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## TRUE FEMINISM: IDENTIFYING THE REAL THREATS TO WOMEN

CYNTHIA NOLAND DUNBAR\*

Beneath the surface of every argument there is an underlying assumption. Regrettably, many of these assumptions are often lost or ignored, while the merit or substance of the transcendent argument is debated at length. This Article, which is squarely in defense of women and their unalienable right to equality with men, is an exposé on the dangerous and erroneous assumptions embraced by the second wave of the feminist movement. It is a declaration of the inherent value and intrinsic worth of the female populace, and intends to unequivocally promote and embrace true femininity, unlike the hazardous and misleading views unwittingly expressed by the second wave of the feminist movement. Ultimately, this Article strives to refocus the attention of true feminists on gender equality and effectively combat the real threats facing the female populace globally.

It is an undeniable fact that women are inherently distinguishable from men in many ways, the most obvious being their reproductive organs.<sup>1</sup> Planned Parenthood acknowledges that, “[o]ur biological sex is how we are defined as female, male, or intersex.”<sup>2</sup> The first wave of feminism proudly embraced this distinction.<sup>3</sup> This pride in the female reproductive capabilities is now nearly completely absent from any discussion of women’s rights.<sup>4</sup> Such absence is damaging to the advancement of women’s rights in general, as it was this impassioned declaration of proud femininity that served as the genesis for a movement towards equality.<sup>5</sup>

To fully understand this shift in mindset it is helpful to see the genesis of the first wave of feminism. The paternalistic oppression and denigration of women was exposed in various segments of society.<sup>6</sup> It is interesting to note that the fires of feminist equality were in fact birthed with a spiritual awakening.<sup>7</sup>

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1. *What Is Biological Sex?*, PLANNED PARENTHOOD, <http://www.plannedparenthood.org/health-topics/sexual-orientation-gender/female-male-intersex-26531.htm> (last visited Nov. 3, 2013).

2. *Id.*

3. 2 ELIZABETH CADY STANTON, ELIZABETH CADY STANTON: AS REVEALED IN HER LETTERS DIARY AND REMINISCENCES 270 (Theodore Stanton & Harriot Stanton Blatch eds., 1922).

4. MARGARET SANGER, WOMEN AND THE NEW RACE 5 (1920).

5. STANTON, *supra* note 3, at 270.

6. James Brewer Stewart, *Abolitionist Movement*, HISTORY.COM, <http://www.history.com/topics/abolitionist-movement> (last visited Nov. 3, 2013).

7. *Id.*

Prior to the first wave of feminism, active sectarian Christian beliefs existed that promoted universal equality of the individual.<sup>8</sup> The Quakers, better known as the Society of Friends, actively promoted the rights of slaves, Native Americans, and women.<sup>9</sup> These rights were advocated and practiced by the Quakers as early as 1650 and such advocacy was based upon the Quaker's interpretation of their Judeo-Christian beliefs and tenets.<sup>10</sup>

Since the 1650s . . . women's role and status in the Society of Friends more closely approached equality with men's than in any other Christian church. Preaching and ministering to mixed audiences, traveling extensively unaccompanied by men, regulating the lives of fellow Quaker women without men's assistance . . . Quaker women knew a sphere of activity and attained a range of skills that surpassed those of their non-Quaker cohorts. Not surprisingly, historian Mary Maples Dunn found that in nineteenth-century America Quaker women comprised [forty] percent of female abolitionists, [nineteen] percent of feminists born before 1830, and [fifteen] percent of suffragists born before 1830.<sup>11</sup>

The first wave, typically identified as the period between the nineteenth and twentieth century, was likewise fueled by religious convictions.<sup>12</sup> The second great awakening and its clarion call to abolition, and rights of mankind in general, prompted the emergence of feminism.<sup>13</sup>

By stressing the moral imperative to end sinful practices and each person's responsibility to uphold God's will in society, preachers like Lyman Beecher, Nathaniel Taylor, and Charles G. Finney in what came to be called the Second Great Awakening led massive

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8. *Organizations*, QUAKERS AND SLAVERY, <http://trilogy.brynmawr.edu/speccoll/quakersandslavery/commentary/organizations> (last visited Nov. 3, 2013).

9. *Id.*

10. Hugh Barbour & J. William Frost, *The Quakers*, HISTORY.COM, <http://www.history.com/topics/quakers> (last visited Nov. 3, 2013).

11. *Id.*

12. When discussing what resolutions should be adopted for the new "Declaration of Sentiments" at the Seneca Falls Convention, the following was discussed and adopted by Lucretia Mott, Thomas and Mary Ann McClintock, Amy Post, Catharine A. F. Stebbins, and others:

Blackstone in his Commentaries remarks, that this law of Nature being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe, in all countries and at all times; no human laws are of any validity if contrary to this, and such of them as are valid, derive all their force, and all their validity, and all their authority, mediately and immediately, from this original.

1 HISTORY OF WOMAN SUFFRAGE 71-72 (Elizabeth Cady Stanton et. al eds., 2d ed. 1887).

13. Stewart, *supra* note 6.

religious revivals in the 1820s that gave a major impetus to the later emergence of abolitionism as well as to such other reforming crusades as temperance, pacifism, and women's rights.<sup>14</sup>

William Lloyd Garrison, a product of these religious revivals, insisted that along with the push for immediate emancipation, equality for women be included within the cause.<sup>15</sup> Many who were actively involved in the abolitionist movement were the same people pushing for women's rights.<sup>16</sup>

One such promoter of universal equality was Elizabeth Cady Stanton, an outspoken activist for abolition and women's rights.<sup>17</sup> Her position on the biological makeup of women was one of glorification rather than vilification.<sup>18</sup> "We are, as a sex, infinitely superior to men, and if we were free and developed, healthy in body and mind, as we should be under natural conditions, our motherhood would be our glory. That function gives women such wisdom and power as no male can possess."<sup>19</sup> With women of conviction such as Stanton in their midst it is not surprising that "female abolitionists became leaders of the nation's first independent feminist movement, instrumental in organizing the 1848 Seneca Falls Convention."<sup>20</sup>

It was at this hastily organized and largely unpublicized meeting that over 300 men and women joined together, to declare equality for women.<sup>21</sup> There the attendees asserted their belief that government should acknowledge that women too have the right to vote.<sup>22</sup> While their mission was not accomplished until the ratification of the Nineteenth Amendment on May 19, 1919, this crucial convention marked the birth of a new movement and a new declaration<sup>23</sup>—a movement for true equality and a declaration "that all men and women are created equal."<sup>24</sup>

It is extremely telling to see who was at the helm of this movement for gender equality. These were devout women of faith who earnestly believed in the equality of all creation.<sup>25</sup> They were convinced

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14. *Id.*

15. *Id.*

16. *Id.*

17. LORI D. GINZBERG, ELIZABETH CADY STANTON: AN AMERICAN LIFE 3, 24 (2009).

18. STANTON, *supra* note 3.

19. *Id.*

20. Stewart, *supra* note 6.

21. SALLY GREGORY McMILLEN, SENECA FALLS AND THE ORIGINS OF THE WOMEN'S RIGHTS MOVEMENT 71 (2008).

22. *Id.*

23. *Id.*

24. *Proceeding of the Woman's Rights Conventions*, REPORT OF THE WOMAN'S RIGHTS CONVENTION HELD AT SENECA FALLS, N.Y., at 5 (1848).

25. *Id.* at 4–5.

that neither gender nor race could in anyway diminish the rights of the creation.<sup>26</sup> Mary Ann M'Clintock, Sojourner Truth, Elizabeth Cady Stanton and Lucretia Mott were all motivated by this inner faith and their resolve to the eternal truth of universal equality.<sup>27</sup>

Mary Ann M'Clintock was a devout Quaker.<sup>28</sup> Her Quaker beliefs shaped her uncompromising commitment to fight for equality as a just and moral cause.<sup>29</sup> "As the daughter of Quaker activists, Mary, like her older sister Elizabeth, took part in Anti-Slavery, Temperance, and Woman's Rights events. Her signature can be found on anti-slavery petitions dating to her teenage years, demonstrating an early interest in movements for equality."<sup>30</sup>

It was at M'Clintock's house that the Declaration of Sentiments was first penned.<sup>31</sup> The fervor for promotion of their just cause was fueled by their uncompromising convictions, and sparked a willingness to engage in direct rebellion in the form of civil disobedience.<sup>32</sup>

Elizabeth Cady Stanton wrote years later that the most difficult task proved to be the writing of the convention's "declaration." As the women sat in M'Clintock's parlor pouring over different examples of speeches, reports and resolutions for inspiration, Stanton recalled that they "all seemed too tame and pacific for the inauguration of a rebellion such as the world have never before seen. . . ." <sup>33</sup>

Mary Ann was married to Thomas M'Clintock and both of them closely aligned with Garrison and his form of Quaker beliefs.<sup>34</sup>

Thomas M'Clintock was a devout Quaker whose beliefs framed his commitment to social activism.<sup>35</sup> He actively promoted women's rights and the rights of Native Americans, he was an outspoken

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26. *Id.*

27. See *Mary Ann M'Clintock Jr.*, NAT'L PARK SERV.: WOMEN'S RIGHTS NAT'L HISTORICAL PARK, <http://www.nps.gov/wori/historyculture/mary-ann-mclintock-jr.htm> (last visited Nov. 3, 2013); *This Far By Faith: Sojourner Truth*, PBS, [http://www.pbs.org/thisfarbyfaith/people/sojourner\\_truth.html](http://www.pbs.org/thisfarbyfaith/people/sojourner_truth.html) (last visited Nov. 3, 2013); GINZBERG, *supra* note 17, at 3; Ira Peck, *Lucretia Mott: Woman of Courage*, JUNIOR SCHOLASTIC, <http://www.scholastic.com/browse/article.jsp?id=4953> (last visited Nov. 3, 2013). But see GINZBERG, *supra* note 17, at 24–25.

28. *Mary Ann M'Clintock Jr.*, *supra* note 27.

29. *Id.*

30. *Id.*

31. *M'Clintock House*, NAT'L PARK SERV.: WOMEN'S RIGHTS NAT'L HISTORICAL PARK, <http://nps.gov/nr/travel/pwwmh/ny11.htm> (last visited Nov. 3, 2013).

32. *Id.*

33. *Id.*

34. *Id.*

35. *Id.*

abolitionist, and he was arguably one of first visionaries for the modern-day movement of fair trade.<sup>36</sup> In 1826 Thomas M'Clintock cofounded the Free Produce Society of Philadelphia, a movement that advocated responsible consumerism.<sup>37</sup> Members of this Society agreed to stock only produce that was completely and totally derived free from slave labor.<sup>38</sup>

Lucretia Mott, an uncompromisingly fearless abolitionist, was also an outspoken advocate for women's rights.<sup>39</sup> It was actually in her efforts to fight for abolition that she became increasingly convinced of the pervasive discrimination of women.<sup>40</sup> She too was a devout Quaker.<sup>41</sup> Not only was she a member of the Quaker Sectarian Faith, she was in fact an ordained minister.<sup>42</sup> This position, in addition to the fact that her formal educational training began at the age of four, was further proof of the resounding commitment to gender equality within the Quaker tradition.<sup>43</sup>

Soujourner Truth, along with all the other forerunners of women's rights, was well known for her spiritual and religious convictions.<sup>44</sup> It was her uncompromising faith that gave her the boldness to deliver a speech in Akron, Ohio in 1851, almost fifteen years before emancipation. Her passion for the inherent value of each individual solidifies the connection between emancipation and women's rights.

Well, children, where there is so much racket there must be something out of kilter. I think that 'twixt the negroes of the South and the women at the North, all talking about rights, the white men will be in a fix pretty soon. But what's all this here talking about?

That man over there says that women need to be helped into carriages, and lifted over ditches, and to have the best place

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36. QUAKERS AND SLAVERY, *supra* note 8.

37. *See id.* ("In 1826, Friends in Wilmington, Delaware, drew up a charter for a formal free-produce organization and Baltimore Quaker Benjamin Lundy opened a store that sold only goods obtained by labor from free people.").

38. *Id.*

39. Peck, *supra* note 27.

40. *See id.* ("In 1840, Lucretia Mott and her husband were chosen as delegates from Pennsylvania to the World Anti-Slavery convention. Three other women from Pennsylvania also were chosen. The convention was held in London, England, in June. On her arrival, Lucretia Mott was informed that women delegates would not be admitted to the convention! She fought for the right to attend, and the question was opened to debate. A few male delegates pleaded for the admission of women. But the great majority voted against admitting the women delegates. Important matters like politics or business, they said, were not the 'proper sphere' of women. Their 'place' was in the home, and their role was to raise children.").

41. *Id.*

42. *Id.*

43. *Id.*

44. *This Far By Faith*, *supra* note 27.

everywhere. Nobody ever helps me into carriages, or over mud-puddles, or gives me any best place! And ain't I a woman? Look at me! Look at my arm! I have ploughed and planted, and gathered into barns, and no man could head me! And ain't I a woman? I could work as much and eat as much as a man—when I could get it—and bear the lash as well! And ain't I a woman? I have borne thirteen children, and seen most all sold off to slavery, and when I cried out with my mother's grief, none but Jesus heard me! And ain't I a woman?

Then they talk about this thing in the head; what's this they call it? [member of audience whispers, "intellect"] That's it, honey. What's that got to do with women's rights or negroes' rights? If my cup won't hold but a pint, and yours holds a quart, wouldn't you be mean not to let me have my little half measure full?

Then that little man in black there, he says women can't have as much rights as men, 'cause Christ wasn't a woman! Where did your Christ come from? Where did your Christ come from? From God and a woman! Man had nothing to do with Him.

If the first woman God ever made was strong enough to turn the world upside down all alone, these women together ought to be able to turn it back, and get it right side up again! And now they is asking to do it, the men better let them.

Obliged to you for hearing me, and now old Sojourner ain't got nothing more to say.<sup>45</sup>

Sojourner Truth was unabashed in her faith.<sup>46</sup> It is what defined her and provided the internal moral compass for her life.<sup>47</sup> To discuss the supernatural strength possessed by Sojourner Truth and her uncanny ability to overcome in the absence of a discussion of her faith in Christ Jesus as her savior and the boldness encountered by those baptized in the Holy Spirit, is to completely ignore who she believed she truly was.<sup>48</sup>

Inspired by her conversations with God, which she held alone in the woods, Isabella walked to freedom in 1826. Although tempted to return to Dumont's farm, she was struck by a vision of Jesus,

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45. Sojourner Truth, *Ain't I a Woman?*, Address Before the Women's Convention, Akron, Ohio (Dec. 1851), available at <http://www.fordham.edu/halsall/mod/sojtruth-woman.asp>.

46. *This Far By Faith*, *supra* note 27.

47. *Id.*

48. *Id.*



during which she felt 'baptized in the Holy Spirit,' and she gained the strength and confidence to resist her former master. In this experience, Isabella was like countless African Americans who called on the supernatural for the power to survive injustice and oppression.<sup>49</sup>

In 1828, Isabella moved to New York City and soon thereafter became a preacher in the 'perfectionist,' or pentecostal tradition. Her faith and preaching brought her into contact with abolitionists and women's rights crusaders, and Truth became a powerful speaker on both subjects . . . Her speeches were not political, but were based on her unique interpretation—as a woman and a former slave—of the Bible.<sup>50</sup>

[T]he force that brought her from the soul murder of slavery into the authority of public advocacy was the power of the Holy Spirit. Her ability to call upon a supernatural power gave her a resource claimed by millions of black women and by disempowered people the world over. Without doubt, it was Truth's religious faith that transformed her from Isabella, a domestic servant, into Sojourner Truth, a hero for three centuries—at least.<sup>51</sup>

True to form, Sojourner Truth like most, if not all, of her contemporaries was motivated by a central mission, a belief in a pre-existing and eternal state of justice.<sup>52</sup> As a Pentecostal preacher, she, like her Quaker counterpart, Lucretia Mott, forged the path for gender equality in all professions and callings.<sup>53</sup> Their faith and conviction both inspired and directed their efforts towards freedom for all.<sup>54</sup>

There is over half a century gap between this first wave of feminism and the second.<sup>55</sup> It is important to note what transpired during this gap that would ultimately lead to the shifting mindset occasioning the second wave.<sup>56</sup> One of the most outspoken and well-known precursors to the second wave of feminism was Margaret Sanger.<sup>57</sup> She is claimed to be a product of both the first wave as well as the founder of the American Birth Control League, which later became known as

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49. *Id.*

50. *Id.*

51. NELL IRVIN PAINTER, *SOJOURNER TRUTH: A LIFE, A SYMBOL* 4 (1996).

52. *This Far By Faith*, *supra* note 27.

53. *Id.*

54. *Id.*

55. *Timeline*, THE EVOLUTION OF FEMINISM, <http://theevolutionoffeminism.weebly.com/timeline.html> (last visited Nov. 3, 2013).

56. *Id.*

57. *Margaret Sanger*, THE EVOLUTION OF FEMINISM, <http://theevolutionoffeminism.weebly.com/margaret-sanger.html> (last visited Nov. 3, 2013).



Planned Parenthood.<sup>58</sup> These two claims may at first blush seem synonymous, but on deeper introspection prove to be incompatible. Margaret Sanger was diametrically opposed, if not even hostile, to the glorification of motherhood that was interwoven into first-wave feminism.<sup>59</sup> It is not surprising that a diametrically opposed shift could take place where there was no accurate understanding that the progress of women's rights had been occasioned almost exclusively through the Christian faith.<sup>60</sup> Conversely, Sanger boldly and mistakenly asserted that, "[t]he church has ever opposed the progress of woman on the ground that her freedom would lead to immorality."<sup>61</sup> This statement evidences that she could not, in fact, be a product of the first-wave feminists, as she had no appreciation for the history of women's rights and their proponents.

This wife and mother of three would soon give birth to a new movement of her own.<sup>62</sup> A movement that would be unrecognizable to first-wave feminists as it would no longer concern itself with such efforts as acquiring the right to vote or economic and professional gender equality.<sup>63</sup> Rather, it was a movement whose sole mission would be to achieve the means whereby sexual conduct could be entirely disconnected from reproduction.<sup>64</sup> A movement that would later be identified as "reproductive rights."<sup>65</sup>

Sanger's book, *Women and the New Race*, is extremely expressive of her revulsion for the inherent reproductive capabilities of women. Sanger blames women's uniquely feminine capability to bring new life into the world, along with the entire female populace engaging in this beautiful and organically natural occurrence, for all the evils of society.<sup>66</sup> The cohesive nucleus of those at the helm of these latter two movements is the sad reality of the extreme animus they hold for the female reproductive organs. Instead of viewing women in their

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58. *Id.*

59. SANGER, *supra* note 4, at 5.

60. See *McClintock House*, *supra* note 31; Peck, *supra* note 27; *This Far By Faith*, *supra* note 27.

61. Margaret Sanger, The Morality of Birth Control, Address Before the First American Birth Control Conference, New York, N.Y. (Nov. 18, 1921), available at <http://www.nyu.edu/projects/sanger/webedition/app/documents/show.php?sangerDoc=238254.xml>.

62. Peter Engelman, *Margaret Sanger*, in THE OXFORD ENCYCLOPEDIA OF WOMEN IN WORLD HISTORY (Bonnie G. Smith ed., 2008).

63. SANGER, *supra* note 4, at 2.

64. *Id.* at 4, 8.

65. *Margaret Sanger*, NAT'L WOMEN'S HISTORY MUSEUM: EDUCATION AND RESOURCES, <http://www.nwhm.org/education-resources/biography/biographies/margaret-sanger/> (last visited Nov. 3, 2013) (citing DORIS WEATHERFORD, AMERICAN WOMEN'S HISTORY: AN A TO Z OF PEOPLE, ORGANIZATIONS, ISSUES, AND EVENTS 305-08 (1994)).

66. Sanger claims "woman . . . through her reproductive ability, founded and perpetuated the tyrannies of the Earth." SANGER, *supra* note 4, at 3-4.

distinctive state by women's unique ability to carry and birth new life, they cast such ability as a shameful, horrible blight from which all women should desire to be free.<sup>67</sup>

The creators of over-population are the women, who, while wringing their hands over each fresh horror, submit anew to their task of producing the multitudes who will bring about the *next* tragedy of civilization. While unknowingly laying the foundations of tyrannies . . . woman was also unknowingly creating slums, filling asylums with insane, and institutions with other defectives. She was replenishing the ranks of the prostitutes, furnishing grist for the criminal courts and inmates for prison. Had she planned deliberately to achieve this tragic total of human waste and misery, she could hardly have done it more effectively.<sup>68</sup>

What is most shocking about this overtly misogynistic statement is that it comes from a woman. What is even more disheartening is that such a misogynistic view would work to oppose all the efforts of their predecessors in the first wave of feminism.<sup>69</sup> It is apparent that those outspoken voices of the first wave of feminism fought to dispel such beliefs and hatred of women in their reproductively defined capacity.<sup>70</sup> Accordingly, during the Victorian era many articulate and outspoken women framed their arguments to truly make their battle about women's rights and equality in general.<sup>71</sup> Their efforts were genuinely about destroying the myth that women, in women's innate femininity, are in any way subordinate to men.<sup>72</sup> Their discourse lauded the abilities and talents of women rather than vilifying them in their most organic sense.<sup>73</sup> This appreciation of true femininity was not only lost, it was overtly opposed by the second wave of feminism.<sup>74</sup>

Converse to the second-wave reproductive rights proponents, first-wave feminists had carefully crafted their arguments that women

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67. *Id.* at 5–6 (“Even as birth control is the means by which woman attains basic freedom, so it is the means by which she must and will uproot the evil she has wrought through her submission. As she has unconsciously and ignorantly brought about social disaster, so must and will she consciously and intelligently *undo* that disaster and create a new and a better order.”).

68. *Id.* at 4.

69. See STANTON, *supra* note 3.

70. Joan C. Chrisler & Maureen C. McHugh, *Waves of Feminist Psychology in the United States: Politics and Perspectives*, in HANDBOOK OF INTERNATIONAL FEMINISMS: PERSPECTIVES ON PSYCHOLOGY, WOMEN, CULTURE, AND RIGHTS 40 (A. Rutherford et al. eds., 2011).

71. *Proceeding of the Woman's Rights Conventions*, *supra* note 24, at 4–5.

72. *Id.* at 4.

73. STANTON, *supra* note 3, at 270.

74. SANGER, *supra* note 4, at 2–3, 5–6.

should be viewed equally as capable as men without need for modification.<sup>75</sup> This argument evidenced a strategic effort to dispel such oppressive beliefs as those being presented during the second wave, not propagate them further.<sup>76</sup> First-wave feminists embraced femininity; they did not see the need to make themselves masculine in order to garner equality.

There seems to be a great deal of unnecessary fear of women occupying any position which involves publicity, lest she should be rendered unfeminine by the indulgence of ambition or vanity[;] but why should woman any more than man be charged with ambition when impelled to use her talents for the good of her race?<sup>77</sup>

This assertion by Catherine Booth, co-founder of the Salvation Army, frames an assumption that a woman need not deny or lose any sense of her innate femininity in order to actively and effectively compete in what had traditionally been deemed a man's world.<sup>78</sup> Such an assumption of pride in femininity juxtaposed to the types of arguments presented in the second wave of feminism evidence a stark contrast: one where women were encouraged to proudly embrace their identity, and the other where they were castigated for such and encouraged to shamefully denounce it.

After reading the proud declaration of feminine competition with masculine, the disparaging shift that was taken to morph us from first-wave efforts of true feminism to incongruous second-wave activism should be extremely obvious. No longer the proud alignment with femininity, rather Sanger decried and castigated women as the ultimate source of all the world's evils.<sup>79</sup> "They went on breeding with staggering rapidity those numberless, undesired children who become the clogs and the destroyers of civilizations."<sup>80</sup>

These comments could by no means be viewed as singing the praises of women. Rather than commending women for their unique involvement in the propagation of life, life itself is framed as the blight of the world, with women as the greatest offenders in this societal crime.<sup>81</sup> Why any woman claiming to support women's rights would

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75. Chrisler & McHugh, *supra* note 70, at 40.

76. *Proceedings of the Women's Rights Conventions*, *supra* note 24, at 4; CATHERINE BOOTH, PAPERS ON PRACTICAL RELIGION 96 (1890).

77. BOOTH, *supra* note 76, at 96.

78. *Id.* (referring to the traditional role of men in Religious leadership); *see also id.* at 157.

79. SANGER, *supra* note 4, at 5.

80. *Id.*

81. *Id.*

themselves stoop to such denigration of women is entirely illogical, unless women's rights was no longer at the heart of their argument. Apparently "women's rights" had become code for an entirely different agenda, an agenda that's very core assumption was adverse to the historic women's rights movement.

What could then be the real motivation behind the second wave of feminism and why did the second-wave feminists move so far from the original feminists, those championing the first wave of feminism? First-wave "original" feminists understood the dedication to the *pure* expansion of women's rights.<sup>82</sup> Furthermore, that the biological reality of motherhood, innately tied to reproductively bringing forth new life, greatly enhanced the character of women.<sup>83</sup> There was the concurrent understanding that to denigrate such functionality would be to automatically laud the supremacy of the man in his reproductive inability to attain "motherhood."<sup>84</sup> This concession to the supremacy of male reproductive abilities, or inabilities, depending upon one's perspective, is unwittingly the exact position promulgated by the second-wave feminists.<sup>85</sup> It was this very presupposition that was arguably the centerpiece of second-wave feminism.<sup>86</sup> The shocking reality is that this step was taken in spite of the reality that it squarely aligned with the common evils of a patriarchal society.<sup>87</sup> "In patriarchal ideologies, men and men's characteristics are considered 'normal.' Any ways in which women are not like men are claimed to show that women are inferior to men."<sup>88</sup> There is no doubt that the concession at the heart of second-wave activism is patriarchal in the purest sense of the word. Something happened within society to occasion this willingness to shift from true feminism to embracing the adverse patriarchal ideology.

It appears significant that simultaneously during this fifty to sixty year gap between the first and second waves of feminism the sexual revolution was taking place.<sup>89</sup> Dr. Alfred Kinsey single-handedly orchestrated this sexual revolution that served to completely reconfigure society's perception of human sexuality. Prior to Kinsey, the prevailing belief system accepted the existence of normative behavior.<sup>90</sup>

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82. *Proceeding of the Women's Rights Conventions*, *supra* note 24, at 4–6.

83. STANTON, *supra* note 3, at 270.

84. LAURA KRAMER, *THE SOCIOLOGY OF GENDER: A BRIEF INTRODUCTION* 25 (3d ed. 2010).

85. *See* SANGER, *supra* note 4, at 3, 5–6.

86. *Id.* at 4, 8.

87. KRAMER, *supra* note 84, at 25.

88. *Id.*

89. *See Timeline*, *supra* note 55.

90. *See, e.g.*, JUDITH A. REISMAN, *SEXUAL SABOTAGE* 86 (2010) ("In fact, honest research confirms that, in pre-Kinsey America, 'love' was in the air. Americans believed in sex, but held that 'good sex' depended on love and marriage. In fact, most Americans planned to

Post-Kinsey, the normative belief system was replaced by an acceptance of individual autonomy in regard to human sexuality, doing what one desired.<sup>91</sup> This acceptance of sexual autonomy is the genesis for the belief system that defends freedom of choice as a legitimate right over any standard of societal norms, even a normative belief in an unalienable right to life. Kinsey was famously credited with the quote: "the only unnatural sexual act is that which you cannot perform."<sup>92</sup> This quote stands as a clear representation of the divergent mindset towards which he sought to move our country. This was a goal in which he would ultimately succeed.<sup>93</sup>

The relevance of this shift in mindset accounts entirely for the motivation of change behind the central mission of first-wave feminists in contrast to the central mission of second-wave activists. This shift in central mission is significant for all the aforementioned reasons. The central mission of second-wave activists can only be advanced through the misogynistic concession that men are in an inherently superior biological position of freedom from the bondage of potential motherhood.<sup>94</sup> This has to be conceded to make the subsequent argument of second-wave feminists logical. That argument being the universal chant of second-wave feminists: that in order for women to be equal to men they must be afforded the same biological position of men, or more bluntly stated, freedom from the bondage of potential motherhood.<sup>95</sup>

Once this presupposition is exposed, an organic conflict in what is currently denominated women's rights is revealed. The presupposition of innate biological inferiority of women to men is a direct affront to the central mission of first-wave feminists.<sup>96</sup> Consequently, this adverse argument ultimately renders these two movements entirely incompatible.

What is even more disconcerting is the severance of what was once an almost imperceptible link to equality efforts across the board. That abortion has led to mass global infanticide of female babies is a

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make a honeymoon gift to each other of their virginity. It was the *American way*. Even by 1960, most college males still believed that 'sex without love seemed utterly unethical.'" (citing PHYLLIS KRONHAUSEN & EBERHARD KRONHAUSEN, *SEX HISTORY OF AMERICAN COLLEGE MEN* 219 (1960)).

91. See REISMAN, *supra* note 90, at 35 ("Kinsey claimed that promiscuity was harmless, without consequences of venereal disease, illegitimacy, or anything else. And worst, his data and 'orgasmic' narrative claimed that rape, incest, and pedophilia/pederasty were also harmless.").

92. Webster Schott, *Civil Rights and the Homosexual: A 4-Million Minority Asks for Equal Rights*, N.Y. TIMES, Nov. 12, 1967, at 45.

93. See REISMAN, *supra* note 90, at 35.

94. SANGER, *supra* note 4, at 2-3; KRAMER, *supra* note 84.

95. SANGER, *supra* note 4, at 8.

96. STANTON, *supra* note 3, at 270.

sad reality.<sup>97</sup> Such raw data exposes how the unrelated sexual autonomy efforts of second-wave feminists deplorably fail to advance gender equality, but rather serve to work against it.

Second- and third-wave feminism has been special-interest lobbying for sexual autonomy, as opposed to general advancement of gender equality; this is seen through the plateauing of, if not regression of, the rights of females across the board. For example, society today differs in terms of equality in pay for females in comparison to their male counterparts. If gender equality was as vociferously advanced as it had during first-wave feminism, it would appear that we could arguably be much further down the road of making substantial gains in terms of economic and professional equality.<sup>98</sup> The economic gains, though given marginal lip service by second-wave activists, were routinely sacrificed for the sake of sexual autonomy.<sup>99</sup> An example of this second wave belief of the supremacy of sexuality over economy is displayed in the following Gloria Steinem quote: “[a] liberated woman is one who has sex before marriage and a job after.”<sup>100</sup>

If the core presupposition advancing the rights of women to have sex before marriage, or perhaps rather sex without accountability, is inherently adverse to the core presupposition advancing the rights of women to have a job, even as a mother, then we are left with a choice: advancing one of the causes to the detriment of the other, or logically severing the two causes to enable them both to be advanced by their selective proponents. Clearly, the latter is a superior choice to the former. Unfortunately, to date we have opted to promote special interest legislation for sexual autonomy as the poster cause of “women’s rights” to the actual detriment of pure “women’s rights.”<sup>101</sup>

This has not served to benefit women as a whole. For example, in 2011, women working in the field of property and real estate made 60.6 percent of what men made.<sup>102</sup> Female financial advisers made 61.3 percent of what male financial advisers made.<sup>103</sup> Female insurance sales agents made 64.4 percent of what male insurance sales agents made, and female chief executives made 69 percent of what male chief executives made.<sup>104</sup>

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97. See Muneeza Naqvi, *India Abortions of Girls On The Rise: Study*, HUFFINGTON POST WORLD (May 24, 2011, 9:34 PM), [http://www.huffingtonpost.com/2011/05/24/india-abortion-of-girls-\\_n\\_866067.html](http://www.huffingtonpost.com/2011/05/24/india-abortion-of-girls-_n_866067.html).

98. See BUREAU OF LABOR STATISTICS, *Highlights of Women’s Earnings in 2011* (Oct. 2012), <http://www.bls.gov/cps/cpswom2011.pdf>.

99. 4 *Women’s Liberation*, in THE OXFORD ENCYCLOPEDIA OF WOMEN IN WORLD HISTORY (Bonnie G. Smith ed., 2008).

100. *Id.*

101. Engelman, *supra* note 62; Margaret Sanger, *supra* note 65.

102. BUREAU OF LABOR STATISTICS, *supra* note 98.

103. *Id.*

104. *Id.*



Through current efforts, the women's rights movement, as it is presently framed, has been extremely ineffective in its ability to promote gender equality in relation to economic and professional advancements. That deficiency alone, however, does not expose a broad-sweeping inefficacy of women's rights in general. Although women appear to have made deplorably insufficient gains in professional and economic equality, one might hope that females in general are in a better and safer position today than they were at the close of first-wave feminism. Unfortunately, in addition to inadequacy of the professional and economic gains, in terms of the plight of females in their general safety and well-being, women find themselves in an even worse state today than they were at the close of first-wave feminism.

One out of every six American women has been the victim of an attempted or completed rape in her lifetime (14.8 percent completed rape; 2.8 percent attempted rape).<sup>105</sup> 17.7 million American women have been victims of attempted or completed rape.<sup>106</sup> Sixty-five percent of rapes or sexual assault victimizations go unreported.<sup>107</sup> Human trafficking runs rampant throughout the world.<sup>108</sup> "[T]rafficking in women and children represents the third largest source of profit for organized crime, after drugs and arms."<sup>109</sup> While there are no precise statistics kept on human trafficking, "experts in the field estimate that between about 700,000 and 2,000,000 women and children are trafficked globally each year."<sup>110</sup> This number represents only international trafficking.<sup>111</sup> It does not include the amount of people trafficked within their own countries.<sup>112</sup> "The annual number of sex trafficking victims to North America is approximately 0.9 [percent] of the global total; the number of total human trafficking victims is approximately 1.1 [percent]."<sup>113</sup>

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105. PATRICIA TJADEN & NANCY THOENNES, U.S. DEPT OF JUSTICE, PREVALENCE, INCIDENCE, AND CONSEQUENCES OF VIOLENCE AGAINST WOMEN: FINDINGS FROM THE NATIONAL VIOLENCE AGAINST WOMEN SURVEY 3 (1998), available at <https://www.ncjrs.gov/pdffiles/172837.pdf>.

106. *Id.*

107. LYNN LANGTON ET AL., U.S. DEPT OF JUSTICE, VICTIMIZATIONS NOT REPORTED TO THE POLICE, 2006–2010 at 1 (2012), available at <http://www.bjs.gov/content/pub/pdf/vnrrp0610.pdf>.

108. Obi N.I. Ebbe, *Introduction: An Overview of Trafficking in Women and Children*, in GLOBAL TRAFFICKING IN WOMEN AND CHILDREN 3 (Obi N.I. Ebbe & Dilip K. Das eds., 2008).

109. Velibor Lalic, *The Emergence of Trafficking in Women and Children in Bosnia and Herzegovina: A Case Study in* GLOBAL TRAFFICKING IN WOMEN AND CHILDREN 109, 111 (Obi N.I. Ebbe & Dilip K. Das eds., 2008) (citing ELIZABETH KELLY, JOURNEYS OF JEOPARDY: A REVIEW OF RESEARCH ON TRAFFICKING IN WOMEN AND CHILDREN IN EUROPE, 19 (2002)).

110. Lalic, *supra* note 109, at 111.

111. *Id.*

112. *Id.*

113. SIDDHARTH KARA, SEX TRAFFICKING 183 (2010).



At the risk of women everywhere becoming irreparably discouraged by the unacceptable state of society, women must take heart that there appears to be a rational response to such data.<sup>114</sup> If the modern-day women's rights movement insists on continuing down the same path of erroneously lumping sexual autonomy, also known as reproductive rights, under the umbrella of women's rights in general, then women will continue to see advancements in this single issue to the detriment of women's rights in general. This result is necessarily so because the concession at the heart of sexual autonomy special interest legislation is antithetical to gender equality.

With this tension between central missions revealed, the challenge presented is to isolate a means whereby second- and third-wave feminists can advance their sexual autonomy argument while not simultaneously doing violence to women's rights in general. Pure women's rights that promote the mindset of classic gender equality, or that women are inherently equal to men must find a way to be effectively advanced. There is one obvious solution to the problem: disengage. Both efforts will ultimately benefit from this severing of inappropriate ties and nomenclature. This mutual benefit should be conceded from both movements, should their motives be pure.

This mutual benefit of denominating gender equality issues as gender equality and sexual autonomy issues as sexual autonomy should be apparent. Both movements would resultantly become free to pursue their central missions without compromise. But most importantly to gender equality advocates, women could once again promote the inherent equality of females to males and, thereby, recapture the advancements of women's rights in general.<sup>115</sup>

It is true that implementing such a logical yet sizeable shift in mindset is not likely to occur in the absence of an overt effort to reframe the issues. Women have to date been restrained to frame gender equality issues to align with a simultaneous promotion of sexual autonomy.<sup>116</sup> However, by severing the two issues, they would no longer be tied to ensuring such alignment in determining the most efficacious promotion of women's rights. Where women feel the need to promote sexual autonomy at every opportunity they limit all options to promote women's rights in general. For example, gender equality in terms of ability to compete in the job market should be based solely on the level of competency. Where reproductive rights, code for the

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114. See, e.g., John R. Miller, *The United States' Effort to Combat Trafficking in Persons*, 6 GLOBAL ISSUES 6–9 (June 2003) (explaining the U.S. reaction to human trafficking and outlining measures like the Trafficking Victims Protection Act).

115. McMILLEN, *supra* note 21, at 71.

116. See *supra* text accompanying notes 63–65.

freedom from the constraints of motherhood, is deemed a necessary component of equality, the only women of reproductive age who remain competitive in the marketplace are those willing to operate within that “freedom.” This option is excessively limiting to females in general. Conversely, it should simply be argued that where the female exceeds the male in competency, the female should be hired over the male. Consequential accommodations in any form should be assumed when and if the female in her inherent biologically reproductive state enters into the state of motherhood.

The disparate economic state of males to females in the workforce is documented.<sup>117</sup> The reasons for such inequality may stem from blatant discrimination.<sup>118</sup> However, there are arguments that tether this disparate treatment more directly to parenthood, or more specifically motherhood.

Although Bureau of Labor Statistics shows that women’s median earnings are less than men’s, the reasons behind the gap are highly debated. Some studies state that the gap can be explained to a large extent by non-discriminatory factors and are based on a division of labor in the home that relies more heavily on women than on men. Women are more likely than men to have interrupted careers, taking time off for family reasons (i.e., child care or elder care), and are more likely to work part-time.<sup>119</sup>

The Institute for Women’s Policy Research finds that women earn far less than what men earn when measured over many years instead of over one year. Using what they see as a more inclusive 15-year time frame and taking into account women’s lower work hours and their years with zero earnings due to family care, the [sic] report that women workers in their prime earning years earned 62 [percent] less than men, or only \$0.38 for every dollar men earned. During that 15-year period, the average woman earned only \$273,592 (in 1999 dollars) while the average man earned \$722,693 (in 1999 dollars). During that 15-year period, the more likely women are to be married and have children under 18, the more likely it is that they will be low earners and have fewer

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117. Ariane Hegewisch et al., *The Gender Wage Gap by Occupation*, 1 INST. FOR WOMEN’S POL’Y RES. (Apr. 2012), available at <http://www.iwpr.org/publications/pubs/the-gender-wage-gap-by-occupation-1>.

118. Francine D. Blau & Lawrence M. Kahn, *Gender Differences in Pay*, 14 J. ECON. PERSP. 75, 81 (2000).

119. *Catalyst Quick Take: Women’s Earnings and Income*, CATALYST (Sept. 18, 2013), <http://www.catalyst.org/knowledge/womens-earnings-and-income> (citing Deborah Kolb et. al, *Confronting the Gender Gap in Wages*, WOMEN’S MEDIA: EXPERT ADVICE FOR BUS. WOMEN (April 14, 2009), <http://www.womensmedia.com/money/107-confronting-the-gender-gap-in-wages>); see also Hegewisch, *supra* note 117, at 1.

hours in the labor market. The opposite is true for men: Men who are married and have dependent children are more likely to have higher earnings and work longer hours.<sup>120</sup>

First, it should be exposed that when a couple enters into the state of parenthood, fatherhood should be accommodated as would motherhood. In other words, beyond the gestational period, both male and female employees should be assumed to experience a lifestyle change with the birth of a child. There should be an assumed requisite lifestyle change for the father of the child. Such assumptions would be standard within a society operating under pure gender equality.

Additionally, numerous accommodations exist that can be made to promote parenthood in general.<sup>121</sup> These accommodations can include such things as alternative work schedules.<sup>122</sup> For example, working ten hours four days a week, early morning hours with early dismissal, late arrival with extended hours, or a limited number of work from home hours would all be accommodations that would not penalize parenthood in terms of acquiring and maintaining competitive employment.<sup>123</sup>

None of these accommodations have any connection or relevance to the issue of sexual autonomy of women. As a matter of fact, the promotion of sexual autonomy, when framed as women's freedom from the potential bondage of motherhood, is potentially adverse to women's rights to accommodations in general. This can be seen through application in employment opportunities.

For example, a potential employer who is not motivated to look at parenthood through the lens of gender neutrality will, consequentially, not be motivated to provide requisite accommodations for parenthood across the board to both mothers and fathers. Additionally, a potential employer not motivated by gender neutrality may perceive a female employee to be viable competitively if, and only if, she is willing to free herself of the bondage of potential motherhood, making her biologically synonymous to a potential male employee. It should become obvious that the issue of sexual autonomy, when it is premised upon the assumption of inherent biological inequality, not only confuses gender equality it serves to potentially harm it.

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120. CATALYST, *supra* note 119 (citing Stephen J. Rose & Heidi I. Hartmann, *Still a Man's Labor Market: The Long-Term Earnings Gap*, INST. WOMEN'S POL'Y RES. (Feb. 2004) (citation omitted in original)).

121. COUNCIL OF ECON. ADVISORS, EXEC. OFFICE OF THE PRESIDENT, WORK LIFE BALANCE AND THE ECONOMICS OF WORKPLACE FLEXIBILITY 4 (Mar. 2010).

122. *Id.*

123. *Id.* at 4, 9.

The lack of existence of a symbiotic relationship between the sexual autonomy movement and the gender neutrality movement negates the possibility of mutually beneficial policy promulgation. To promote one is to be, at minimum, philosophically adverse to the other. Inevitably, such disparate philosophical underpinnings necessitate the need for distinct entities. It appears that a willingness to sever ties and go separate ways will ultimately free both movements to advocate to the optimum benefit for their movement without the need for compromise and concession.

For those in the pure women's rights movement who would promote all policies that tend towards and support gender neutrality, the benefits from severing ties should be obvious. Any policy that is grounded in the belief of inherent gender equality in one's intrinsic nature, without the need for external modification, should be advocated. Conversely, any policy that concedes a need for external modification in order to place females in a competitive posture should not be advocated; such policies serve to negate the principle of pure gender equality.

For those in the sexual autonomy movement a reciprocal benefit should be witnessed. Not having to validate the adverse presupposition of intrinsic equality without the need for external modification would unshackle their arguments to move forward without restraint. Additionally, for those in the sexual autonomy movement who would be nervous about the loss of co-laborers from the gender equality movement, the reality is the potential for numerous and much more closely aligned co-laborers. There are advocacy groups whose focus, and accordingly whose central mission, is purely sexual autonomy.<sup>124</sup> It is strategically logical to align advocacy groups along the lines of their central mission in promoting their end-game desires.

Should this negative and oppressive opinion of women continue, they are in great danger of losing the liberties for which they have so desperately fought.<sup>125</sup> This realization forces the question of what could possibly motivate women to jeopardize the overall rights of women for the sake of a detrimental concession. By vocally expressing an opinion that women, in their intrinsic nature, are inferior to men in the absence of the opportunity to function biologically as men

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124. In 2008 the International Planned Parenthood Federation (IPPF) created a declaration of sexual rights. Principle number two of eight states: "persons under eighteen (18) are rights holders, and that at different points within the spectrum of infancy, childhood, and adolescence, certain rights and protections will have greater or lesser relevance." INT'L PLANNED PARENTHOOD FED'N, SEXUAL RIGHTS: AN IPPF DECLARATION 13 (2008). Principle four states: "[s]exuality, and pleasure deriving from it, is a central aspect of being human, whether or not a person chooses to reproduce." *Id.* at 14.

125. See McMILLEN, *supra* note 21, at 71.

do, women are making nothing more than a concession of innate inferiority. The fact that the first wave of feminism literally sacrificed blood, sweat and tears to dispel this very opinion, makes this position by second-wave feminists all the more bizarre.<sup>126</sup> These completely antithetical core assessments of feminism appear on the surface to be inexplicable. Consequently, one must speculate what else had been transpiring between the first wave and second wave of feminism that could have given birth to such a shift in the very definition of feminism.

The disparate and discordant views underlying first-wave and second-wave proponents make them incompatible cohorts in the battle for equality. Some have sought to delineate the differences not as incompatible, but rather as mere variants along a continuum of beliefs. They realize the necessity of diminishing the glaring incongruity, and have argued the following: that at one end of the continuum there are “feminists [who] ‘focus on sexual and procreative oppression and . . . valorize women’s procreative, sexual, and nurturance proclivities’ . . . [a]t the other end of the continuum, equality (as sameness) feminists base their advocacy of equitable treatment of people on a challenge to the social construction of the sexes as fundamentally different.”<sup>127</sup> Such a creation of hypothetical subclasses of “feminists” is both dysfunctional in application and illogical in definition. Not only do the comments of the second-wave feminists vilify rather than valorize women’s procreative proclivities, this continuum fails to isolate the underlying assumptions at the core of each camp.<sup>128</sup> It is not helpful to speak in terms of a continuum of sexual feminists versus equality feminists. A common vision, not a continuum, is essential to the efficacy of feminism; that vision must always propel humanity down the road towards unconditional, rather than conditional, gender equality.

In order to move most efficaciously along the continuum towards pure gender equality and holistically advance the welfare of women and girls, women can no longer afford to dilute the arguments with tangential debates. This debate has been even further diluted, muddled and taken off course by third-wave feminists.<sup>129</sup> This movement undermines women’s rights to an even greater extent by viewing gender and innate femininity as no longer being static and identifiable, but dynamic, situational and provisional.<sup>130</sup> Feminists cannot hope to advance pure “women’s rights” and gender equality if we allow gender

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126. *See id.* at 234, 237.

127. KRAMER, *supra* note 84, at 9.

128. *See SANGER, supra* note 4, at 3–4.

129. *See supra* text accompanying notes 98–111.

130. LINDA L. LINDSEY, GENDER ROLES: A SOCIOLOGICAL PERSPECTIVE, 4, 14 (5th ed. 2010) (explaining that gender is learned and describing different forms of feminists).

itself to be dynamic and situational. There must be a definitional clarification to return the women's rights movement to its rightful place of actually advocating for gender equality.

This purification of the movement should not speak to those tangential issues presented by second-wave and third-wave activists. Instead, on those tangential and unrelated issues, subsets of females should be afforded the opportunity to voluntarily elect which side of any given issue they fall. By uncluttering the women's rights movement, we effectively remove the dissension on these issues from among us and once again unify the voice of women's rights activists around the globe.

Women's rights, in order to be effective, must be solely about women's rights. Women's rights in its purest sense must always promote its core belief. In summation, the belief that should lie at the heart of women's rights must be founded on the proper presupposition. This presupposition is simply that women, in our most inherent, intrinsic make-up, without the need for external modification, are in every way equal to men.