

## Hon. Judith S. Kaye 1994

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*Honorable Judith S. Kaye, Chief Judge of the State of New York, was appointed by Governor Mario M. Cuomo in 1993 and reappointed by Governor Eliot Spitzer in 2007. She is the first woman to occupy that post, and in 1983 was the first woman to serve on New York State's highest court, the Court of Appeals. Chief Judge Kaye's current posts also include service as chair of the Permanent Judicial Commission on Justice for Children; founding member and honorary chair, Judges and Lawyers Breast Cancer Alert (JALBCA); member of the Board of Editors, New York State Bar Journal; and trustee, The William Nelson Cromwell Foundation. She has served as president of the Conference of Chief Justices, chair of the Board of Directors of the National Center for State Courts (2002-2003), and co-chair of the Commission on the American Jury of the American Bar Association (2004-2005). She is the author of numerous publications—particularly articles dealing with legal process, state*



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Note: These remarks appear in 57 ALBANY LAW REVIEW, 961 (1994) and are titled “How to Accomplish Success: The Example of Kate Stoneman.”

*constitutional law, women in law, professional ethics, and problem-solving courts—as well as the recipient of many awards and several honorary degrees. Chief Judge Kaye engaged in private practice in New York City until her appointment to the Court of Appeals. She received a B.A. from Barnard College (1958) and an LL.B. from New York University School of Law (cum laude, 1962).*

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Forty-three young men and one young woman were graduated from the Albany Law School on the 2d inst., receiving their diplomas from the hands of Rev. A.V.V. Raymond, D.D., LL.D., president of Union University, of which the Albany Law School is a part. It was the 47th commencement of the school, one of the oldest and most famous in the United States, and one which numbers among its graduates hundreds of men who have reached high eminence, from President William McKinley down the honorable line.<sup>1</sup>

So began the *Albany Law Journal's* report of a historic commencement, which took place on June 2, 1898.

In conferring the degrees, Dr. Raymond announced that Miss Kate Stoneman, that “young woman” of the class of 1898—then 57 years old, a teacher at the Albany Normal School for 32 years, and already a lawyer for a dozen years—was the first woman of any department in Union University to receive a bachelor’s degree.<sup>2</sup> As Miss Stoneman stepped forward, modestly, to receive her parchment, the class members applauded loudly.<sup>3</sup> Prizes were awarded to several of the graduates, including an American and English encyclopedia of law, the grand sum of \$50 for the highest standing in department and general study, and (my favorite) six volumes of *American Electrical Cases* for distinction in corporations.<sup>4</sup> Some class members, including the president, were not in attendance, having enlisted in the volunteer armed services, another announcement that drew hearty applause. Perhaps the reason for much of the enthusiasm and good cheer that day was what the *Albany Law Journal* characterized as an “agreeable innovation” at commencement exercises: “the elimination from the program of the usual orations.”<sup>5</sup> Having myself twice

delivered the commencement speech at Albany Law School, I can well appreciate the sentiment.

But indeed there was one speech to the graduates—and apparently an excellent one at that, described as “exceedingly interesting and helpful” (though, I might add, no applause is noted)—by Judge William J. Curtis, titled “How to Accomplish Success.”<sup>6</sup> Regrettably, I have accomplished no success in locating that speech,<sup>7</sup> leaving us all to speculate wildly on what might have been said to and what might have been heard by (not necessarily one and the same) 43 young men and one young woman that day.

How to accomplish success naturally begins with one’s definition of it, and definitions of success abounded then, as they do today. One prize-winning definition went as follows: “He has achieved success who has lived well, laughed often, and loved much.”<sup>8</sup> But this was after all a law school graduation, and it is unlikely that law graduates were treated to such a short, lighthearted message. I suspect what they heard went more like John Adams’s somber counsel a century earlier:

Bend your whole soul to the institutes of the law and the reports of cases that have been adjudged by the rules in the institutes; let no trifling diversion, or amusement, or company, decoy you from your book; that is, let no girl, no gun, no cards, no flutes, no violins, no dress, no tobacco, no laziness decoy you from your books. . . . Labor to get distinct ideas of law, right, wrong, justice, equity; search for them in your own mind, in Roman, Grecian, French, English treatises of natural, civil, common, statute law; aim at an exact knowledge of the nature, end and means of government; compare the different forms of it with each other, and each of them with their effects on public and private happiness.<sup>9</sup>

I have tried to imagine Kate Stoneman among the graduates, absorbing that sort of advice or fitting her life into the context of a time when the occupations open to women were “housekeeping, sewing, cooking, tailoring, domestic nursing, teaching in ‘dame’ schools, and shop work.”<sup>10</sup> A graduating class of nurses at Johns Hopkins University heard a much more fitting definition of success for women of the day: “Tact is the saving virtue without which no woman can be a success.”<sup>11</sup>

Would Kate Stoneman have agreed that tact is the preeminent ingredient of success? From a study of her life, I strongly doubt it. Born in Lakewood, New York, in 1841, Kate Stoneman was the fifth of eight children of hard-working farm parents—born teachers devoted to learning and books.<sup>12</sup> She was determined from an early age herself to become a teacher and, between 1864 and 1866—Civil War years—made what she described as a “very long” and “perilous” journey from her home in Jamestown to the Normal School in Albany, the only state school in New York training teachers for the public schools.<sup>13</sup> In 1866, she began a teaching career at the Normal School (with a brief break at Glens Falls Seminary) that continued over the next 40 years, until 1906.<sup>14</sup> Her subjects included penmanship, geography, drawing, and school law. In 1925, at the age of 84, she died.<sup>15</sup>

Those statistics fit Kate Stoneman quite comfortably into a mold of success for professional women of the day—essentially a separate, distinctly “lesser” sphere. At the Normal School where she chose to spend half of her life, no woman reached the rank of professor, and the women were paid about half that of their male counterparts.<sup>16</sup> But those statistics only begin to portray this pioneering, precedent-setting, path-breaking individual. They obviously did not fit Kate Stoneman’s own vision of success for herself or other women.

Kate Stoneman’s interest in law began in her youth with one “huge, musty looking law book, which she read again and again, partly because it interested her and partly because [books being scarce] she had little else to read.”<sup>17</sup> As a college student, she had another brush with the law: she put her splendid penmanship to use, working as a copyist at 10 cents a page for Joel Tiffany, state reporter for the Court of Appeals.<sup>18</sup> I’ve riffled the pages of volumes 28 to 33 of the New York Reports many times wondering, was it something in these cases that kindled the spark? Was it our beautiful courthouse or our magnificent courtroom that inspired her to tackle a seemingly insurmountable barrier and sit for the bar examination?

It was actually service as executor of her great-aunt’s estate that directly precipitated Kate Stoneman’s serious study of law for two years in the offices of Albany attorney Worthington W. Frothingham—nights, summers, and weekends—while continuing as a teacher.<sup>19</sup> But in fact by 1885, when she took the unprecedented step of sitting for the bar examination, she had long nurtured a thirst for the equality of women, and a vision of the potential for reform through law.<sup>20</sup>

Kate Stoneman's career as a suffragist began soon after she started teaching. It became the center of her life,<sup>21</sup> resulting even in discipline at the Normal School for teaching suffrage to students. Efforts to persuade the New York legislature to amend the laws that so entrenched women's inequality were a natural focal point.<sup>22</sup> As she later noted, "I think it is called lobbying now, but in those days it was the simplest thing in the world to get inside the brass rail. We had the "run of the two houses and were allowed to come and go as we pleased."<sup>23</sup>

That proved to be useful experience when, having passed the bar examination, Stoneman was refused admission because the Code of Civil Procedure allowed only "male" citizens to practice law and "her sex was against her."<sup>24</sup> With the legislature then nearing the close of its session, Stoneman and friends, in one day, walked a bill through both houses, changing the law to declare that race and sex would constitute no cause for refusing any person admission to practice.<sup>25</sup> And then—again accompanied by a cadre of supporters, including representatives of the press—she personally called on the governor and the secretary of state for their signatures. As reported, she spoke "briefly and concisely, but eloquently, representing the little group of serious minded women who were working for a voice in the affairs of government. It was chiefly to extend the field of women's activity that Miss Stoneman was anxious to gain admission to the bar."<sup>26</sup>

The bill was signed into law, and three days later—on May 22, 1886—Kate Stoneman was admitted to the New York Bar.<sup>27</sup> "A new day had dawned for the women of New York state, and from all over the country and from all types of people, telegrams and letters of congratulation poured in to Miss Stoneman."<sup>28</sup>

For the next several decades, Kate Stoneman kept an office on State Street in Albany, New York, where she carried on her educational work, law practice, and advocacy of world peace, but above all her struggle for the vote and for equality. What a sweet pleasure it must have been for her to serve as a poll watcher when, in 1918, women at last got the vote! When the chance was at hand for her to open yet another path—access to education—it was again irresistible.<sup>29</sup> Though already a member of the bar, she showed considerable fortitude by enrolling in Albany Law School as a first-year law student, and she well earned her place on the second of June among the Class of 1898.

A class note in the January 1925 *Alumni Quarterly of New York State College for Teachers*—the year of Kate Stoneman’s death—sums up her life:

There is little of personal glory and satisfaction in Miss Stoneman’s story.<sup>30</sup> Rather, she rejoices over the fact that through her efforts she was able to pave the way for other women. “I am happy for the opportunity that I have had. Time, place, and circumstances combined to help me accomplish my work. Up to my time there were many who tried to win and were unsuccessful. Later there were others who accomplished far greater things. The present day presents greater opportunity than ever before for a woman. They are succeeding and will go on in their accomplishments. My message is to younger women. They must take their opportunities as they come. Always there are opportunities to be had.”<sup>31</sup>

## THE LESSONS OF HISTORY

Grant Gilmore describes history as a “systematic distortion of the past, designed to tell us something meaningful about the present.”<sup>32</sup> So what meaningful lessons do we learn from the example of Kate Stoneman?

First, we know from looking back on her life that the differences from those days to these are striking, and that we have much to celebrate. Most striking of all is that, in the Albany Law School Class of 1898, there was one woman among 43 men. In the Albany Law School Class of 1998, there will likely be more than 100 women, perhaps half the class, perhaps even more. This year women comprise 47 percent of Albany Law School’s graduating class, as they have in law schools throughout the nation for the past several years. For decades, women law students have been in the solid double digits, inching their way toward 50 percent of the class and beyond. In 1898, Kate Stoneman was the only woman admitted to practice in the entire State of New York, one of a few in the nation. It is predicted that by the year 2000, one-third of the nation’s lawyers will be women.<sup>33</sup>

Facial change like that is evident in all corners of the profession. Women—plural women—sit on the United States Supreme Court, the New York Court of Appeals, the Appellate Divisions, and throughout the judiciary. Women lawyers are found in the highest reaches of

academia, private law firms, corporations, government—even the White House. With law school enrollments hovering close to 50 percent women and 50 percent men, we are assured for the foreseeable future that these happy facts will continue.

Beyond facial change, we can celebrate that growing numbers of women have unquestionably made a genuine difference. While entry into all of the professions was difficult, not surprisingly, the legal profession—the “epicenter” of societal change<sup>34</sup>—was most resistant.<sup>35</sup> The public image of the “fair sex,” the delicate, nurturing, “true woman” in need of the protection of a husband or father, just didn’t jibe with the public image of the lawyer—“bold, brilliant, aggressive, incisive, ruthless,” and courts denying women admission to the Bar had no reluctance spelling that out: that was, after all, the law of nature.<sup>36</sup> George Templeton Strong summed it up well at Columbia University Law School, in the year 1925. In his words, “No woman shall degrade herself by practicing law in New York especially if I can save her.”<sup>37</sup> And as hard as it was to open the doors to legal education and admission to the bar, changing societal images—both the image of submissive women and the image of ruthless lawyers—has been the most difficult of all. But there too the differences have been striking and the gains worth celebrating.

In so many respects the laws have changed, the ground rules have changed, and (most impervious of all) public attitudes have changed, as the lines defining and separating two unequal spheres have blurred. It is no accident that the earliest women lawyers were also suffragists; access to government is elemental. But beyond the vote, it is clear that there has been significant progress toward the inclusion of women in places and institutions of every sort, in large part attributable to lawyers and the law. We have seen this even in our own lifetimes, as we have moved far beyond the vote and the right to serve on juries, to statutes and constitutional doctrines banning discrimination, and to society’s recognition of marital rape as a crime, battered woman syndrome as a defense, and sexual harassment as a wrong. Indeed, the ground rules have changed very significantly from Kate Stoneman’s days.

But if the definition of “success” is not simply inclusion and access, but also equal access and equal participation in vital decision making, there are other lessons in a study of history, and that is how much remains the same, how much there is yet to be accomplished.

Even in this day of breathtaking scientific and technological progress, the historic separation and inequality of the two spheres continues. As Chief Judge of the State of New York, I had a poignant reminder of this phenomenon recently when I dropped in at a Park Avenue club in Manhattan to meet a friend, and was told that no women are allowed in the dining room.<sup>38</sup> Much as I resent such experiences, the reminder is a useful one for those who may believe that the battles were all fought and won for us by Kate Stoneman 100 years ago.

The reminders are not hard to find. Even in the legal profession, where women have for decades been entering and practicing in increasing numbers, we see no natural, comparable progression of those numbers of women into the positions of power and influence—it is still a banner-headline event every time. With women a steady 30 or more percent of the law school graduating classes, surely we should expect that by now there would be far greater numbers of women who have become judges, major law firm rainmakers and partners, corporate presidents and general counsels, tenured faculty members and law school deans.

And most troubling of all to me, in my own 32 years at the bar, is that I see very little genuine advance in the area of family and child care issues, which are determinative in the careers of many women. As far as most employers are concerned, these still remain personal problems to be resolved by the families involved, and as far as most families are concerned they still remain the woman's problem to be resolved by her alone. I can well recall the wife of one of my partners, back in my own law practice days, expressing sympathy on the departure of my long-time housekeeper because it meant I would have to leave the firm.

Of course, many women facing that critical choice, with far less support than I had, do leave. A recent poll by the *New York Law Journal* reported facts we all know: lawyers regularly working around the clock, including nights and weekends, with little time for family and friends.<sup>39</sup> The women lawyers, far more so than the men, told of work-related stress behavior at home, and the women, far more so than the men, expressed the wish that they could work fewer hours for less money.<sup>40</sup> But the law firm culture persists virtually unchanged from my own entry into that world more than three decades ago, and the pressure is enormous—in some ways perhaps even greater than it was a century ago, when simply being the first itself defined success.

In preparing for today, I read a fascinating essay on Clara Shortridge Foltz,<sup>41</sup> California's first woman lawyer (admitted to the bar in 1878), and wondered how she managed to travel through the state and nation, breaking barrier after barrier, while raising five children. Twenty-four pages into the article I found the answer—her mother took charge of the babies,<sup>42</sup> a privilege not many of us have. Too many women still are discouraged by the prospect and reality of a demanding profession and society that remain very slow to change.

I have participated in endless discussions of these issues, several with my own lawyer-daughter, who, by the way, does not have a mother available to take charge of her babies. If anything, the discussion has grown infinitely more complex as women themselves part company over the very meaning of equality: does equality proceed from the proposition that we speak in a “different voice,”<sup>43</sup> or is the first premise that there is no difference at all between male and female lawyers.<sup>44</sup> Not one of my discussions has ever reached a satisfactory conclusion, or indeed any conclusion at all.

I have no greater expectation today. Though we continue to debate many of the same questions, and in fact merely proliferate the open questions, I am far happier participating in the discussion as Chief Judge, here in the presence of my extraordinary colleagues on the Court of Appeals, Judges Carmen Ciparick and Vito Titone, in a room filled with articulate men and women (many of them lawyers and law students) dedicated to finding the answers. I am far happier than Kate Stoneman must have been facing barriers to the vote, to the bar, to law practice, and even to a law school education. That so many of us have grappled with these issues, alone and together; that so many of us, beating our own individual paths through the thicket, have apparently made it into a clearing (or at least into another thicket), seems to me to bode well for the success of other women struggling with the same life-defining questions.

I have read a great deal about Kate Stoneman—indeed everything I could find which, as with much of women's history, regrettably tells us very little of what the real person thought and felt.<sup>45</sup> I believe, however, that she did, by the time of her Albany Law School graduation, have a very well-formed view of how to accomplish success, beginning with a dream, a vision of what could be accomplished, and buttressing that vision with courage, tenacity, creativity, and—when the occasion required—even a bit of tact. I suspect she could have added

immeasurably to Judge William J. Curtis's commencement day observations on the subject, because she surely did know how to accomplish success, leaving for all of us—in a day when simply being first no longer defines success—the opportunity to do more, much more, in the pursuit of equality.

### Notes

1. The Albany Law School Commencement, 57 ALB. L.J. 380 (1898).
2. *Id.*
3. *Id.*
4. *Id.*
5. *Id.*
6. *Id.*
7. I have been unable even to locate Judge Curtis in the annals of the judiciary.
8. Bessie Anderson (Mrs. Arthur J.) Stanley's prize-winning definition in 1904 contest conducted by BROWN BOOK MAGAZINE, in JOHN BARTLETT, FAMILIAR QUOTATIONS 905 (13th ed. 1955).
9. R. Carter Pittman, *Admissions to and Disbarments from the Bar of Justice*, 17 GA. BAR J. 169-70 (1954) (quoting John Adams (1759)). Small wonder that his son—John Quincy Adams—had mastered French, Greek, and Latin by the time he was 10 years of age. In the same vein, an 1898 article discussing the reading necessary for lawyers placed above all else The Bible (an “inexhaustible storehouse” from which to touch the conscience of juries); Shakespeare (again for quotations “to clinch . . . arguments and sway . . . juries”); a study of world history; ancient and modern literature; philosophy and the sciences (to make the lawyer a more profound thinker and more skilled reasoner); new novels; newspapers and magazines; and—somewhere on the list—law books. Walter L. Miller, *What Should Lawyers Read?*, 55 ALB. L.J. 279 (1898).
10. Geoffrey Williams & Carole Novick, *A Woman Who Wouldn't Take No for an Answer*, ALBANY L. SCH. MAG., Union U., Spring 1992, at 16, 17 (quoting MISS STONEMAN PIONEER LAWYER, ALBANY KNICKERBOCKER PR., Feb. 9, 1919).
11. Sir William Osler, in JOHN BARTLETT, FAMILIAR QUOTATIONS 743 (13th ed. 1955).
12. Williams & Novick, *supra* note 10, at 17; see Mabel Jacques Eichel, *Miss Kate Stoneman, Lawyer, One of Our Pioneer Suffragists*, 7 WOMEN LAW. J. 35 (1918) (originally published in ALBANY KNICKERBOCKER PR., NOV. 1916) (Mrs. Eichel was at the time press chairman for the Third Campaign District, New York State Woman Suffrage Party).
13. Williams & Novick, *supra* note 10, at 17; Eichel, *supra* note 12, at 35.
14. Williams & Novick, *supra* note 10, at 17.

15. *See id.* at 19.
16. *Id.* at 17.
17. Eichel, *supra* note 12, at 35.
18. *Id.*
19. *Id.*; Williams & Novick, *supra* note 10, at 18.
20. The women's rights movement officially began in 1848 at Seneca Falls, New York, when about 300 people, responding to the call of Elizabeth Cady Stanton and Lucretia Mott, passed a Declaration of Sentiments. 3 HISTORY OF WOMAN SUFFRAGE 67-73 (Elizabeth Stanton et al. eds., 1881).
21. *See* Williams & Novick, *supra* note 10, at 17-18. The opinion of Attorney-General Hamilton Ward, in 1880, denying women the right to vote in school elections was a catalyst for the formation by Kate Stoneman and several other women of an organization "to give needed information to women who may desire to assert their right to vote, and to conduct the campaign on behalf of women." *The Ladies Open the Campaign*, ALB. EVENING J., May 20, 1880; *see also Suffrage to Women: The Attorney-General's Opinion of the Scope and Application of the New School Act*, ALB. EVENING J., May 18, 1880 (printing the opinion of the Attorney General); *The Woman's Mass Meeting To-Day*, ALB. EVENING J., May 19, 1880 (listing the resolutions adopted by the new women's organization).
22. New York women gained the right to vote on January 1, 1918, when the amended Article II, 1 of the New York State Constitution, conferring equal suffrage on women, took effect. Congress did not ratify the Nineteenth Amendment until 1920. *See also* NORMA BASCH, IN THE EYES OF THE LAW: WOMEN, MARRIAGE, AND PROPERTY IN NINETEENTH-CENTURY NEW YORK (Cornell University Press, 1982) (developing a feminist legal theory based on an analysis of historical developments in women's rights).
23. Williams & Novick, *supra* note 10, at 18.
24. Note by the Reporter, following *In re Leonard*, 53 AM. REP. 323, 325 (Or. 1885).
25. Act of May 19, 1886, ch. 425, 1886 N.Y. LAWS 668. After the statute was amended, Stoneman reapplied and her application was granted. *In re Stoneman*, 40 Hun. 638 (N.Y. 1886). As Governor Hill later stated: "Our profession, with becoming gallantry, will welcome the fair sex in this new field of honor and usefulness which has been opened to them. . . ." Eichel, *supra* note 12, at 35.
26. Eichel, *supra* note 12, at 35.
27. Williams & Novick, *supra* note 10, at 18.
28. *See* Eichel, *supra* note 12, at 35.
29. *Id.* Several New York women unable to secure a legal education in New York State left and studied law elsewhere. *See* KAREN BERGER MORELLO, THE INVISIBLE BAR: THE WOMAN LAWYER IN AMERICA, 1638 TO THE PRESENT 76 (1986); Karen L. Tokarz, *A Tribute to the Nation's First Women Law Students*, 68 WASH. U. L.Q. 89 (1990).

30. Contrast that remarkable statement with Eichel's assessment of Kate Stoneman's influence:

Few women have done more for the cause of woman's rights than Miss Stoneman, who was not only an early, active suffragist, untiring in her efforts and devotion to the cause, but was the first woman admitted to the practice of law in the State of New York and who, in gaining admittance to the bar, opened to women a new and unhopd for field of activity.

Eichel, *supra* note 12, at 35; cf. Barbara Allen Babcock, *Clara Shortridge Foltz: "First Woman,"* 30 ARIZ. L. REV. 673, 674 (1988) ("Wherever she went . . . she was prominent.").

31. *Alumni Notes*, ALUMNI Q. N.Y. ST. C. FOR TEACHERS, Jan. 1925, at 17, 18 (quoting an unnamed Albany newspaper).
32. Charles R. McManis, *The History of First Century American Legal Education: A Revisionist Perspective*, 59 WASH. U. L.Q. 597, 599 n.11 (1981) (citing Grant Gilmore, *Law, Anarchy and History*, U. CHI. L. SCH. REC., Autumn 1966, at 2).
33. TONI CARABILLO & JUDITH MEULI, *THE FEMINIZATION OF POWER: WOMEN IN THE LAW* 1 (1990). One hundred years ago there were about 135 female lawyers and law students in the United States. There are now about 157,000 female lawyers (21% of the profession) and 54,000 female law students (43% of the total). Judith S. Kaye, *Women in Law: The Law Can Change People*, 66 N.Y.U. L. REV. 1929, 1937 n.34 (1991) (citing ABA Commission on Women in the Profession, Fact Sheet (1991)).
34. MONA HARRINGTON, *WOMEN LAWYERS: REWRITING THE RULES* 7 (1993).
35. In 1910, there were 1,500 female lawyers and almost 9,000 female doctors. Babcock, *supra* note 30, at 716 n.221 (citing BARBARA HARRIS, *BEYOND HER SPHERE: WOMEN AND THE PROFESSIONS IN AMERICAN HISTORY* 110 (1978)).
36. *See, e.g.*, *Bradwell v. State*, 83 U.S. (16 Wall.) 130, 141 (1872) (Bradley, J., concurring); *In re Goodell*, 39 Wis. 232, 245-46 (1875).
37. Morello, *supra* note 29, at 76 (quoting 4 *THE DIARY OF GEORGE TEMPLETON STRONG* 256 (Allan Nevins & Milton H. Thomas eds., 1952)).
38. A bill first introduced 14 years ago to ban discrimination by many private clubs in New York State has been reintroduced in the state legislature this year. *See* Kevin Sack, *Measure to Bar Bias by Private Clubs Is Gaining in Albany*, N.Y. TIMES, Mar. 10, 1994, at B8; *see* N.Y.S. Club Ass'n v. City of New York, 505 N.E.2d 915 (N.Y. 1987), *aff'd*, 487 U.S. 1 (1988).
39. Edward A. Adams, *Legal Career Exact's Steep Personal Price*, N.Y. L.J., Feb. 7, 1994, at 1.
40. *Id.* at 2.
41. Babcock, *supra* note 30.
42. *Id.* at 696.

43. See, e.g., CAROL GILLIGAN, *IN A DIFFERENT VOICE* (1982); Carrie Menkel-Meadow, *Excluded Voices: New Voices in the Legal Profession Making New Voices in the Law*, 42 U. MIAMI L. REV. 29 (1987).
44. See, e.g., CYNTHIA HARRISON, *ON ACCOUNT OF SEX: THE POLITICS OF WOMEN'S ISSUES, 1945-1968*, at 3-23 (1988) (describing division over the Equal Rights Amendments); Sandra Day O'Connor, *Portia's Progress*, 66 N.Y.U. L. REV. 1546 (1991); see also Babcock, *supra* note 30, at 677 (describing two early national suffrage associations that operated separately because women of that time could not agree on methods and ideologies for pursuing the vote). It's not at all surprising that very basic divisions persist: we are not a monolith.
45. It continues to disappoint me that no law school (to my knowledge) has, as yet, undertaken to establish a definitive collection on women in the law. Research in the area remains spotty and difficult.

