

THE HOUSEWIFE AS PARIAH

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I am a housewife, and my story differs from feminist tales of oppression in the home and the workplace. In the seventh grade, in 1941, I elected an academic program instead of the commercial program that led to clerical work. I lived with my divorced mother, who was a secretary and the sole high school graduate in her family. We were working class and relied on credit from the grocer; upward mobility would begin with paying cash in supermarkets.

Knowing my background, my teacher asked what I wanted to be if I attended college; I replied "a lawyer." Expressing no surprise, she said that my mother was too poor to help me much, so I must study hard to win scholarships. From then until I left my law firm to raise a family, I received unwavering support in my academic and career endeavors. Never questioning the suitability of my aspirations, my teachers and counselors, many of them men, helped me to obtain scholarships and jobs to fund college and law school. One scholarship came from my city's all-male Firemen's Association; and when, even with an award from the Cornell Women's Club, I still lacked one hundred dollars for my first year of college, the Men's Club gave it to me.

But I have experienced disdain. It has come from contemporary feminists who have waged war against the traditional family of breadwinner husband and homemaker wife, in which I have rested my fate for most of my adult life. The purpose of this war was to undermine homemakers within family and society, thereby driving women into the work force to devote as much time to a career as men do so that women would gain equal political and economic power.¹

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1. See JANE J. MANSBRIDGE, *WHY WE LOST THE ERA 100* (1986) (stating that the "very existence of full-time homemakers was incompatible with . . . the equal sharing of political and economic power"); ELIZABETH FOX-GENOVESE, *FEMINISM WITHOUT ILLUSIONS 1* (1991) (discussing women's struggles for equal access to the public sphere); Margaret Mead, *Needed: Full Partnership for Women*, *SATURDAY REV.*, June 14, 1975, at 26-27. See also Catherine Texier, *18th-Century Fox: Vindication*, *HARPER'S BAZAAR*, May 1993, at 70 (reviewing FRANCES SHERWOOD, *VINDICATION* (1993)) (noting that Mary Wollstonecraft, author of *THE VINDICATION OF THE RIGHTS OF WOMEN* (1792), "demanded no less than total equality of the sexes").

Many strategies advanced this goal. Initially, feminists promoted the sexual revolution that encouraged women to mimic male sexual patterns.² In particular, two features of the sexual revolution, sexual permissiveness and readily available abortion,³ undermine traditional marriage and disfavor women who would choose home and family over market production. As Judge Richard Posner has accurately observed, "[t]he freer women are sexually, the less interest men have in marriage."⁴

Feminists also supported no-fault divorce laws that enable men to abandon and impoverish families.⁵ By subverting housewives' social and economic security and favoring males who abjure family responsibility, no-fault divorce laws institutionalize feminism's *diktat* that women pursue careers.⁶ No-fault, states Mary Ann Glendon, tells mothers that it is unsafe to devote oneself to rearing children; today, as Elizabeth Fox-Genovese notes, no law tries to force a man to support a woman, nor successfully forces him to support his children properly.⁷

Enactment of these no-fault divorce laws thus unambiguously directed women to adopt the feminist prescription and replace homemaking with a full-time career.⁸ As one author describes it, "the present legal system makes it clear that instead of expecting to be supported, a woman is now expected to become self-sufficient . . ."⁹ Defending feminist divorce policy, Betty Friedan said

2. See KATE MILLETT, *SEXUAL POLITICS* 130 (1970) (citing Thomas Hardy, in a 1912 post-script to the Preface to the first edition of *JUDE THE OBSCURE*) (noting that the sexual revolution undermined women's ability to engage in traditional roles); Stephanie Baker, *A Vindication of the Rights of Whores*, *THE NATION*, Oct. 23, 1989, at 467-68 (reviewing *A VINDICATION OF THE RIGHTS OF WHORES* (Gail Pheterson ed., 1989)) (stating that some "feminists viewed the defense of prostitutes as an essential aspect of regaining control over and enjoyment of female sexuality," and noting some prostitutes' insistence "on a woman's right to be a 'bad girl'"). See generally, BARBARA EHRENREICH, ET AL., *RE-MAKING LOVE: THE FEMINIZATION OF SEX* 72 (paperback ed. 1987) (stating that "feminism was strengthened by its appropriation of the sexual revolution"); Steve Chapple & David Talbot, *The Changing of the Feminist Guard; Burning Desires: Sex in America, Part Three*, *PLAYBOY*, June 1989, at 97 (noting feminist Erica Jong's idea that women could emancipate themselves by adopting "the same jaunty attitude toward sex long held by men").

3. See CATHARINE A. MACKINNON, *FEMINISM UNMODIFIED: DISCOURSES ON LIFE AND LAW* 1 (1987) (describing abortion as a right of gender equality).

4. RICHARD A. POSNER, *SEX AND REASON* 340 (1992).

5. FOX-GENOVESE, *supra* note 1, at 20; LENORE J. WEITZMAN, *THE DIVORCE REVOLUTION: THE UNEXPECTED SOCIAL AND ECONOMIC CONSEQUENCES FOR WOMEN AND CHILDREN IN AMERICA* 32-36 (1985).

6. WEITZMAN, *supra* note 5, at 20-32.

7. MARY ANN GLENDON, *ABORTION AND DIVORCE IN WESTERN LAW* 111 (1987); FOX-GENOVESE, *supra* note 1, at 2.

8. WEITZMAN, *supra* note 5, at 143, 184-86.

9. *Id.* at 143.

the movement was so concerned that equality of opportunity "had to mean equality of responsibility, and therefore alimony was out—that we did not realize the trap we were falling into . . . because housewives who divorced were in terrible straits."¹⁰ Friedan thus grounded feminists' support of no-fault divorce in their dogma that a woman caring for her home and child does *not* assume equal responsibility.¹¹ Then, to mitigate the error of advocating laws that enhanced the financial interests of husbands in divorce, Friedan pleaded that feminists were "trapped" into opposing alimony.¹² One wonders who set the trap.

The availability of no-fault divorce abrogated the pacts women made with husbands and with society, under which they had left the work force to raise families.¹³ The handicap of women upon re-entering the job market was easily foreseen by those of us whose analytical ability was concentrated by the potential impact of these reform games that others, with far different interests, were playing with our lives. Knowledge of this handicap and the new advantage to husbands in divorce instilled in women a distrust of their husbands and a reluctance to cease work, for fear of financial privation in the event of the divorce that this so-called reform made more likely.¹⁴

Through no-fault divorce, contemporary feminism sacrificed these scorned women to achieve its own version of "equality and responsibility." No longer is a homemaker entitled, if divorced when not at fault, to financial security commensurate with her marital economic status.¹⁵ As one court put it, marriage "is not a ticket to a perpetual pension."¹⁶

Instead, a divorced homemaker briefly receives what is sometimes called "rehabilitative alimony," a term that insults all who have competently performed a housewife's role.¹⁷ This word, which usually describes a criminal's reformation or therapy after trauma, now denotes the temporary financial support given a divorced housewife while she prepares to support herself. Like a

10. *Id.* at 360 (quoting BETTY FRIEDAN, *IT CHANGED MY LIFE* 325 (1976)).

11. *Id.*

12. *Id.*

13. *Id.* at 147.

14. *Id.* at 32.

15. *Id.* at 20.

16. Martha Brannigan, *Permanent Alimony Makes Comeback in Some Courts*, WALL ST. J., Oct. 31, 1988, at B1 (quoting a California court).

17. WEITZMAN, *supra* note 5, at 46; for a more general discussion of the changes in patterns of court-awarded alimony see WEITZMAN, *supra* note 5, at 32-36.

juvenile delinquent, she must be "rehabilitated" after what society now characterizes as her misspent years.¹⁸ Thus, no-fault divorce encourages women to refuse the homemaking role, just as feminists prefer. Feminists knew full well that marriage and assumption of a homemaker role *must* be a kind of ticket to a perpetual pension if the housewife is to have any security.

Feminists also sought an Equal Rights Amendment (ERA) in order to deliver the same message—to undermine the "symbolic force" of the "contract between the sexes" obligating the husband to support the homemaking wife.¹⁹ More specifically, "[w]hat was at stake in the battle over the ERA was the *legitimacy* of women's claim on men's incomes"; the force of feminism was to "allow men to think they have no natural obligation to support women."²⁰ Successfully implementing their ideology that women have no legitimate claim to men's support, feminists also secured female educational and job preferences and other market interferences in favor of women, which ultimately impair men's earning ability.²¹ This preferential treatment of women injures wives who would be supported by the disadvantaged men,²² and so urges women to take advantage of the preferences by working themselves instead of relying on a husband for support.

But probably most harmful to the traditional family was feminism's intentional marginalization of housewives by devaluing their status.²³ A woman, said feminists, can find identity and fulfillment only in a career; in the role of housewife, she is worthless—described by Betty Friedan, with what became feminism's word of choice, as a "parasite."²⁴ Indicting the housewife's life as a "waste of a human self," lived without using adult capabilities or intelligence, Friedan analogized these "parasites" to "schizophrenics" and "male patients with portions of their brain

18. *Id.* at 147-83 (discussing changes in society's conceptions of alimony).

19. MANSBRIDGE, *supra* note 1, at 108.

20. BARBARA EHRENREICH, *THE HEARTS OF MEN: AMERICAN DREAMS AND THE FLIGHT FROM COMMITMENT* 146-47 (paperback ed. 1983).

21. MICHAEL E. LEVIN, *FEMINISM & FREEDOM* 114 (1987); *see generally* FREDERICK R. LYNCH, *INVISIBLE VICTIMS: WHITE MALES AND THE CRISIS OF AFFIRMATIVE ACTION* (1989) (examining the use of race and sex preferences to reconstitute the work force, showing the impact on the homemaker wives of those men disadvantaged by these preferences).

22. LEVIN, *supra* note 21, at 114.

23. *See* MANSBRIDGE, *supra* note 1, at 107-08 (discussing the "status degradation" of homemakers between the 1950s and 1980s).

24. BETTY FRIEDAN, *THE FEMININE MYSTIQUE* 271, 274 (20th anniversary ed. 1983) (1963).

shot away."²⁵ "There is something less than fully human," she continues, "in those who have never known a commitment to an idea," or "risked an exploration of the unknown," or "attempted the kind of creativity of which men and women are potentially capable."²⁶ I suggest that a woman embarking on the conception, birth, and rearing of a child undertakes the quintessential exploration of the unknown and exercise of creativity.

This perception of a housewife's inferiority has reigned since publication of *The Feminine Mystique*.²⁷ For example, *Time* magazine treated us to Gloria Steinem's essay describing housewives as "inferiors," "parasites," and "dependent creatures who are still children."²⁸ This was a reprise of the paean *Cosmopolitan's* Helen Gurley Brown sang about the career-oriented single woman's superiority over the parasitic housewife: "Economically she is a dream. She is not a parasite, a dependent, a scrounger, a sponger, or a bum. She is a giver, not a taker, a winner and not a loser."²⁹

These views have too wide a currency to be dismissed as the excesses of popular journalism. Yale University Press published sociologist Jessie Bernard's concurrence that the "housewife is a nobody" and her conclusion that "a woman must be slightly ill mentally" to be happy in a traditional marriage of "parasitism."³⁰ Hillary Rodham Clinton, then Hillary Rodham, compared traditional marriage to slavery and the dependency relationship of children to parents.³¹ And the Swedish Prime Minister Olof Palme, whose country put almost all women to work and all children into daycare, proudly acknowledged that in his society, traditional marriage was subject to "ridicule." A politician who suggested that it is natural for a woman to have a different role from a man and to devote more time to children, he said, would be considered from "the Stone Age."³²

25. *Id.* at 312.

26. *Id.* at 316.

27. *See supra* note 24.

28. Gloria Steinem, *What It Would Be Like if Women Win*, *TIME*, Aug. 31, 1970, at 22, 24.

29. HELEN GURLEY BROWN, *SEX AND THE SINGLE GIRL* 22 (1965), *quoted in* JESSIE S. BERNARD, *THE FUTURE OF MARRIAGE* 226 (Yale U. Press 1982) (1972).

30. BERNARD, *supra* note 29, at 43, 51, 287.

31. Hillary Rodham, *Children Under the Law*, 43 *HARV. EDUC. REV.* 487, 493 (1973).

32. Olof Palme, *Lesson from Sweden: The Emancipation of Man*, in *THE FUTURE OF THE FAMILY: MOTHERS, FATHERS AND CHILDREN; SEX ROLES AND WORK; COMMUNITIES AND CHILD CARE; REDEFINING MARRIAGE AND PARENTHOOD* 247, 253 (Louise K. Howe ed., 1972) [hereinafter *THE FUTURE OF THE FAMILY*].

Today, academic feminists virtually universally disdain the housewife's role.³³ Even a moderate such as Elizabeth Fox-Genovese,³⁴ an authority on "women's studies," tells us that the "most dramatic change in the lives of young women—although many have no wish to recognize it—is that marriage is not a viable career"; marriage "no longer serves as a surrogate career," for "[t]oday, no law . . . can force a man to support a woman."³⁵ But until society capitulated to feminism's quest to make a career serve as a woman's surrogate life, laws fairly successfully compelled financially-able men to support their former wives.

We fail to compel men to do so today only because society has acquiesced in feminist ideology, which is mirrored in Fox-Genovese's view that women's role of "bearers and rearers of children and helpmeets to men" is oppressively inadequate and should be replaced by market production that "draws upon their talents and enhances their self-respect."³⁶ Concluding that the societal changes reflected in contemporary feminism are irreversible, Fox-Genovese admonishes young women to reject dependence on men for support and protection. She dismisses the celebration of "women's maternal roles and instincts" as "nostalgia for a world that has gone beyond resurrection."³⁷ Women who found "their sense of self-worth and self-respect in their roles as wives and mothers" were, in her view, only making the best of their situation.³⁸ Whatever her disagreements with the radical feminists, on this issue she is in their camp. Her message ill-serves any woman who yearns for satisfactions beyond the market and is gripped by a chilling dread when she contemplates leaving her baby at the child-care center to go do the market work that Fox-Genovese assures her is today's path to self-respect.³⁹

33. Academic feminism, particularly the National Women's Studies Association, is largely concerned today with anti-rational "victim studies" that often resemble mass therapy and New Age healing rituals more than scholarly endeavors. Christina H. Sommers, *Sister Soldiers*, THE NEW REPUBLIC, Oct. 5, 1992, at 29-30, 32; see also Mary Lefkowitz, *Robbery in Progress*, NAT'L REV., July 11, 1994, at 55 (reviewing CHRISTINA H. SOMMERS, *WHO STOLE FEMINISM? HOW WOMEN HAVE BETRAYED WOMEN* (1994)); Michael Weiss, *Feminist Pedagogy in the Law Schools*, ACADEMIC QUESTIONS, Summer 1992, at 75 (presenting an analysis similar to that of Sommers).

34. The pressures from radical feminists against Professor Fox-Genovese are discussed in an interview with Carol Iannone, *How Politicized Studies Enforce Conformity*, ACADEMIC QUESTIONS, Summer 1992, at 48, 56, 59.

35. FOX-GENOVESE, *supra* note 1, at 2.

36. *Id.* at 2-3.

37. *Id.* at 5, 27.

38. *Id.* at 251.

39. *Id.* at 3, 27.

In another aspect of modern feminism that undermines traditional relationships, traditional women are also derided for sexual reticence. Judge Posner, like a feminist sexual revolutionary, tells us that the "traditional female role, in which premarital virginity and marital chastity are so emphasized," impedes women's educational and occupational equality.⁴⁰ Quoting the thrice-divorced, habitually adulterous, libertine philosopher Bertrand Russell, Posner writes, "[f]or the sake of chastity," women " 'have been kept artificially stupid and therefore uninteresting.' "⁴¹ So, here I stand, a parasite, living a misspent life in a career that is not viable, talents unused, self-respect jettisoned, kept artificially stupid and uninteresting by shunning promiscuous sex.

But I do wonder how the sexual experience furthers women's careers. Gratifying marital sexuality, some women find, may have the opposite effect, easing them into domesticity rather than propelling them into the market. Indeed, regardless of the purported occupational or educational benefits, some believe they would be better served by a feminist "rebel virginity"⁴² than by what they consider the trivial and exploitative casual sexuality Posner and others defend.⁴³ In any event, it certainly never was my experience that virginity and marital chastity impeded either my educational or occupational endeavors.

Why did feminists treat other women so badly? Writing before the black civil rights movement developed affirmative action law upon which feminism later capitalized to make alleged victimhood profitable,⁴⁴ Friedan candidly told us: It was not workplace discrimination keeping women home, but the housewife's belief that "she is indispensable and that no one else can take over her job."⁴⁵ In 1963, Friedan noted that "all professions are finally open to women in America" since the "removal of all the legal, political, economic, and educational barriers . . ."⁴⁶ Yet, she lamented, even the most able college women "showed no signs of

40. POSNER, *supra* note 4, at 169.

41. *Id.* at 169 (quoting BERTRAND RUSSELL, MARRIAGE AND MORALS 27 (1929)).

42. ANDREA DWORKIN, INTERCOURSE 94 (1987).

43. See POSNER, *supra* note 4, at 3; Chapple & Talbot, *supra* note 2.

44. See, e.g., Karen Lehman, *Women's Hour*, THE NEW REPUBLIC, March 14, 1994, at 40, 43 (reviewing NAOMI WOLF, FIRE WITH FIRE: THE NEW FEMALE POWER AND HOW IT WILL CHANGE THE 21ST CENTURY (1993)) (arguing that the belief that women, like other minorities, represent an oppressed economic class was an important tool in formulating two crucial civil rights laws—the Equal Pay Act of 1963 and the employment provision (Title VII) of the Civil Rights Act of 1964).

45. FRIEDAN, *supra* note 24, at 209.

46. *Id.* at 67-68.

wanting to be anything more than suburban housewives and mothers."⁴⁷ Similarly, Jessie Bernard concluded that the declining number of women academics in the 1940s and 1950s reflected the fact that fewer women were seeking jobs because they found other investments of time and emotion more rewarding. It did not indicate that women were being denied the workplace positions they sought.⁴⁸

Feminists, therefore, undertook to re-educate these homemakers by disabusing them of such quaint notions as to their own worth and the value of domesticity. With no forum from which to speak, and perhaps stunned that they needed defense, women surrendered feminine domestic values to masculine work-oriented values, as those who purported to champion women proclaimed the superiority and glamour of market production.

In the new cosmology, in order to achieve status—as now defined in male terms—a mother must sacrifice her role as child-nurturer and, usually, also her home as the primary locus of child-rearing. Leaving her children in the care of surrogates, she must become “liberated” and work outside the home in a so-called meaningful job, so that, if she tries very hard, she may possibly someday become as interesting and worthy as a man. This is *Playboy’s* message, delivered by women.

Mirroring and reinforcing this message was the sea-change in men who, shortly before, had taken pride in supporting their families. With scarcely a whimper, many males accepted the new androgyny that feminism had helped engender and capitulated to feminist demands that impaired men’s earning abilities.⁴⁹ Then, they too encouraged wives to leave children vulnerable to the vagaries of surrogate care and pursue the economic opportunities which would spare husbands the provider role.⁵⁰

Housewives, not men, were the prey in feminism’s sights when Kate Millet, citing Friedrich Engels, decreed that “the family, as that term is presently understood, must go.”⁵¹ Feminists had to “discourage full-time homemaking” because if even ten percent of women remained homemakers, this would encourage others to join them and put working women “at a competitive disadvan-

47. *Id.* at 150.

48. JESSIE S. BERNARD, *ACADEMIC WOMEN* 67 (1964).

49. LEVIN, *supra* note 21, at 110.

50. MANSBRIDGE, *supra* note 1, at 99-100.

51. MILLET, *supra* note 2, at 127 (citing FRIEDRICH ENGELS, *THE ORIGIN OF THE FAMILY, PRIVATE PROPERTY, AND THE STATE* (Ernest Untermann trans., Charles Kerr 1902) (1884)).

tage vis-a-vis men, particularly men whose wives do all the home-making."⁵² Simone de Beauvoir boldly stated: "No woman should be authorized to stay at home to raise her children"; women "should not have that choice, precisely because if there is such a choice, too many women will make that one."⁵³

To militate against the domestic choice, feminists consistently support government and business subsidizations of two-income families.⁵⁴ All families with children would benefit from family allowances or an increased federal income tax exemption for dependents. If adjusted for inflation and real growth in income since 1948, this exemption would have been \$8,652 per child in 1993, instead of the actual 1993 figure of \$2,350.⁵⁵ Feminists endorse, instead, government policies that disfavor families where the mother remains at home with her children by taxing and otherwise economically burdening these families to pay for child care and other benefits for working women.⁵⁶ As one feminist put it when discussing social security, "the law should not make it psychologically comfortable to be a housewife because this would interfere with feminist goals."⁵⁷

Feminism's *diktat* would force women to devote their lives to workplace roles, even though some of us think all market work is fungible and that another can do it equally well. Our family merits our central concern—what we do at home with our children is unique.⁵⁸ A child's well-being, we believe, depends on undivided responsiveness to the child's needs and continuing, loving inter-

52. MANSBRIDGE, *supra* note 1, at 100.

53. Simone de Beauvoir, *Sex, Society and the Female Dilemma: A Dialogue Between Simone de Beauvoir and Betty Friedan*, SATURDAY REV., June 14, 1975, at 14, 18.

54. See, e.g., Carole E. Joffe, *Child Care: Destroying the Family or Strengthening It?*, in THE FUTURE OF THE FAMILY, *supra* note 32, at 261-67; Alva Benn, *What We're Still Fighting For: Feminism Now*, COSMOPOLITAN, May 1994, at 200-01 (noting that feminists have long called for a nationwide system of quality child care that could lift working mothers above the poverty line); Suzanne Gordon, *A National Care Agenda*, THE ATLANTIC, Jan. 1991, at 64, 65-68.

55. Tom Herman, *Tax Report: A Special Summary and Forecast of Federal and State Tax Developments*, WALL ST. J., Jan. 19, 1994, at A1.

56. Joffe, *supra* note 54, at 261-67.

57. See, e.g., LEVIN, *supra* note 21, at 277 (citing Barbara Bergman addressing the Task Force on Social Security & Women, as cited in JUDITH B. FINN, TREATMENT OF WOMEN UNDER SOCIAL SECURITY 46 (1981)).

58. In journeying to this conclusion, a woman might be guided by an insight of Rudyard Kipling: "[A]fterwards, the beloved Aunt would ask me why I had never told anyone how I was being treated. Children tell little more than animals, for what comes to them they accept as eternally established." RUDYARD KIPLING, SOMETHING OF MYSELF: FOR MY FRIENDS KNOWN AND UNKNOWN 17 (1937); see also CAROL GILLIGAN ET AL., NATIONAL INST. OF EDUC., THE CONTRIBUTION OF WOMEN'S THOUGHT TO DEVELOPMENTAL THEORY: THE ELIMINATION OF SEX BIAS IN MORAL DEVELOPMENT RESEARCH AND EDUCATION 30-31

action with one to whom *this* child is uniquely precious. What this child does is, in our eyes, happening for the first time; it is incomparably important because we think it so. Such a reaction to a child is unlikely to come from any worker in a daycare center or an average nanny. This reaction cannot be taught and can rarely be bought. And even if it could be, why should society decide that a paid worker should have the joy of overseeing her child's development, while the mother who would prefer to be at home must, instead, help turn the wheels of commerce?

Contemporary feminism's contempt, however, has made domesticity unfashionable, even shameful. Voicing the feminist perspective, Hillary Clinton advocates life in the public arena, dedicated to remolding society; this is what she has called an "ecstatic and penetrating mode of living."⁵⁹ I am familiar with ecstasy from another mode of living—one largely devoted to the particularities of my family's daily life. The marketplace, on the other hand, gave me only the calm satisfaction of doing a workmanlike job. Why is it worthy, even ecstatic, to be a lawyer who ends marriages, or a politician who reforms society, or a social worker who repairs broken families, but not worthy to try to raise a family not in need of repair and preserve and cultivate a marriage that does not dissolve? Women who seek gratification in forming and maintaining stable families may well contribute the most to society, and they are certainly less likely to do harm than those who seek gratification in remolding humanity.

Yet in feminist eyes, the woman devoting herself to domesticity lacks "selfhood" for failing to act "in the public domain."⁶⁰ She is a "female impersonator," simply "fulfilling the needs of others."⁶¹ How, one must wonder, can anyone familiar with the real world of market production ever believe that a worker in the marketplace does anything but fulfill the needs of others? The demands of clients circumscribed my life as a practicing lawyer, and I was wholly devoted to fulfilling their needs. It was during those years that I felt most like a female impersonator. As a mother at home, I experienced the greatest happiness and freedom I had ever known. I can attest to the truth of G.K. Chesterton's words: a housewife "is at the head of something with which she can do as

(1982) (stating that the roots of the child's psychological development lie in the parent-child relationship—in spontaneous, mutual affection and interdependence).

59. Michael Kelly, *Saint Hillary*, N.Y. TIMES MAG., May 23, 1993, at 22, 25, 65.

60. CAROLYN G. HEILBRUN, WRITING A WOMAN'S LIFE 17 (1988).

61. *Id.* at 130.

she likes; the average man has to obey orders and do nothing else."⁶² Professor Fox-Genovese notwithstanding, I was not making the best of a situation. Those years at home are the ones I would be least willing to have foregone.

The straits to which some women tied to the marketplace have been brought is shown in a female attorney's recent description of her life, included in an article about a group commuting into Washington, D.C., in a van. It is an eighty-mile round trip; in winter, they leave home in the dark and return in the dark; they see each other more than they see their spouses. But what sounds to me like a trip from hell is the highlight of her day. Her companions are an "alternate family"; her "hectic job leaves scant time for socializing at work"; she is "so weary" at night that she often will just "collapse in front of the TV set."⁶³ Watching the morning traffic grind to a halt, she observes, "[t]his is the most exciting part of my day."⁶⁴ She says, "[a]fter this we all go sit in our little offices and wait patiently to get back in the van."⁶⁵ Such is the joy of liberation from domesticity! In all my years as a mother at home, not one day was so uninteresting that I would have looked forward to that van ride.

Society has accepted feminist falsifications about women's lives at home and work. Claims of female victimhood have enhanced the professional interests of those who have spoken out. United States Supreme Court Justice Ruth Bader Ginsburg tells us that she hopes to be all her mother would have been "had she lived in an age when women could aspire and achieve."⁶⁶ Thus she ratifies the twin bases of feminist mythology that women can "achieve" only in the market and would never willingly decline such achievement.

Justice Ginsburg also asserts that upon her graduation from Columbia University Law School (on the Law Review and tied for first in her class), "not a law firm in the entire city of New York bid for my employment as a lawyer."⁶⁷ It was reported—surely

62. G.K. Chesterton, *Woman*, in A.G.K. CHESTERTON ANTHOLOGY 112-13 (P. J. Kavanagh ed., Ignatius Press 1985).

63. Tony Horwitz, *Out Before Dawn, Home After Dark—Life's a Seat in a Van*, WALL ST. J., Feb. 28, 1994, at A1.

64. *Id.*

65. *Id.*

66. *The Supreme Court; Transcript of President's Announcement and Judge Ginsburg's Remarks*, N.Y. TIMES, June 15, 1993, at A24.

67. *Id.*

inaccurately—that she had to take a job as a legal secretary.⁶⁸ Her phrasing raises the question whether she actually sought a job with every firm, resume in hand, or simply waited for “bids.”

I graduated from the same law school several years before Justice Ginsburg did (also on the Law Review, but not first in my class). At that time, I had an offer from a major Wall Street law firm. The other woman on the Law Review with me, who was Jewish, received no offers from these firms, which often did discriminate then—against Jews and other ethnic groups. My future husband, with my record but not my name, could also claim that he endured the same discrimination. Our experience indicates that the controlling variable for Justice Ginsburg was ethnicity, not gender. But pleading ethnic discrimination confers no benefit as a female victim, leaving one, as it does, to compete with men of the same ethnicity.

Capturing the essence of feminist dogma, Karen DeCrow declares that “no man should allow himself to support his wife—no matter how much she favors the idea,” for “love can flourish between adults only when everyone pays his or her own way.”⁶⁹ In this feminist vision of marriage, the woman cannot assume a different, complementary role, but must be a cloned roommate, as it were—a facsimile of a homosexual relationship between heterosexuals. Reflecting feminism’s disdain for homemakers’ activities and incomprehension of their worth, DeCrow assumes that only marketplace earnings can fulfill a woman’s half of the marital bargain.

The National Organization for Women (NOW) based its founding demand for “a different concept of marriage, an equitable sharing of the responsibilities of home and children and of the economic burdens of their support”⁷⁰ upon this same assumption. NOW’s goal can never serve the interests of women who do not want to entrust their children and domestic role to

68. Although some reports stated that her first job was as a “legal secretary,” a letter from the Columbia Law Women’s Association detailing former Judge Ginsburg’s alleged victimization because of sex bias states that when “she could not find a job in a law firm commensurate with her credentials,” she served “as law clerk to Judge Edmund L. Palmieri of the United States District Court, Southern District of New York.” See COLUMBIA, THE MAGAZINE OF COLUMBIA UNIVERSITY, Summer 1980, at 11; Jill Abramson, *Ruth Bader Ginsburg Has Spent Her Career Overcoming the Odds*, WALL ST. J., June 15, 1993, at A8.

69. Karen DeCrow, *Balance of Power*, “Letters to the Editor,” N.Y. TIMES MAG., May 31, 1992, at 12.

70. CYNTHIA E. HARRISON, *ON ACCOUNT OF SEX: THE POLITICS OF WOMEN’S ISSUES, 1945-1968*, at 200 (1988).

surrogates in order to engage in the market production which will pay for their children's support. DeCrow's premise is mirrored in Justice Ginsburg's apparent view that achievement occurs only in the market and in her disdainful dismissal of women in the domestic arena as being "reduced to dependency on a man."⁷¹ It is beyond their ken to see the housewife, as I always saw myself, not as being "reduced," but as being happily spared by the labor of this man from the necessity of market production that would have unbearably minimized and constricted my maternal role.

Children are no longer being reared by their families, a public school official has declared, because the family "as we once knew it, has been destroyed."⁷² But not all employed mothers celebrate this development as the social advance feminists believe it to be. Many acknowledge strong yearnings to be home with their children and guilt because of their choices.⁷³ These are the most common feelings of working mothers observed by anthropologist Katherine Newman in her recent study of a New York suburban community.⁷⁴

Through its war against the homemaker, feminism has inflicted undeserved injury upon many good women and weakened society by curtailing a female activity that contributes, possibly more than any other, to familial health and stability. Some women reject feminism's message that a mother's personal attention to child-rearing cannot be a full-time, gratifying occupation, but only a sort of improvisation, peripheral to her market activities.⁷⁵ In the interests of these women, who reject the feminist vision, and of their families and society, we should restore the level playing field feminism destroyed. Let us begin again to respect and support, rather than disfavor, patronize, and demean, the woman who undertakes a traditional role and the man who enables her to do so.

71. Neil A. Lewis, *Balanced Jurist at Home in the Middle*, N.Y. TIMES, June 27, 1993, at 20.

72. Transcript of proceedings of the U.S. Commission on Civil Rights Forum on Early Childhood Education in Dallas, Texas, at 90, 103 (May 20, 1989).

73. KATHERINE S. NEWMAN, *DECLINING FORTUNES: THE WITHERING OF THE AMERICAN DREAM* 5-6 (1993).

74. *Id.* at 118.

75. See Nancy Gibbs, *The Dreams of Youth*, TIME, Special Issue, Women: The Road Ahead, Fall 1990, at 10, 12 (noting that child-rearing has become "less a preoccupation than an improvisation"); Philip Elmer-Dewitt, *The Great Experiment*, *id.* at 72, 74 (stating that "[h]ome has been left an impoverished place," while "children's isolation from the adult world has accelerated dramatically").

