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respect

A NEWSLETTER ABOUT LAW AND DIVERSITY

Women Still Fighting for Equality More than 150 Years Later

by Cheryl Baisden

For more than 25 years, the month of March has been designated as Women's History Month. It is an opportunity to reflect on the strides the women's rights movement has made, since its first convention in 1848, and assess how far women still need to go to attain equality.

In the U.S. today, women are legally entitled to do just about anything men can, from pursue the same professions to serve their country in the Armed Forces.

In fact, the military recently lifted the official ban on women serving in combat roles—a major victory for women that will open many front-line jobs, as well as the opportunity for career advancement within the military.

For all of their progress in some areas, however, barriers between the genders still exist. U.S. women, in fact, have only started to come into their own in the last 100 years.

The weaker sex?

In the 1870s, when Charles Darwin explored the links between humans and other species and developed his controversial theory of evolution, he also defined a view of women and their role in nature that remained in place for generations. According to Darwin, men needed to continue to evolve in order to attract women with the goal of producing offspring. Women, on the other hand, were basically designed for reproduction and the nurturing of children. The stress of childbirth and childrearing, Darwin claimed,

sapped women of their energy, which prevented them from developing physically and mentally. As a result, he concluded, women were emotional and weak.

Darwin's vision of women may seem crazy today, since often women are saddled with more responsibilities in a day than men are—working full-time jobs, raising a family and managing a home—but shedding the image of women as the weaker sex has been a long and challenging process.

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Kicking Racism Off the Field

by Cheryl Baisden

Some level of aggression and bravado is to be expected in professional sports—it's part of the physical and psychological aspects of the game. But players aren't permitted to act with wanton disregard for the safety and dignity of the athletes who share the field with them.

"It's important to have a set of rules and regulations that establish standards for what players can and can't do, and for those guidelines to be enforced," says Anthony Caruso, an Ocean, New Jersey, attorney who practices sports law. "It's a matter of safety and respect, and no one should be above the rules."

Players crossing the line when it comes to on-field behavior regularly test the regulations imposed by their professional sport's governing bodies. In the U.S., the National Football League is currently dealing with concerns of bounty hunting, where players are rewarded for using physical force to eliminate selected opponents on the field. If evidence is found to support the concerns, professional sports penalties and criminal charges could be filed against team management and players who might be involved in the

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When Do Racial Remarks Cross the Line?

by Barbara Sheehan

Although the United States has come a long way since the civil rights movement of the 1950s and 60s, some expressions from the past still hurt today. One of those expressions became the focus of a long-fought racial discrimination lawsuit. The case, *Ash v. Tyson Foods*, concerned a white manager at an Alabama chicken processing plant who used the word “boy” to refer to black male employees.

Was this evidence of discrimination, and did it impact the manager’s decision not to promote the black workers? This and other questions would go back and forth in our court system for almost 15 years before an unexpected twist in the case changed the final outcome.

What does the law say?

In the United States, it is against the law for an employer to discriminate against an employee based on race, color, religion, sex or national origin. This is a fundamental protection provided under Title VII of the federal Civil Rights Act of 1964.

If an employee like the worker at the Alabama plant believes that he or she has been discriminated against and brings legal charges, according to New Jersey attorney Grayson Barber, there’s basically a three-step process that follows.

1. The worker (or **plaintiff**) must prove that some kind of discrimination occurred.
2. The employer can then defend its actions by saying there were legitimate reasons for what happened.
3. The plaintiff must prove that those so-called legitimate reasons were **“pretextual.”** In other words, the reasons were made up to cover evidence of discrimination.

About the case

John Hithon had been an employee of the Tyson Foods plant in Gadsden, Alabama for 13 years when he filed an employment discrimination claim against his employer in 1996. As evidence of his discrimination claim, he recalled how his boss, Tom Hatley, had referred to him and a black co-worker, Anthony Ash (who was part of the original lawsuit) as “boy.” Ash testified that in one incidence, Hatley came up to him while he was on a break and said, “Boy, you better get going.” Ash said, “I was shocked that he said it, because, you know, I felt like he said it in a mean and **derogatory** way. Everybody know[s] being in the South, a white man says boy to a black man, that’s an offensive word.”

In response to Hithon’s discrimination claims, the **defendant**, Tyson Foods, argued that the promotion decision was based on other legitimate factors not related to race, such as, among other things, Hithon’s education and past job performance. For example, the defendant claimed that the Gadsden plant was not performing well and therefore Hithon did not deserve a promotion.

Two strikes

Hithon’s case was heard twice by two separate juries. Both times the juries awarded him more than \$1 million. However, both times the judgments were **reversed** by the U.S. Court of Appeals for the 11th Circuit. After the first ruling, the appeals court concluded that a modifier was needed in order for the “boy” remark to be considered discriminatory. In other words, Hatley would have had to refer to Hithon as “black boy,” the court said.

The U.S. Supreme Court later rejected this reasoning. In an unsigned, unanimous opinion, the Court stated, “Although it is true that the disputed word will not always be evidence of racial animus (hostility), it does not follow that

the term, standing alone, is always benign (nonthreatening). The speaker's meaning may depend on various factors including context, inflection, tone of voice, local custom and historical usage."

After the second trial, a separate three-judge panel of the 11th Circuit concluded that even if the "boy" remarks were "somehow construed as racial," they were "ambiguous stray remarks not uttered in the context of the decision at issue...."

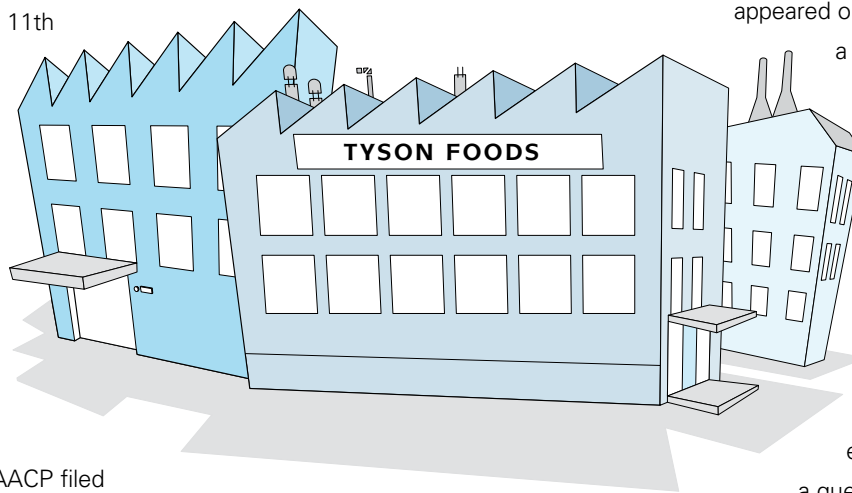
In September 2010, the 11th Circuit issued a 2–1 decision **overturning** Hithon's second judgment.

Round three—reluctant reversal

With two strikes against him, Hithon's battle may have seemed lost; however, in October 2010, the NAACP filed an *amicus*, or friend-of-the-court brief on Hithon's behalf. Joined by prominent civil rights leaders, including Alabama's first African-American federal judge U.W. Clemon, the NAACP's brief pointed out that white people throughout history, during the time of slavery and segregation, "called black men 'boy' to reinforce their racially subordinate status." Their motion also noted that both juries were racially diverse and found that Hithon had been discriminated against. In addition, the brief stated that should the current decision by the 11th Circuit stand, "racial discrimination claims resting partly on the use of racial slurs in the workplace could seek refuge in the misguided appeals court ruling." The 11th Circuit Court of Appeals sets precedent federally in Georgia, Alabama and Florida.

"To me, it is really a throwback to the time when federal courts were completely hostile to civil rights," U.W. Clemon, now an attorney in private practice, told the *Atlanta Journal-Constitution* after the court's reversal. "It just appears to me that the judges who wrote that decision don't know the realities of everyday life. What else is it supposed to mean when a white man calls a black man 'boy'?"

In December 2011, the federal appeals



court revised its decision and awarded Hithon approximately \$365,000 in **compensatory damages** (to make up for the financial losses Hithon suffered). The court did not, however, award Hithon the \$1 million in **punitive damages**, which were intended to punish Tyson Foods, because it said Hatley was not high enough in the company ranks to blame Tyson for what he did.

In changing its mind, the court said that changes in evidence presented at the second trial were sufficient enough that a "reasonable juror" could "justify" a verdict in favor of Hithon. For example, Tyson Foods claimed Hithon did not receive the promotion because his plant was performing poorly; but evidence was later presented that the white manager who did

receive the job came from a plant that was performing so poorly that it had closed.

Still the court voiced its contention that there was room for debate. "The verdict could have gone either way, and it went Hithon's way," the court said.

Language counts

The Tyson discrimination case raises interesting questions about language and its consequences. In an article that appeared on Law Enforcement Today, a website for those in the law enforcement community, writer Jean Reynolds commented that the case reflects changing attitudes about the kind of language that is acceptable.

"First," Reynolds wrote, "the case reminds us that language choices—even everyday words, when used in

a questionable context—can have serious consequences. Second, the case underlines a significant change in the way society views people in authority: The old system of automatically protecting those in power has vanished. In bygone days, a manager or supervisor could expect to get away with just about anything, especially if he was a white male supervising black workers. Those days are gone...."

In a *New York Times* article, Clemon said this was the first time he recalls a federal appeals court panel changing its mind. He told *The New York Times*, "The court now understands the unwillingness of black men to go back to being called 'boy.'" ■

Women Still Fighting *continued from page 1*

In most countries, women had almost always been denied rights granted to men. In the U.S., that included the right to vote, manage their own finances, claim ownership to property and even control their own bodies.

It's common knowledge that women won the right to vote with the passage of the 19th Amendment to the U.S. Constitution in 1920. But some lesser-known facts may be surprising. For example:

- Until 1962, when the courts handed down a ruling in *Self v. Self*, women had no legal protections from physical abuse by their husbands; before that time, men technically had the right to beat their wives.
- In 1965, the last state law (Connecticut) denying women the right to use contraceptives to prevent pregnancies and protect them from disease was struck down by the U.S. Supreme Court.
- It wasn't until 1978, in *Kirchberg v. Feenstra*, that the U.S. Supreme Court overturned state laws that designated a man as "head and master" in a marriage, with total control of the assets held jointly by a husband and wife.

The process of change

The changes in the way women were viewed by society took decades of dedicated work on the part of women and their supporters, who organized rallies, lobbied lawmakers, orchestrated acts of civil disobedience, and, through education as well as highly publicized arrests and prison sentences, ultimately swayed public opinion. Today, according to a Nielsen survey, 60 percent of women believe they have more opportunities in their lives than their mothers did.

In the past few years, however, the tide seems to have turned, and what some are calling the "war on women" has started chipping away at those hard-won freedoms. In 2012, House Speaker John Boehner called the idea that he and his fellow Republicans, along with conservative religious leaders, were trying to strip women of their rights an election ploy. Still, evidence does seem to exist that battle lines against women have been drawn on four key fronts: equal pay, domestic violence, access to healthcare and abortion rights.

Equal pay for equal work

According to an American Association of University Women study released in October 2012, a year after the average woman graduates from college she is earning just 82 percent of what her male counterparts are earning. The Equal Pay Act, passed by Congress exactly 50 years ago, was designed to correct that imbalance by prohibiting employers from discriminating against

workers based on gender when it comes to wages. Under the act, women who feel they have been discriminated against are entitled to sue their employer. And while many of them have, and the gap between the average pay received by women and men has continued to shrink, men still, on average, earn 18 percent more than women in the same job.

Since winning his first term of office, President Barack Obama has been working to bring more equality to women when it comes to wages. In fact, the first piece of legislation he ever signed into law was the Lilly Ledbetter Fair Pay Act, which relaxed the statute of limitations for when a woman could file a wage discrimination claim. In May 2012, Democrats attempted to build on that foundation by introducing the Paycheck Fairness Act, which would require employers prove that differences in pay were based on something other than gender and would prohibit them from retaliating against employees involved in wage disputes. The bill needed 60 votes to pass, but fell short with only 52.

Following the vote, Republican Senator Susan Collins told reporters, "We already have on the books the Equal Pay Act, the Civil Rights Act and the Lilly Ledbetter Act, which I did support. I believe that they provide adequate protections. I think this bill would result in excessive litigation that would impose a real burden, particularly on small businesses."

Democratic Senator Barbara Mikulski, who sponsored the bill, called it "a very sad day here in the U.S. Senate. But it's a sadder day every day when a paycheck comes and women continue to make less than men."

Domestic violence

According to FBI statistics, a woman is physically battered every 15-18 seconds in the United States, but for the first time since its passage in 1994, the Violence Against Women Act (VAWA) was allowed to expire. In prior years, the VAWA received **bipartisan** approval from Congress.

The VAWA provided funding to support the investigation and prosecution of violent crimes against women, as well as battered-women's shelters across the country and abuse prevention programs. The renewal proposal introduced for a vote added protections for abused women who are undocumented immigrants and are often afraid to report abuse because they might be deported, as well as Native American women and gays and lesbians.



The Senate approved the bill, but the House of Representatives introduced a new measure that removed these additional protections. The stalemate resulted in the VAWA lapsing in September 2011. In February 2013, the Senate again voted (78-22) to reauthorize the VAWA, sending it to the House of Representatives for action. One of the House's objections to the Senate bill is the jurisdiction of Native American tribal courts. There are some congressmen who feel that subjecting non-Native American men, who abuse Native American women, to tribal courts, instead of U.S. federal courts, is a violation of the abuser's constitutional rights.

On February 22, 2013, the House unveiled its version of the VAWA, which, unlike the Senate version, does not specify protections for gays and lesbians, American Indians or undocumented immigrants who are victims of domestic violence. The House is expected to move this version of the bill in the coming weeks, with hearings beginning February 26. The differences in the bills could result in another stalemate and ultimately again delay the VAWA's reauthorization.



Women's health concerns

Clinics designed to provide reproductive assistance to women have a nearly 100-year history in the U.S., beginning in 1916, when activist Margaret Sanger opened the nation's first birth control clinic in Brooklyn. Within 10 days the facility was shut down and Sanger was arrested, but she took her case to the public and courts, and won. A year later she helped found the organization that would become

Planned Parenthood, which annually serves millions of women who could not otherwise afford contraception, cancer screenings and other services.

In February 2011, congressional Republicans attempted to eliminate funding for Title X, a federal grant program that provides some funding for Planned Parenthood and other providers of HIV testing, contraception, and breast and cervical cancer screenings.

According to Republican Senator Jon Kyl of Arizona, who addressed the budget proposal on the Senate floor, "Everybody goes to clinics, to doctors, to hospitals, so on. Some people go to Planned Parenthood. But you don't have to go to Planned Parenthood to get your cholesterol or your blood pressure checked. If you want an abortion, you go to Planned Parenthood, and that's well over 90 percent of what Planned Parenthood does."

As it turns out, only three percent of the agency's services relate to terminating pregnancies, while 90 percent involve preventative healthcare, according to Planned Parenthood's records. Additionally, the use of Title X money is not permitted for abortion services, whether by Planned Parenthood or any other clinic, and according to

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20 Landmark "Firsts" for Women

- 1839** Mississippi is the first state to grant women the right to own property in their own name.
- 1840** Catherine Brewer is the first woman to earn a bachelor's degree (from Georgia Female College, now known as Wesleyan College).
- 1848** The first Women's Rights Convention is held in Seneca Falls, NY, aimed at winning women a range of rights, including the right to vote.
- 1849** Elizabeth Blackwell is the first woman to receive a medical degree (from Geneva Medical College in upstate New York).
- 1869** Wyoming is the first state to grant women the right to vote.
- 1872** Victoria Claflin Woodhull is the first woman to run as a presidential candidate (for the Equal Rights Party).
- 1916** Jeanette Rankin, of Montana, is the first woman elected to the U.S. Congress.
- 1933** Frances Perkins is the first woman appointed to a U.S. presidential cabinet. (Appointed by President Franklin D. Roosevelt as Secretary of Labor.)
- 1934** Lettie Pate Whitehead is the first American woman to serve as director of a major corporation (Coca-Cola).
- 1967** Muriel Siebert is the first woman to own a seat on the New York Stock Exchange.
- 1972** Katherine Graham of *The Washington Post* is the first CEO of a Fortune 500 company.
- 1981** Sandra Day O'Connor is the first woman appointed to the U.S. Supreme Court.
- 1982** This is the first year that more women than men graduated from college with bachelor's degrees.
- 1984** Geraldine Ferraro is the first woman to run as a vice-presidential candidate for a major political party.
- 1990** Dr. Antonia Novello is the first woman appointed (by President George H.W. Bush) as U.S. surgeon general.
- 1993** Janet Reno is the first woman to be named U.S. attorney general (nominated by President Bill Clinton).
- 1997** Madeline K. Albright is the first woman to be named Secretary of State (nominated by President Bill Clinton).
- 1999** Nancy Ruth Mace is the first woman to graduate from The Citadel, formerly an all-male military school.
- 1999** Lt. Col. Eileen Collins is the first woman astronaut to command a space-shuttle mission.
- 2007** Nancy Pelosi becomes the nation's first female Speaker of the House of Representatives.

Source: *Diversity Inc.*

practice. Across the Atlantic Ocean in England, a different form of questionable conduct has been under scrutiny—players making racially charged comments on the field.

“It may not sound like much of an issue when compared to things like controlling violence in hockey or bounty hunting in football, but it’s all a matter of good sportsmanship, respectful behavior, and setting a good example for fans, particularly kids who are likely to act the same way they see their sports heroes act,” Caruso says.

Soccer’s global standing

Bad behavior in soccer is particularly worrisome on an international level, Caruso explains. In the U.S., soccer (which is called football everywhere but in the U.S.) is just starting to find a place on the roster of professional sports that Americans follow. But elsewhere in the world, soccer rules supreme. While outside the U.S., the American Super Bowl is only watched by an estimated 20 million people, soccer’s global audience is estimated at 500 million.

Traditionally, abusive language has often been tolerated among soccer fans, who could become verbally and physically aggressive during games. In the 1980s, black players were taunted with monkey calls and even had to deal with banana peels being tossed on the field, sometimes even by fans who were rooting for them as favorite players.

“It generally has been a different environment than, say, football in this country; the connection between fans and players has been different in soccer,” says Caruso. “Our sports fans come from all walks of life—working class to corporate leaders. And they may or may not live near the team they support. Soccer players and fans usually come from the same place in society—educationally and financially—and live in the same neighborhoods as the players. Because of that, things could get heated and personal. People can get so personally invested in a match that they feel like they were more like participants than spectators.”

Today, English soccer has become less tolerant of verbally and physically abusive behavior, particularly when it comes to racial matters. In recent years, authorities have begun charging fans involved in abusive behavior in an effort to make the sport less volatile.

These changes are mainly the result of anti-discrimination organizations like Kick It Out, which have been pushing for accountability by sport’s officials, teams and the players themselves, and also the fact that today more than 25 percent of England’s professional soccer players are black. However, out of 92 teams, there remain only two black managers. Hoping to encourage more minorities to become managers, the British government has said it will put \$4.7 million toward a new coaching center.

Even with these changes, racism still makes its way onto the soccer field, most recently in two high-profile cases involving players.

England’s latest incidents on the field

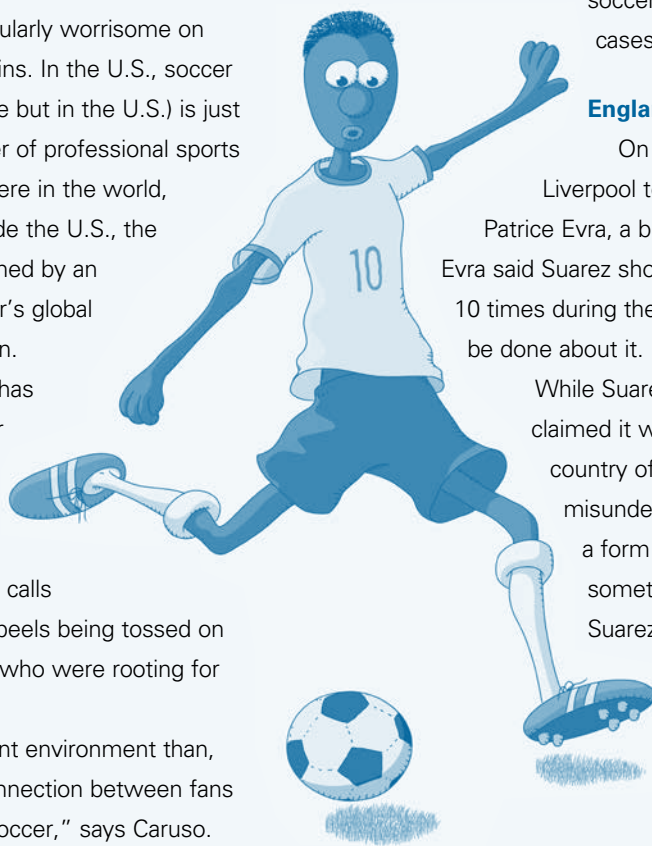
On October 15, 2011, Luis Suarez, a Liverpool team player, directed a racial slur at Patrice Evra, a black player for the opposing team. Evra said Suarez shouted the offensive term at him 10 times during the game, and demanded something be done about it.

While Suarez admitted he used the word, he claimed it wasn’t a derogatory term in his native country of Uruguay, and that his intentions were misunderstood. “I didn’t insult him. It was only a form of expressing myself. I called him something his own teammates...call him,” Suarez told a Uruguayan newspaper.

Gordon Taylor, who headed England’s professional soccer players’ union at the time, told *The New York Times*, “I understand the point about cultural differences. But if you come to this country, all players have to abide by not just the laws of the game but the laws of the land as well.”

In December 2011, the Football Association (FA), which governs the English soccer league, found Suarez guilty of abusing Evra, banning him from playing eight games and fining him \$63,000. Still, his team stood behind him: “It is our strong belief, having gone over the facts of the case, that Luis Suarez did not commit any racist act,” the Liverpool team said in a statement released after his punishment was announced.

David Bernstein, chairman of the Football Association, explained the team’s commitment to Suarez as typical, telling *USA Today*, “Clubs do tend to act like a large family. They do tend to rally round and support each other. They do tend to draw the



wagons around, and this sort of 'they all hate us' type of thing that makes us stronger. It's something that's prevalent in many if not most clubs...There is a strong temptation to do everything one can to get a winning situation, a winning team, and that includes supporting your colleagues almost right or wrong. So it's a cultural thing, but I think it does need looking at."

Two months after the Suarez matter had been settled, a planned public resolution of the tension between the two men only added fuel to the fire, when the teams met on the playing field once more. Suarez had agreed to publicly shake hands with Evra before the game began, but instead he simply walked past him, reigniting the conflict. The Liverpool manager originally supported Suarez, but the next day, the team's American owners, who also own the Boston Red Sox, insisted Suarez apologize.

While the Suarez controversy was swirling, the captain of another English team (who also held the top spot in English soccer as captain of England's national soccer team) found himself embroiled in a similar controversy. John Terry was caught in a YouTube video apparently mouthing racial slurs at Anton Ferdinand, a black player on the opposing team.

Terry denied the accusations, saying he thought Ferdinand was accusing him of making a racial slur and was merely responding that he would never use such a term. "I have never aimed a racist remark at anyone and count people from all races and creeds among my closest friends," he explained in a statement.

Unlike Suarez, Terry faced more than just an inquiry by the governing sports body; British prosecutors also decided to prosecute him for alleged racial abuse under Britain's Crime and Disorder Act, which deals with antisocial behavior. He appears to be the first player to be prosecuted for remarks on the field, although soccer fans have been taken to court on criminal charges in the past.

In July 2012, Terry was cleared of the criminal charges, but a few months later the Football Association found him guilty of racially abusing Ferdinand in the incident. The association stripped him of his position as captain of the national soccer league, ordered he sit out four games and fined him 220,000 pounds or approximately \$350,000.

"He admitted making the remarks," said Damian Collins, a member of Parliament, when the decision was announced. "It is unacceptable for a player to make such remarks, so it was hard for the FA to come to any other decision. John Terry is still a relatively young man. He's got a chance to move on from this and be a role model again. He has to build his own bridges with black players, who were very upset by what happened."

Sending a message

As a result of the decisions on the Suarez and Terry incidents, Kick It Out's chairman, Lord Herman Ouseley, has a positive view of the future of soccer. These cases are "a very important step that sends two messages," he told *The New York Times*. "If you are inclined to behave like that, you are not going to get away with it. And it's encouraging to black players, who have often felt, 'Why bother, it's a waste of time.' Most thought nothing would come out of these allegations."

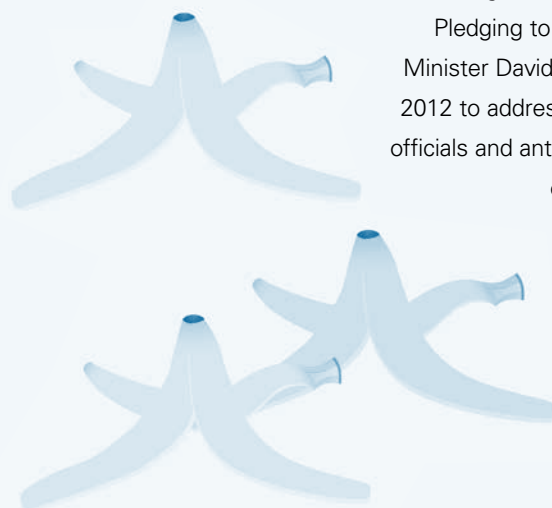
Pledging to "crush" racism in soccer, British Prime Minister David Cameron hosted a summit in February 2012 to address concerns with politicians, soccer officials and anti-discrimination leaders. In a speech

opening the summit, the Prime Minister said, "What happens on the field influences what happens off the field. You see children as young as six imitating the behavior they see on the field. So this is not just important for football, it's important for the whole country...we want to make sure football is all about a power to do

good, rather than anything else."

Still, it is possible that some officials and players continue to hold the belief expressed by Sepp Blatter, the president of the FIFA, international soccer's governing body. Although the FIFA launched a campaign against racism in the sport in 2006, while the Suarez and Terry incidents were under investigation Blatter suggested that racial incidents that take place during a game could simply be resolved with a handshake afterwards. "There is no racism in soccer," Blatter said in an interview for British television. "At the end of the match it's forgotten."

Two days after making the statement public pressure led him to apologize. ■



Women Still Fighting *continued from page 5*

the National Women's Law Center, Title X has funded the early detection of cervical cancer in more than 55,000 cases over the last 20 years, saving countless lives.

A volatile issue

Probably the most volatile women's rights issue presently under the microscope is abortion, which is a constitutionally protected right clarified in the 1973 U.S. Supreme Court decision *Roe v. Wade*. Under that landmark ruling, abortions are legal up until 24 weeks, which is the point at which a fetus could survive outside the womb. Later procedures may also be permitted if the mother's life could be endangered if the pregnancy were to continue.

In 2012, Republican presidential candidate Rick Santorum heated up the reproductive rights debate by stating that all abortions should be criminalized, including when pregnancies resulted from rape and incest. In those cases, he said, a woman should "make the best of a bad situation."

While the issue of reproductive rights was making headlines during the presidential campaign, legislative activity was actually underway on a state level. Several states enacted legislation placing restrictions on abortion rights. In 2012 alone, according to the Guttmacher Institute, a Washington research group that supports abortion rights, 19 states passed 43 abortion-restriction measures. These measures include laws that impose stricter requirements on clinics, forcing many of them to close, cut back the timeframe when abortions are permitted, and impose responsibilities that make the procedure more inconvenient or costly for women.

The most extreme measure was approved in Arizona, which passed legislation prohibiting abortions beginning at 18 weeks after fertilization, six weeks earlier than the Supreme Court's established timeframe. The Arizona law allows medical exceptions only in extreme emergencies, when continuing

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the pregnancy would cause the mother's death or the "irreversible impairment of a major bodily function." Doctors who violate the law could face up to six months in prison and lose their medical license.

The Center for Arizona Policy, a conservative Christian group, helped write the Arizona law. The organization's president told *The New York Times*, the law is necessary to protect women and "pre-born children." The Center for Reproductive Rights filed a lawsuit, along with the American Civil Liberties Union and three doctors, to have the Arizona law overturned.

Testifying against the bill, Dr. Paul Isaacson, one of the physicians involved in the lawsuit, said the law would do little to protect fetuses or their mothers. Serious fetal problems often can't be diagnosed before the 20-week mark, Dr. Isaacson testified, and most women who choose to have abortions at this point do so because tests show the fetus would have serious medical problems or die shortly after birth. Arizona's law would force these women to go through the birthing process, "often at substantial health risks to themselves," according to Dr. Isaacson, even when the newborn was certain to die.

The Arizona law is being viewed as a test case in the courts for legislation designed to chip away at the *Roe v. Wade* ruling.

Women on the rise

With 157.2 million women in the country, according to the U.S. Census Bureau, making up just over half of the population, the power of women as a voting block cannot be denied.

According to election exit polls during the 2012 election, women helped sweep President Obama to victory, giving him 55 percent of their votes.

The 2012 election also swept a record number of women into office. The 113th Congress includes 98 women (20 in the Senate and 78 in the House), the largest number of women ever elected to Washington. ■

Glossary

bipartisan — supported by two political parties. **compensatory damages** — damages that will compensate an injured party for actual loss and nothing more. **defendant** — in a legal case, the person accused of civil wrongdoing or a criminal act. **derogatory** — disparaging or harmful to a person's esteem. **overturn** — in the law, to void a prior legal precedent. **plaintiff** — in a civil action, the person or persons bringing the lawsuit against another person or entity (the defendant). **pretext** — an excuse given to cover up the truth. **punitive damages** — damages that are awarded over and above what is compensatory. Often awarded in extreme cases of negligence, discrimination, etc. **reverse** — to void or change a decision by a lower court.