

Do Women Need Equal Rights, or Equal Power?

by Patrick Dankwa John

"I did everything he did, but backwards and in high heels."

~ Ginger Rogers, commenting on what it was like dancing with Fred Astaire.

What is the world's oldest form of bigotry? I have heard many say it is anti-Semitism. Is anti-Semitism older than sexism? If so, that means Abraham (the world's first Jew) was born into a world free of sexism thousands of years ago. Does anyone really believe that women were treated equally, but then somehow, when no one was looking, men got the jump on them all over the world? Well, if sexism has been around longer than anti-Semitism – and it has – then why do we keep saying that anti-Semitism is the world's oldest bigotry? Because women have not had equal power to decide what's good, what's right and what's true. Whoever started the story that anti-Semitism is the oldest form of bigotry must not have considered women a group even worthy of mention. Discrimination against women must have been accepted as so natural to them that it required no justification or explanation. But that is not how we feel about women's rights today, is it? If not, then why do we do rarely hear anyone say that sexism is the world's oldest form of bigotry?

According to linguist Deborah Tannen, language is not just some sounds that come out of our mouths to communicate. Language is the vehicle culture, and as such, language is one of the tools those in power use to maintain their dominance. Tannen observes that men and women use language differently because men and women have different views about how power should be shared. She asserts that most women seek to govern by consensus and collaboration whereas most men govern by dominance and imposition.

Tannen provides an excellent example of how this gender difference plays out in the workplace. At a department meeting, a woman may make a suggestion by posing a "question" to the group. Her male supervisor will summarily dismiss her "question" because he feels that she hasn't put much thought into it or she would have made an aggressive suggestion rather than ask the group a "question." Minutes later, a man will aggressively make a suggestion identical to what the woman's question posed, and the male supervisor will invite him to elaborate to the group and then praise him for his brilliant insight. Tannen points out that this is not just blatant sexism; what likely happened is that the male supervisor interpreted things through a male prism that he didn't even know he had. Usually it is women, not men, who pay the price for such misunderstandings.

In 2009, President Obama's first bill signed into law was the Lilly Ledbetter Fair Pay Act. Ledbetter alleged that she was paid less than her male counterparts for many years. She initially won her case at the trial court level and was awarded \$300,000.00; however, the Supreme Court later ruled her claim was time-barred. Ledbetter had no idea she was being underpaid until the information was leaked to her by a co-worker. Most companies do not have income transparency, so how was Ledbetter to know that she was being underpaid?

This leads to questions such as why women are underpaid in the first place, and why women were denied the right to vote and the opportunity to engage in various professions like law and medicine. Women face discrimination for the same reason any group faces discrimination: some other group won the power grab. "Winners" of power grabs are rarely satisfied to mistreat subordinate groups using only naked aggression. They tend to add a potent mix of gas lighting and propaganda as well. Instead of claiming they are dominant because they won a power grab, "winners" claim they are dominant because they are in some way inherently "better". Subordinate groups then often adopt the dominant group's propaganda. In the face of White Supremacy, many Blacks feel inferior to Whites. Just as Whites have implicit bias against Blacks, so too do many Blacks have implicit bias against themselves. The same could be said for all subordinate groups, including women.

Subordinate groups often argue for their rights by using the framework and rules that the dominant group has already set; oftentimes without even realizing they are doing so. Can you imagine if opposing counsel in one of your cases had the ability to write the statutes, case law, and rules of evidence that would govern your case? You would lose for sure. Trying to

prove you are “equal” to the dominant group is a fool’s errand. You will never be “equal” because the truth is you were always “equal,” but you lost the power grab.

Two examples highlight this point. Studies have shown that female doctors are better than male doctors because they listen better to their patients, resulting in fewer missed critical diagnoses and more saved lives. Studies have also shown that female police officers are not only as effective as their male counterparts at tackling violent offenders, but they are much better at de-escalating situations and making arrests without shooting people (which also leads to more saved lives). There was a time when men excluded women from these professions, claiming that women were simply unsuited for it. Despite several studies making a convincing case that women are better than men at these professions, where is the public outcry for more women doctors and cops so we can save more lives? Discrimination has never been about performance or ability; it has always been about power.

I believe two things, if done simultaneously, will greatly advance the cause of equality for women. First, women should be granted equal political power. Not equal rights, but equal power. Rights are theoretical entitlements, written on paper, with procedural obstacles which diminish their utility. Power is the ability to sufficiently punish someone for ignoring demands or to reward them for complying with requests. There is no equal rights without equal power. We see evidence of this in how Blacks and other minorities are treated. It is already illegal for the police to beat handcuffed suspects to death. Yet, we all saw what happened to George Floyd. George Floyd did not lack legal rights; he lacked what the Black community generally lacks - sufficient political and economic power. We can come one step closer to equality for women if there is an equal number of seats in every legislative body set aside for women. Every district, at every level of government, should have two seats - one male, one female. What would be the objection to this; that men are afraid of sharing power equally with their wives, mothers, sisters and daughters? Is such an objection morally defensible?

Second, we need income and wealth transparency, like Scandinavian nations already have. It is no accident that Scandinavian countries have less gender inequality than America. Women are closer to achieving equality there than most other nations in the world. Income and wealth transparency may strike most Americans as a violation of privacy. But how can we manage what we don’t measure, and how can we measure what we cloak from public scrutiny? Is it really privacy being protecting, or is it secrecy? And who benefits more from this privacy: the powerful or the marginalized? Who benefits from the current status quo? Surely not the Lilly Ledbetters of the world.

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