⁵⁰ The remaining states in New England have at least 30% women in their House of Representatives. In ascending order, these states are: Maine (31%),¹⁵¹ Connecticut (33%),¹⁵² New Hampshire (36%)¹⁵³ and Vermont (37%).¹⁵⁴ As we look beyond New England to other states in the northeast, New York (27%)¹⁵⁵ and New Jersey (33%)¹⁵⁶ each rank higher than Rhode Island in female representation in the House. Only Pennsylvania has a lower percentage (16%).¹⁵⁷

The female Representatives in Rhode Island were extremely active. During 2009, the Rhode Island House of Representatives introduced and/or reviewed 1,364 bills.¹⁵⁸ Of these, 661 bills were authored or supported by a female Representative (48%).¹⁵⁹

150. *Women in State Legislatures 2010 Fact Sheet*, *supra* note 149; *Members of the House of Representatives*, GEN. COURT OF THE COMMONWEALTH OF MASS., <http://www.malegislature.gov/People/House> (last visited Dec. 2, 2010).

151. *Women in State Legislatures 2010 Fact Sheet*, *supra* note 149; *Members of the Maine House of Representatives*, ME. HOUSE OF REPRESENTATIVES, <http://www.maine.gov/legis/house/hbiolist.htm> (last visited Dec. 2, 2010).

152. *Women in State Legislatures 2010 Fact Sheet*, *supra* note 149; *House of Representatives Members*, CONN. GEN. ASSEMB., <http://www.cga.ct.gov/asp/menu/hlist.asp> (last visited Dec. 2, 2010).

153. *Women in State Legislatures 2010 Fact Sheet*, *supra* note 149; *N.H. House Roster Downloads*, STATE OF N.H. HOUSE OF REPRESENTATIVES, <http://www.gencourt.state.nh.us/house/members/rosterdownloads.html> (last visited Dec. 2, 2010).

154. *Women in State Legislatures 2010 Fact Sheet*, *supra* note 149; *Representatives by District*, VT. LEGISLATURE LEGISLATIVE DIRECTORY, <http://www.leg.state.vt.us/lms/legdir/districts.asp?Body=H> (last visited Dec. 2, 2010).

155. *Women in State Legislatures 2010 Fact Sheet*, *supra* note 149; *Assemb. Members*, N.Y. STATE ASSEMB., <http://assembly.state.ny.us/mem/> (last visited Dec. 2, 2010).

156. *Women in State Legislatures 2010 Fact Sheet*, *supra* note 149; *Legislative Roster*, N.J. SENATE & ASSEMB. ALPHABETIC LIST OF MEMBERS, <http://www.njleg.state.nj.us/members/abcroster.asp> (last visited Dec. 2, 2010).

157. *Women in State Legislatures 2010 Fact Sheet*, *supra* note 149; *Members of House of Representatives*, PA. HOUSE OF REPRESENTATIVES, http://www.legis.state.pa.us/cfdocs/legis/home/member_information/representatives_alpha.cfm (last visited Dec. 2, 2010).

158. *2009 Bill Status- House Bills*, STATE OF R.I. GEN. ASSEMB., <http://www.rilin.state.ri.us/billstatus09/> (last visited Dec. 2, 2010). Author compiled the data using the House Bills 5000-6463.

159. *Id.*

C. Rhode Island State Senate – Today

For the years 2009-2010, eight out of the thirty-eight seats in the Rhode Island Senate were filled by women, making 21% of the state Senate female.¹⁶⁰ Rhode Island has a larger percentage of women in the Senate than the current United States Senate (16% female).¹⁶¹ When compared to other northeastern states, Rhode Island falls roughly in the middle as can be seen in the chart below.¹⁶²

State	Percentage of Women in State Senate
New Hampshire	54% ¹⁶³
Massachusetts	30% ¹⁶⁴
Maine	23% ¹⁶⁵
Rhode Island	21%
Pennsylvania	20%
New Jersey	20%
Connecticut	19%
New York	16%

Comparable to other states in the northeast, Rhode Island has

160. *Member Contacts – Senate*, STATE OF R.I. GEN. ASSEMB., <http://www.ri.lin.state.ri.us/Email/SenEmailListDistrict.asp> (last visited July 28, 2010).

161. *Senators of the 111th Congress*, U.S. SENATE, http://www.senate.gov/general/contact_information/senators_cfm.cfm (last visited July 28, 2010).

162. *Women in State Legislatures 2010 Fact Sheet*, *supra* note 149.

163. N.H. SENATE, <http://www.gencourt.state.nh.us/senate/senatemembers.asp> (last visited July 28, 2010).

164. *List of Senate Members*, GEN. COURT OF THE COMMONWEALTH OF MASS., <http://www.mass.gov/legis/memmenus.htm> (last visited July 28, 2010).

165. *Member Name & Address List*, ME. STATE SENATE, <http://www.maine.gov/legis/senate/> (last visited July 28, 2010).

a higher percentage of women in the Senate than New Jersey (20%),¹⁶⁶ Pennsylvania (20%),¹⁶⁷ and New York (16%).¹⁶⁸ However, compared with most New England states, Rhode Island's Senate has a higher percentage of women than Connecticut (19%)¹⁶⁹ but a smaller percentage of women in the other New England state senates. The Maine State Senate is 23% female,¹⁷⁰ while 30% of Massachusetts's senators are female.¹⁷¹ New Hampshire has the highest percentage of women in the Senate at 54%.¹⁷²

During the 2009 Rhode Island State Senate session, the eight female Rhode Island Senators put forth, by authoring or supporting, 40% of the total legislation heard by the Senate in 2009. Out of the 1,072 bills presented to the Senate, at least one female's name accompanied 429 of the bills.¹⁷³ On average, each Rhode Island Senator supported twenty-eight of the 1,072, whereas each female senator was twice as active as male senators and co-sponsored, on average, fifty-four bills.¹⁷⁴

Furthermore, Senator M. Teresa Paiva Weed has been the President of the Senate since 2009.¹⁷⁵ Senator Paiva Weed is an attorney from Newport and represents District 13, which includes Newport and Jamestown.¹⁷⁶ First elected, in 1992, almost twenty years ago, she is now the first woman to serve as President of the

166. *Legislative Roster*, N.J. LEGIS. <http://www.njleg.state.nj.us/members/roster.asp> (last visited July 28, 2010).

167. *Members of the Senate*, PA. STATE SENATE, http://www.legis.state.pa.us/cfdocs/legis/home/member_information/senators_dn.cfm (last visited Dec. 5, 2010).

168. *Senators*, N.Y. STATE SENATE, <http://www.nysenate.gov/senators> (last visited July 28, 2010).

169. *Senate Members*, CONN. GEN. ASSEMB., <http://www.cga.ct.gov/asp/menu/slist.asp> (last visited July 28, 2010).

170. *Member Name & Address List*, ME. STATE SENATE, *supra* note 166.

171. *List of Senate Members*, GEN. COURT OF THE COMMONWEALTH OF MASS., *supra* note 165.

172. N.H. SENATE, *supra* note 164.

173. *2009 Bill Status - Senate Bills*, STATE OF R.I. GEN. ASSEMB., <http://www.rilin.state.ri.us/BillStatus09/> (last visited July 28, 2010). The author compiled the data using Senate Bills 1-1072.

174. *Id.*

175. *M. Theresa Paiva Weed Biography*, STATE OF R.I. SENATE, <http://www.rilin.state.ri.us/PaivaWeed/Biography.html> (last visited July 28, 2010).

176. *Id.*

Senate.¹⁷⁷ From 2004 to 2009, she served as Senate Majority Leader and was the first female to hold that prestigious position as well.¹⁷⁸

V. THE FUTURE FOR FEMALE LEGISLATORS: CHALLENGES, OPPORTUNITIES, AND CONCLUSIONS

Today, women enter law schools across the nation at a rate almost equal to male law students. Since 1997, total law school enrollment has consistently been at least 45% female.¹⁷⁹ According to the American Bar Association (ABA), the total enrollment for ABA accredited law schools during the 2008-2009 school year was 46.9% female.¹⁸⁰ The same year, 47.4% of the entering first-year students were female.¹⁸¹ As a point of comparison, in the 1976-1977 academic year, approximately 26% of law students were women, and in 1967, female enrollment was only 4.3%.¹⁸²

The law is an essential tool for social change. Lawyers who choose to enter the political arena often do so with distinct advantages over non-lawyers, due to their familiarity with statutes and experience honing their advocacy skills.¹⁸³ Each female law graduate has a valuable opportunity to change the way society is governed and how our laws are shaped.

The questions going forward are: Will women, including aspiring attorneys, increasingly take up the many challenges of running for office? What needs to change in our institutions, perceptions and expectations in order to ensure this happens? These are topics worth exploring to ensure that our government is able to equally represent all of the people who make up the United States and Rhode Island, more than half of which are women.¹⁸⁴

177. *Id.*

178. *Id.*

179. *First Year and Total J.D. Enrollment by Gender 1947-2008*, A.B.A., <http://www.abanet.org/legaled/stastics/charts/stats%20-%206.pdf> (last visited Dec. 3, 2010).

180. *Id.*

181. *Id.*

182. *Id.*

183. See Kim Campbell, *Different Rulers – Different Rules*, in *THE DIFFERENCE “DIFFERENCE” MAKES: WOMEN & LEADERSHIP* 122 (Deborah L. Rhode ed., 2003).

184. According to the 2000 Census, the population of the U.S. is 50.9%

For today, women are still vastly underrepresented in our legislatures both in Rhode Island and on the federal level. Until the 50% mark is reached on a national level, women elected into leadership roles must adopt every female citizen as their constituent, face the issues of gender, and continue to work harder than their male counterparts. Women in these roles must be ready and able to withstand the hardships they face to help make a difference in our society.

Representative Patricia Schroeder may have said it best when she offered the following advice to women seeking legislative office:

I think women still should never kid themselves that they're going to come [to Congress] and be part of the team. And you ought to come here with a very clear definition of what it is you want to do, and that you will not be deterred. There's a whole group of little harpies out there every day trying to talk you out of it.¹⁸⁵

female and the population of Rhode Island is 51.4% female. U.S. CENSUS BUREAU FACT SHEET: RHODE ISLAND, <http://factfinder.census.gov> (select "Rhode Island" in "Fast Access to Information" then select "2000" tab) (last visited Dec. 19, 2010).

185. *Patricia S. Schroeder, supra* note 63 (citation omitted).