

How Do Gendered Norms Permeate Our Legal Doctrine?

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The Issue: The inception of U.S. law is rooted in the patriarchal system it was brought up in. Women today continue to deal with misogyny. It goes further than sexist jokes or comments; the marginalization and subordination of women are still protected by the original language of the Constitution. Our laws have failed to provide equality and protection for women, and continue to justify sexist practices.

My Research: My research, under the mentorship of Dr. Stephanie Rivera-Berruz, has been conducted through a feminist philosophy of law lens, in which I adopted a hermenutic of suspicion to critically analyze androcentric biases present in the law. I have looked at the history and evolution of sexism, the transition away from nomadic society and the implications for women, as well as changes in abortion in the Catholic Church. From there, I went on to research how sexism has been reproduced in legal doctrine. I focused on laws surrounding women's healthcare and reproductive health, rape, violence against women, Supreme Court cases, the wage gap, etc. The goal of my research is to bring awareness to my findings that our legal standard reflects male norms, in order to call for a revision of our laws. If the law was created as a male dominated legal system, created by men from a male perspective, isn't it inherently bound to protect the interests of men at the expense of women? If our democracy truly calls for equality between all citizens, aren't we obligated to have our laws reflect this? I believe that the answer is yes. My position is that the law is a critical effort that can be used to protect women and provide equality between the sexes in the twenty-first century.

Next Steps: Going forward in the MU4Gold Program, my goal is to write a paper with my findings, in the hopes of being published in an undergraduate journal of philosophy. This will be my way of sharing my findings in order to call for revision of our laws that will better reflect equality for men and women alike.