

WOMEN IN LAW

Prof. Janet Debicka, "Women In Law", by Joann Leake and Susan Satterthwaite

On Friday, Feb. 29th, the lecture series entitled "Living the Reality. Women in Modern Society" presented its second guest speaker, Law Professor Janet K Debicka, who spoke on the topic "Women In Law". Prof. Debicka teaches at the University of Manitoba Law School and in addition, works as a consultant to a law firm which hires only women. Prof. Debicka readily admits that this practice is discriminatory, but adds that by doing so they can take a step in reversing all the years of discrimination suffered by women. She is one of two women out of 24 law instructors at the U. of Manitoba. She finds that the type of discrimination which she suffers is not of salary (due to the fact that the staff is small and therefore is relatively easy to compare wages and point out any discrimination in that regard), but of the attitudes of her male associates. They either consider her to be an inferior because she is a female lawyer, or they accept her with amused tolerance, as if they were allowing her the privilege of belonging to a "man's club".

Prof. Debicka pointed out that today's laws, created by men supposedly for the protection of society, are very often detrimentally discriminatory in regard to women. For instance, it is still not legally possible for a husband to rape his wife. Rape is defined as unlawful sexual intercourse with a woman without her consent and is

chiefly brought about by force or deception by a man. Why, then, is it not considered rape when a husband forces his unconsenting wife to have sexual intercourse with him? Why does the law allow the male the availability of sexual services against the wishes of the woman? Sexual services are not a woman's "wifely duty", as many men and women unfortunately assume, and are certainly not to be forced.

Another area where the law does not like to interfere is in the domain of family violence. Family violence is legally and mildly termed "domestic disputes". However, a large percentage of the murders committed are those of wives and girlfriends in these so-called domestic disputes. The law (again remember that it was created and is carried out largely by men) does not interfere in these home "problems" because a man's home has always been considered his private castle. In this private sphere of society maximum freedom exists, even to the detriment of women (and children as well), but it is still outside of society, outside of the public eye (for no one wants to acknowledge the atrocities that often occur behind the closed shutters of the sacred home), and outside of the law in many cases.

And, of course, many women suffer under the discriminatory practices of men in the area of equal opportunity. All obstacles in the way of total equality for men and women must be removed, not just in the minds and practices of men, but in those of women as well. What are some of the

things that the law can do? Prof. Debicka suggested that there should be legal controls on advertising to remove the undesirable image of women portrayed there, to remove sex discrimination and control sex differentiation. She also states that sex role biases should be controlled in educational materials, particularly those of young children; e.g. portraying all engineers and policemen as men and all nurses and secretaries as women in books. Young boys and girls, as well as men and women, should be shown the many other possibilities for careers and vocations which are open to them. Every province does have some form of human rights legislation, and they all forbid sex discrimination, especially in the area of employment, but enforcing these laws is the difficult part. Also affirmative action programs should be instituted; however, these in themselves can be discriminatory.

Still another important question that must be asked and answered is who is responsible for the traditional "woman's work" of child-rearing and housekeeping. Women and men should have the choice to be in the work force or participate in "reproductive work", or both. Prof. Debicka spoke of paying women wages for housework and child-rearing, but admits that this is not politically feasible.

Then what is the solution to this problem of women being expected to be completely responsible for this area of work? It is quite simple. Women and men should share equally in the reproductive work. Men play and 50% role in everything from reproduction (although it may actually be less here as it is the woman who carries each child for 9 months, goes through the difficult task of giving birth, and then is expected to do most of the raising, while the man's contribution seems often to be finished at the moment of conception) to making dirty dishes. Why, then, is the woman held responsible for 100% plus of the child-rearing and cleaning up?

We women are not alone responsible for all of this. However, it is our responsibility to become aware of (and make others aware of) and put into practice some of the options we have aside from these traditional practices. It is not the intention of this article to negate the institutions of marriage and the family, but to dispute some of the unequal and discriminatory concepts and practices involved in them. The task of feminists today is to equalize the actions and responsibilities of men and women in society, not to claim superiority over or be held exclusively responsible for them.



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