

SUING THEIR WAY INTO THE NEWSROOM:  
HOW WOMEN AT THE DETROIT NEWS CHANGED JOURNALISM

by

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## ABSTRACT

The women's liberation movement in the 1970s and 1980s utilized various means for activism and demonstrations, but women also used the judicial system to fight for equality in the workplace. This study focuses specifically on the field of journalism and how female reporters used the courts to fight the gender discrimination that was widespread and unbridled before the creation of legislation that outlawed it.

The lawsuit filed by Mary Lou Butcher and approximately 90 other women against *The Detroit News* is one such case that exemplifies the process of filing a gender discrimination lawsuit, as well as the events that led to the suits and the impact that it and similar lawsuits had on the field of journalism and the women's liberation movement as a whole.

Using textual analysis to examine the coverage of these lawsuits by industry literature and by the publications challenged by the lawsuits demonstrates what the field of newspapers and magazines was like during the time of the cases.

Comparing the same media during the times of the lawsuits and post-settlement reveal how they contributed to an adjusted view of female journalists and aided women's acceptance in American newsrooms.

This body of research is dedicated to the women who risked their careers and reputations by taking part in the gender discrimination lawsuits against the publications that employed them. Their contributions to journalism and to the women's liberation movement is documented in this thesis with the hopes that their efforts are imitated by future women in journalism and acknowledged by all inside and outside of the newsroom.

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## TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION .....	2
History of Women in Journalism .....	3
Women Work in World War II .....	5
Legislation .....	6
E.E.O.C.....	7
CHAPTER 2: LITERATURE REVIEW .....	12
Girls In the Balcony .....	12
The Detroit News .....	14
Newsweek .....	15
The Washington Post.....	17
The Associated Press.....	18
The New York Times .....	19
Lawsuit Settlements .....	20
Editor and Publisher .....	22
CHATER 3: RESEARCH METHODS .....	25
Methods .....	25
Research Questions .....	26
Research Sources.....	27
CHAPTER 4: FINDINGS .....	30
Mary Lou Butcher .....	30
Male Supporters .....	36
Lawsuit Officially Filed .....	39
The Detroit News Settles.....	45
CHAPTER 5: DISCUSSION.....	53
Enlightened Sexism.....	57
CHAPTER 6: CONCLUSION .....	61
Lilly Ledbetter .....	64
APPENDIX: CHAPTERS AND SECTIONS .....	70
WORKS CITED .....	73

## CHAPTER 1: INTRODUCTION

Journalists' role as servants in the "Fourth Estate" is rarely more important than during a presidential election year. When politicians are busy disseminating what citizens want to hear or are shaping their words in clever and strategized ways, journalists become the watchdogs and investigators who sift through speeches and distribute facts to readers. An election year can be a pinnacle point for the media, and journalists are pressured – rightly so – to perform their tasks to their highest abilities. This level of expertise is understood to include multiple viewpoints of the news, the expression of diverse opinions and facts that portray the news accurately. Journalism, then, has an inherent need for diversity.

The 2012 election year however has thus far had significantly low gender diversity in political journalism for a country with more female than male voters. In the 2010 presidential election, 5.2 million more women reported voting than men, confirming that the "woman vote" cannot be discounted (*United States*). Additionally, for the 2012 election, it has been a hot-button year for topics of abortion and others that clearly concern women and the discussion of women's rights. Therefore, the 2012 presidential election year has seen a significant increase in attention from women yet there has not been a matching increase in female journalists covering these topics.

The Women's Media Center reported on August 27, 2012, that during this election year, an average of 74 percent of newspaper articles concerning the election were written by men (Larris). Despite women's significant participation in this election, men are writing the vast majority of newspapers' political articles. Even though topics such as abortion, birth control and

Planned Parenthood have all been highlighted and scrutinized by voters, articles involving these topics are more likely to be reported by men than women. According to data collected by a The Fourth Estate research project, “In front page articles about the 2012 election that mention abortion or birth control, men are 4 to 7 times more likely to be cited than women. This gender gap undermines the media's credibility” (“Silenced”). The imbalanced news is due to the significant lack of diversity in the newsroom, which exists even outside of election years. The American Society of Newspaper Editors reported that between 1999 and 2010, American newsrooms were made up of 63 percent male employees (Pugh 2).

These statistics call for attention to the state of the newsroom and highlight the importance of a diverse array of media members. The goal of diversity in the American workplace is more than just the desire of activists, feminists or interest groups. Rather, this nation and its government hunger for an efficient system of communication and equality in the workplace and in the media, one oiled by fair news coverage and a breadth of conflicting opinions being represented from within the newsroom (Tenore). And while there are signs of inequality in the workplace and in the field of journalism even now in the 21<sup>st</sup> century, the hunger for diversity in the country only began a few decades ago.

### **History of Women in Journalism**

Equality in the workplace was one of the many goals of the women’s liberation movement throughout the mid-1900s, a goal that arguably has not been accomplished even today. Specifically, women in journalism were heavily discriminated against despite their ever-growing presence in media. As early as 1919 there was recognition of the discrimination in journalism, and the formation of the Women’s National Press Club in Washington, D.C. was the



first step of women's march toward equality in the newsroom. A club already existed in D.C. that housed important political or international speakers, allowing journalists access to notable speeches from historic individuals; this club was the National Press Club, which was closed to women not only as members but as visitors, too. Therefore, the Women's National Press Club was created to enhance the role of women journalists and to diversify the profession; it became a place for female journalists to meet and to host events that were open to women – unlike several other press clubs throughout the nation.

In 1920, women made up 16.8% of a typical newsroom, and were limited to writing in what was called the “women's pages” (Chambers). Most of the topics in this section included stereotypically feminine topics such as fashion, household products and social community events. The section would include news stories written by women as well, especially featuring suffrage or women's movements; however, a byline featuring a female's name would never have been expected to be attached to a political or breaking news story outside of the women's pages. Eleanor Roosevelt, who was a member of the Women's National Press Club, famously countered this imbalance during her time as First Lady from 1933 to 1945 (Beasley). Being close friends with several female reporters from the Club, Roosevelt was very aware of the problems women faced when attempting to advance their journalism careers, and she invented the women-only press conference. The First Lady would admit only female reporters to the conference, forcing publications to send their female journalists to these high-profile conferences – or to hire some if they did not have any. The conferences succeeded in pointing out the imbalance in the journalism field, but Roosevelt's conferences alone would not move women out of their niche of the paper in the women's pages. World War II would advance this progress.

## **Women Work in World War II**

When men of the United States were drafted and sent off to war, vacancies were left in the newsrooms and in all businesses where men worked. The famed cultural poster-icon “Rosie the Riveter” served to encourage women that they were capable of filling the positions the men left behind, and every field began embracing the flood of females into the workplace. From 1940 to 1944, the number of American women working outside the home rose from 12 million to 19 million, an increase of 58 percent (Streitmater 142). Women filled up factories and assembly lines, by 1950, women made up 32% of journalists (Chambers).

Women had demonstrated their capacity to work during the war, but the field of journalism continued to be an all-men’s game long after it was over. Many of the female journalists who filled the spaces left by the draft were kept on a contract with United Press that required them to surrender their positions as journalists when the men returned from war (Voss and Speere, “Marjorie” 3). These waivers allowed women to work as journalists with the understanding that as soon as the males come home, their time was up; thousands of women signed these waivers and were quickly ushered back to the women’s pages as soon as the drafted men returned (3). The waivers were not viewed as sexist or irregular, but rather as a device to adjust for the war, as it was nationally accepted that these positions belonged to men and women were just filling in temporarily (3).

The skills of these women were not subpar to men’s, and women were not exclusively talented in writing fluff articles on hair or housekeeping; yet they were blatantly prevented from writing articles worthy of front page spots and their feminine names were kept off of

publications' mastheads. And though the draft in World War II proved these women had hands just as capable as men's to hammer out the news on their typewriters, these spots in journalism were reserved for the males. Dorothy Journey, an exemplary female journalist and groundbreaking editor of women's pages who began her career in 1930, was forced to succumb to this understanding when she not only sacrificed her career to a male post-World War II but was also asked to train the under-qualified man who would be replacing her (Voss and Speere "Marjorie" 16). Eventually, such blatant discrimination would be outlawed by the 1964 Civil Rights Act; but until then, this and similar methods of female employment were completely legal in America.

## **Legislation**

The 20<sup>th</sup> century was full of historic civil and women's liberation movements, giving America an atmosphere of change and causing some of its citizens to question traditional social order. The Nineteenth Amendment, ratified in 1919, secured a woman's right to vote and showed the nation that the government, at least partially in its legislation, was beginning to embrace women's increasing rights. The Nineteenth Amendment's statement was combated however by the legislature's resistance to women's demand for the Equal Rights Amendment (E.R.A.), which was first proposed in 1923 and has yet to be ratified at the present time (The Equal). The three-section amendment gives Congress the power to enforce that "Equality of rights under the law shall not be denied or abridged by the United States of by any state on account of sex" (The Equal). Though 35 states had ratified the E.R.A. as of 2012, three more are required in order for the amendment to have a chance to be federally ratified as a constitutional

amendment; this near century-long battle suggests the government's reluctance to fully acknowledge equal rights for women in the United States.

Then, the 1960s was a decade full of legislative acknowledgement of the inequality in the workplace, beginning with the Equal Pay Act of 1963, which sought to eliminate wage disparity based on gender. Then, the Civil Rights Act of 1964 outlawed sex discrimination in the workplace through Title VII. This Act outlawed employment discrimination based on a list of characteristics, including "sex," and was the first legislation in history to make gender discrimination illegal. This addition of the word "sex" was decided upon at the last moment in the legislation, and that decision created what would become the basis of the discrimination lawsuits that would be filed years later by women at major news publications.

### **E.E.O.C.**

The Equal Employment Opportunity Commission (E.E.O.C.) was formed to field complaints and address violations of the Civil Rights Act of 1964, as well as to hold other responsibilities. Complaints of discrimination in the workplace are filed with and investigated by the E.E.O.C., and its creation provided a brand new set of tools to minorities seeking fair treatment from their employers. The field of journalism was not yet shaken by gender discrimination lawsuits when the E.E.O.C. was created, but employers in male-dominated career fields all across America were feeling the impact of the first discrimination cases filed on the basis of Title VII. The creation of Title VII in the Civil Rights Act of 1964 was the event that did not just trigger a chain of discrimination lawsuits but also contributed to the momentum of the women's liberation movement.

The E.E.O.C. was a legislative change for equality that reflected a social progressive change that was happening in America. A byproduct of this was the creation of the National Organization for Women (N.O.W.) in 1966. The organization became a powerful ally to women in the workplace who claimed discrimination, and was also an active player in working with women to utilize the E.E.O.C. for their purposes. In the year of its founding, N.O.W. petitioned for the E.E.O.C. to hold public hearings regarding the prohibition of discrimination in employment through sexist “help wanted” ads; by May of the following year, the E.E.O.C. honored the petition (“Highlights”). N.O.W.’s impact on the social atmosphere and the media was further demonstrated in the 1970 “Women’s Strike for Equality” march, which *TIME* magazine called “the first big demonstration of the Women’s Liberation Movement” (“Nation”). The march, made up of 50,000 women walking down New York’s Fifth Avenue and in cities around the country, occurred on the 50<sup>th</sup> anniversary of the Nineteenth Amendment. Through its work with the E.E.O.C. and its urging toward employers to meet quotas of jobs for women, N.O.W. was a strong leader in the era and demonstrated the aims of the movements of that time.

Many feminists felt that demonstrations like N.O.W.’s “Women’s Strike for Equality” were lumped together in the news and that participants were classified as “bra-burners” – a phrase founded the women’s plans not their actual actions, as the act was never performed by feminist demonstrators (Beasley 172). Women felt that the news coverage was often manufactured by male-directed publications and that the media was therefore not acknowledging the women’s liberation movement happening in the country, even from the publications that should have been on their “side” from the start: women’s magazines (Beasley 172). This idea was captured in the monumental book *The Feminine Mystique* by Betty Friedan, which was

published in 1963, and the book put into writing the belief held by many women and feminists at the time that major magazine publications were unfairly portraying women in the media, especially in the magazines specifically directed toward women (Friedan). However, an essay by Joanne Meyerowitz called “Beyond the Feminine Mystique: A Reassessment of Postwar Mass Culture, 1946-1958” examined magazine articles from the same era that Friedan’s *Feminine Mystique* critiqued. Meyerowitz found differing results in her study that contrasted with Friedan’s, showing many nonfiction magazine articles that praised the achievements of women outside the home and that presented balanced surveys of women in America at the time (Meyerowitz). Meyerowitz’s study examines the magazines differently than Friedan did, and demonstrates that though Friedan’s findings sparked a revolutionary school of thought that contributed to the women’s liberation movement, differing perspectives existed about the image of women in America during the post-World War II era.

The ideas from Friedan’s book spread to activists and feminists around the country, and a demonstration was launched on March 19, 1970 with the *Ladies’ Home Journal* as its subject; 150 women visited the office of John Mack Carter, the then editor-in-chief of the *Journal* (172). Journalist Susan Brownmiller was one of the women at the sit-in, and wrote in her book *In Our Time: Memoir of a Revolution* about her and other women’s frustrations with the portrayal of women: “In a make-believe world of perfect casseroles and jello delights, marriages failed because wives didn't try hard enough, single-parent households did not exist, and women worked outside the home not because they wanted to, or to make ends meet, but to ‘earn extra income in your spare time.’ The deceitful ideology discouraged the full range of women's ambitions” (Brownmiller 83-84). Using the *Ladies’ Home Journal*’s slogan of “Never Underestimate the

Power of a Woman” as motivation, Brownmiller and over a hundred other women formed the sit-in and made their demands in the editor’s office (89). This visit became an 11-hour sit-in with the women talking with and presenting their case to Carter, and it ended with an agreement to print an eight-page section in the following issue (173). The sit-in received coverage in *The New York Times* and has been recorded in history as one of the symbols of the women’s liberation movement; however, the impact of the 11 hours spent in Carter’s office fizzled away with the printing of the August *Journal* issue. If women wanted to have a permanent, significant change in the way society viewed women and to alter the limitations women were meeting by the glass ceiling in journalism, a more permanent, legislative route would need to be taken – one with a paper trail to set precedent for generations of American women to follow. But first, the earliest lawsuits formed under Title VII’s gender discrimination protection were being filed against various airline agencies by flight attendants, known then as stewardesses (Barry).

Airlines in the 1960s had numerous policies requiring stewardesses to be females below a certain age (usually 32 or 35), pretty and single (Barry). Stewardesses who married or aged over the policy limit would be fired. Men, conversely, did not face any marriage policies from the airlines. Other policies included weight and height requirements for the women, causing some women to lose their jobs over their body type or physical qualities. These policies were challenged by the Equal Employment Opportunity Commission under the new Title VII with the charge of illegal sex discrimination. Complaints filed by stewardesses to the E.E.O.C. exercised the newly created Act and Title VII, and showcased the country’s new stance on discrimination. These cases tested the waters of the new legislation, and they set the tone for the lawsuits that would be filed against journalistic publications only a couple of years later (Barry).

Civil rights movements include protests, bills, strikes and petitions – all tools used to blaze the trail for minorities to enter the professional fields and to be accepted into regular society. But the progress that women have made into the field of journalism has been accomplished by additional means; class action lawsuits filed against major publications during the 1970s and 1980s were largely part of how women in journalism came to be realized. The paths these lawsuits took and the struggles they met are characterized and illustrated in the lawsuit filed against *The Detroit News* in 1979. This body of research will follow the career of Mary Lou Butcher, who initiated this monumental lawsuit against *The Detroit News*, and will document how the lawsuit exemplified the collision between women’s rights, law and the journalistic tycoons who faced discrimination lawsuits, including *The New York Times*, *The Associated Press* and *Newsweek*. Butcher’s journey serves as a roadmap of how it and similar lawsuits came to be and how they served to change the field of journalism forever. The arguments of each of these lawsuits included equality in the workplace, but also included the claim that diversity in the newsroom led to a more balanced press; therefore these lawsuits sought to fight for the improvement of newspapers in America.



## CHAPTER 2: LITERATURE REVIEW

### Girls In the Balcony

The sexism of the era is perfectly encapsulated in the literal and symbolic description of the balcony of the National Press Club in Washington during the 1950s and 1960s. Nan Robertson, a former *New York Times* reporter and witness of the monumental discrimination lawsuit filed against the *Times* in 1977, writes of the famed balcony and the lawsuit in her acclaimed book “The Girls In the Balcony.” The National Press Club, she wrote, was a private club for journalists where any man of consequence on the globe after World War II would deliver an important speech and therefore was an essential location for reporters; however, the Club forbade females from being inside the building all together (Robertson 100). In 1955, after much protest, the Club compromised with women journalists by agreeing to allow female reporters to stand – not sit – in the balcony of the building where they could observe the speeches of the notable guests. Robertson wrote of women’s firsthand accounts of the hot, crowded balcony, describing the feeling of being second-class citizens and the common comparison between the balcony and the back of a bus. Bonnie Angelo – a former chief of the *Newsday* Washington bureau and a renowned writer at *TIME* magazine for over 25 years – recalled the balcony with Robertson: “Here were the people in the balcony, distinguished journalists treated like second-class citizens. I *had* to cover the stories there. Some people equated the balcony with the back of the bus, but at least the bus got everybody to the same destinations just as well” (Robertson 101).

The National Press Club removed the gender-segregating policy in 1971, but not before laying the foundation for some of the discrimination lawsuits that would be filed against publications including *The New York Times*, the number one newspaper in the country. Robertson's description of the balcony and the lawsuit, which included about 550 women, is part of the limited history describing the discrimination and sexism within the field of journalism in the mid-1900's and the landmark lawsuits. The lawsuits and statistics of the era regarding female journalists are scattered and have not been studied in-depth by historians the way other civil rights movements have. Piecing together the history of women in journalism and the significant lawsuits they filed clearly outlines the glass ceiling that existed in the field's history.

A glass ceiling also existed in the journalistic organizations. The Society of Professional Journalists (S.P.J.) was and is a nationally renowned organization that houses broadcast, print and online journalists, journalism educators and students interested in journalism as a career (*Society*). The organization provides a Code of Ethics taught in journalism classes across the nation and that is upheld in the field as guidelines for serious and ethical journalists. Formerly known as Sigma Delta Chi, S.P.J. has held conventions and provided industry literature through its publication *Quill* since its founding in 1919; however, despite its commitment to ethical and constitutional standards, S.P.J. was not open to women until 1969 (*Society*). This exclusion is significant only when it is understood how S.P.J. is embedded into the career field of journalism and is not just a distinction on a reporter's resume, but rather is a society that represents the core values of the practice itself. Through the ratification of the Nineteenth Amendment, the proposal of the Equal Rights Amendment and the flood of women's liberation movements, S.P.J. still did

not admit women until 1969 – a pattern which clearly exemplifies the discrimination prevalent in journalism.

### **The Detroit News**

The discrimination lawsuit Mary Lou Butcher filed against *The Detroit News* in 1979 was in a receptive climate toward such cases, as lawsuits had been filed against *Newsday*, *The New York Times* and *the Associated Press* beginning as early as 1970. These cases had obvious similarities, including women who were discriminated against as journalists by their employers; and although the number of plaintiffs and the outcomes of each case varied, all of these notable lawsuits ended in the same way: settlement. For Butcher and the women involved in the case – as well as each woman involved in similar cases – sought not for compensation for themselves but equal rights for women in the field and for future female journalists. The settlements brought policy change within many publications, even ones that were not faced with lawsuits. Furthermore, the statement they made to society and the communications field about equal rights was monumental.

Hired right out of college as a writer in *The Detroit News* women's department in 1965, Butcher earned her keep as a reporter by writing the typical wedding announcements or about fashion trends, as female reporters were expected to do. She initiatively climbed the ladder there to the suburban bureau and then to the prestigious city room three years later. Compared to the level of achievement typical for a woman in journalism at the time, Butcher was blazing a trail already. However, when an old-school male editor arrived in the newsroom, she was demoted to a lowly weekend shift, one typically given to new reporters and never to the male reporters at *The Detroit News*, despite having worked there for six years. She was beginning to see her

career halting at that point, and her suspicions were verified once she requested improved work hours and received a response notifying her that she was to be transferred back to a lower department. This event laid the foundation for what would become a gender discrimination class-action lawsuit against *The Detroit News*, and the lawsuit would become part of the wave of judicial actions filed by women against publications across the country.

### **Newsweek**

Four days before the sit-in at the *Ladies' Home Journal* occurred in 1970, 46 women at *Newsweek* magazine filed the first complaint of its kind with the E.E.O.C. – a case charging a publication of sex discrimination. The magazine ran a feature story that week on the new feminist movement happening at that very moment in the country, meanwhile women in the company were quietly planning the lawsuit in the women's restroom. It was the gentlemen's agreement at *Newsweek* that women simply did not write, with an exception being the cover article of that week, written by Helen Dudar, a wife of a top employee who was referred to in an editor's note as "a top-flight journalist who is also a woman" (Bennett, "Are We") (Stivers). Journalist Kay Mills applied to *Newsweek* in 1966 in an attempt to advance her career from her position on the United Press International radio wire; "We have a very small bureau, and I'm afraid I can't hire you," she was told by the *Newsweek* Chicago bureau chief, "I need someone I can send anywhere, like riots. And besides, what would you do if someone you're covering ducked into the men's room?" he posited to Mills (Beasley 118). Such a question would not likely be asked to a male applicant since a man would be more capable of covering a riot and the male-gender is remarkably unhindered by bathroom doors, apparently.

The women held a press conference at the American Civil Liberties Union, waving a copy of the latest *Newsweek* issue with the ironic cover story of the feminist movement and its unintentionally appropriate headline, “Women in Revolt” (Bennett, “Are We”). Lynn Povich was one of the women who filed the lawsuit and authored a book about the case called *The Good Girls Revolt*. She wrote that the book was “the first full account of that landmark *Newsweek* case, the story of how and why we became the first women in the media to sue for sex discrimination” (Povich xix). Povich’s book brings the *Newsweek* lawsuits into perspective for modern times and provides a retrospective look at what the lawsuits of the time meant: “Not only does our tale reflect the legal and cultural limits for women at the time, but it also is a coming-of-age story about the generation of ‘good girls’ who found ourselves in the revolutionary ‘60s” (xix). Povich described that she and the other 10 female employees working in the bureau in 1970 were frustrated with their dead-end, entry-level jobs as fact checkers (28). Women were never hired as writers, she said, and only one or two female employees were promoted to that position no matter how talented they were (28). “Any aspiring journalist who was interviewed for a job was told, ‘If you want to be a writer, go somewhere else – women don’t write at *Newsweek*,’” Povich said (28). The magazine’s official response to the women’s press conference and their lawsuit read, “The fact that most researchers at *Newsweek* are women and that virtually all writers are men stems from a newsmagazine tradition going back almost fifty years” (Povich 15). *Newsweek*’s strong case broke the calm surface tension of journalism employment in the country, and in combination with the other cases, would cause enough disruption to receive attention from the entire industry.

## **The Washington Post**

Around this same time, a discrimination lawsuit against *The Washington Post*, a nationally acclaimed paper and one of the biggest competitors of *The New York Times*, was settled out of court. The women at the *Post* had strong cases of gender discrimination, as the E.E.O.C. found in 1972 that the publication preferred single women for higher-level jobs yet had no such preference for single men (Mills 170). Women were being assigned lower positions and stories because they took maternity leave or even because they were married, and the women made complaints to their editors about the problem as early as 1970 (169). The surprising aspect of the case against the *Post* was that *The Washington Post* owned *Newsweek*, the first publication to be sued for gender discrimination just two years earlier. Ten years after the women filed with the E.E.O.C. in 1982, the suit settled with an agreement calling for a five-year hiring and promotion plan at the *Post* (171).

Though the *Post* did not admit to any discrimination and refused to acknowledge that the settlement was a defeat of any kind, 567 women received \$104,000 between them as part of the settlement, a \$100,000 scholarship was created and a sabbatical program for women employees was established (Mills 171). The goal of the settlement was to fill one-third of the positions at the *Post* with women, and by June 1986, they reported that 40 percent of the *Post*'s reporting, assignment-editor and critic jobs were filled by women (171). The case, then, could clearly be considered a victory for women at the *Post* and for the future female employees who filled those positions.

## **The Associated Press**

Affirmative action plans tend to receive criticism regarding the promotion of under-qualified individuals receiving benefits simply because of their minority status. However, looking at Mary Lou Butcher's career alone would prove that the suit against *The Detroit News* had nothing to do with Butcher being under-qualified and there are also several other instances that prove qualified women were passed over by their employers simply because of their gender. For example, Shirley Christian began working for The Associated Press in the mid-1960s and worked as a United Nations correspondent for three years and on the world and foreign affairs desk for five years; she then achieved a position as bureau chief for Chile and Bolivia, a reputable feat in the field (Mills 151). Christian had a master's degree from Ohio State University in journalism and Latin American studies. She conducted research on agrarian reform in Chile on a grant from the Inter American Press Association; she studied at Harvard on a Nieman Fellowship in 1973. She won a Pulitzer Prize in the years after her work at the Associated Press and won the George Polk Award for international reporting; by then, she had become *The Miami Herald's* chief Central American correspondent. Her qualifications can be inferred from her journalism career.

Women at The Associated Press filed with the E.E.O.C. in 1973 charging that A.P. did not apply uniform criteria to hiring and promoting employees while regulating women to positions of less prestige (Mills 151). In that year, of the 41 bureau chiefs working for the Associated Press, all were male; average men's salaries at the publication was \$20,359.56 and average women's was \$16,580.20 (151). Five years later, the E.E.O.C. found that it had "reasonable cause to believe" that the Associated Press was violating the Civil Rights Act of

1964; the women filed the lawsuit in 1978, the same year a case was filed against the most prestigious newspaper in the country, *The New York Times*.

### **The New York Times**

When an individual is trained for journalism in college or in the field, he or she develops a preference for news publications, usually on aspects other than political skew. The news becomes what journalists live and breathe, making national publications feel like old, familiar friends and local news stations friendly neighbors. In the field of journalism, *The New York Times* holds a position of such prestige and an air of such accomplishment that its relationship to journalists is one of an admired peer that all aspire to imitate. When the *Times* had a discrimination lawsuit filed against it in 1978, there was a pang of realization – if they could be sued, then anyone could be. As the lawsuits around the country surmounted into a trend, the case against A.P. marked the line while the case against the *Times* crossed it (Mills 157). About 550 women were part of the class action suit, and depositions were taken from both parties as part of the discovery in what was documented as *Elizabeth Boylan et al. v. The New York Times* (Robertson). The giant lawsuit brought the movement to the attention of journalists across the nation, and the women’s march into the newsroom became a legitimate movement.

The lawsuit against *The News York Times* was filed in a period of rampant activity from women in journalism; women at *The New York Times* filed with the federal Equal Employment Opportunity Commission (E.E.O.C.) in 1974, and in the same year, the E.E.O.C. found “that female employees are denied equal promotional opportunities with male employees as part of [*The Washington Post*’s] pattern of restricting and limiting females from its higher paying positions,” and that *The Washington Post*’s “preference for single females, but not males,



discriminates against females as a class, in violation of Title VII” (Beasley). Then in 1975, the case against *Newsday* was filed. And in 1976, Mary Lou Butcher was notified of her transfer out of the newsroom city desk and back to the suburban bureau. She filed a complaint with the E.E.O.C. one month later.

### **Lawsuit Settlements**

Settlements in this type of lawsuit – one that seeks redress for civil wrongs, specifically employment discrimination – seek change in the infrastructure of the company, and the women in all these cases sought such affirmative action plans as a stepping stone toward equal employment. If women were given the chance to fill the positions they were qualified for, despite their gender, then the social environment would be adjusted to see women as equals in the workplace; this change would not occur in the climate that existed at the time however, and therefore these affirmative action plans that came from the cases were integral parts of the settlement agreements. The A.P. settlement included not only back-pay for the women at A.P. but also a training program to prepare women for promotional opportunities and an affirmative action plan for women, blacks and Latinos (Mills 154).

Before the plans were implemented, the cases still had a bold effect on the publications being sued, as not only did the case show that women were tired of the stigmas and discrimination and would stand up for their rights, but it also showed these publications that the women could appeal to the government and that the E.E.O.C. and would actually listen – and the women could file an actual lawsuit. The threat of future cases motivated publications to hire more female workers, but many were also hired to “prove” to the court that discrimination could certainly not exist in a company with so many women working there. Both routes allowed

women into the newsroom however and are part of what these lawsuits achieved. The percentage of women employed at A.P. increased in the time span from when the case was filed and when it was settled five years later, beginning with just 7 percent of employees in 1978 and reaching 25 percent of employees by 1983 (Mills 155). Then, in the five years after the case was settled, women made up 44 percent of new hires at A.P. (155). The increase of female employees after the lawsuit is significant, especially when it is understood that the Associated Press is a publication unlike any other in the United States, a wire service that feeds updates and stories into newsrooms across the country instantaneously.

An article in an 1983 issue of *Editor and Publisher* detailed the AP settlement in one nearly-full page outlining the women involved in the lawsuit's process and AP's role ("AP settlement"). The facts are laid out in the article and provide extensive commentary from the women involved. Raquel Cohen, then editorial page editor of the *Boston Herald*, provided insight to *Editor and Publisher* of why the case against AP was so distinctive: "Because newspapers belong to the AP, I think it (the settlement) should be looked at as the direction for the industry to take" she told them; "It spells out particularly the percentage of women in management. That is not a bad goal for the industry as a whole" ("AP settlement"). Shirley Christian is also described in the *Editor and Publisher* article, and her career and grounds for suing A.P. are described as well as her thoughts and the thoughts of other women on what the case meant to female journalists ("AP settlement"). The balanced article quotes A.P. representatives including A.P.'s president and general manager, but the article emphasizes several times throughout how the magazine denied any fault and only settled to "save money and the expense of trial" while the women claimed the settlement to be a victory ("AP settlement").

*Editor and Publisher's* coverage of the AP case illustrates how these lawsuit settlements were significant, regardless of what the defending parties claimed afterward; it shows that as affirmative action plans were being implemented within the publications being sued, the field of journalism was being changed from the inside out.

The paper often regarded as the most prestigious in America, *The New York Times*, was agreed to an affirmative action plan in its settlement as well. The *Times* promised to put significant numbers of women in every level of news and business departments, and the plan would continue under court decree for four years after the settlement (Robertson 208). The women's lawyer, Harriet Rabb, noted that the settlement was unprecedented, saying that, "There has never been an affirmative action plan in the media, and I believe there has never been one in any other industry, which set goals for filling the top corporate offices" (Robertson 208). These positions included publisher, president and all the vice presidents; and for the news and editorial departments, there was to be one women for every four men in the positions of numerous editors and the Washington bureau chief, among other positions following the mandate to include "every major section of the newspaper" (208). They filled the position of sports editor with a woman named LeAnne Schriber immediately after the case settled, and also promised women one out of four top jobs in the business departments, and all other departments by 1982. Title VII allowed new possibilities of judicial action for discrimination lawsuits, and these cases made history by demonstrating the national sweep of female journalists utilizing these opportunities.

### **Editor and Publisher**

As cases were being filed against the journalism industry, publications were beginning to check their sexist actions and to detect their own discriminatory actions. Industry publication

*Editor and Publisher* served the workforce of communication employees in a way similar to the way that the Society of Professional Journalists' *Quill* provided news and commentary on affairs affecting the field of journalism. As the field would grow and change, the industry literature documented it and changed in accordance. Therefore, in 1974, *Editor and Publisher* took a step in the direction carved out by these cases against gender discrimination: they stopped using demeaning language when discussing women (Senat). Language such as referring to women as "girls" was not the greatest sin *Editor and Publisher* committed toward the women's movement; it was the constant practice of shallowly describing a woman's looks that the publication used to emphasize a "girl's" physical traits, such as her "well-shaped legs" or "high-breasted figure" (Senat 67). Complaints from readers and new management contributed to the publication's change of heart in 1974, following the shift in the era away from the blatant sexism in the field of journalism.

The creation of the Equal Employment Opportunity Commission (E.E.O.C.) under the Civil Rights Act of 1964 allowed for the filing of gender discrimination lawsuits for the first time in history, and the field of journalism experienced several significant and monumental lawsuits due to the glass ceiling that so blatantly stalled female reporters in the mid-20<sup>th</sup> century. After airline stewardesses demonstrated the utility of the E.E.O.C., female reporters such as Mary Lou Butcher sought to break free from the segregated Press Club balcony and publications' women's pages – and the women's liberation movement swept through the field of journalism with such force that it even reached some of the most prestigious publications in the country. The creation of the E.E.O.C. and the founding of N.O.W. finally enabled female reporters to use the judicial system to create lasting change for future women in journalism, but as Mary Lou Butcher's

account of the lawsuit she spearheaded against *The Detroit News* reveals, challenging your employer and forcing change upon one's career field does not come without a personal cost.

## CHAPTER 3: RESEARCH METHODS

The following research was formulated to uncover what impact the discrimination lawsuits in the 1970s and 1980s against major journalistic publications had on the women's liberation movement and on the field of journalism. Specifically, the lawsuit against *The Detroit News* is focused upon in order to examine how it and similar lawsuits were formed, carried out and settled.

### Methods

Textual analysis was used in this research to examine how different individuals view themselves in society and as a member of their cultural groups. It also examines how different people make sense of the same information; therefore this type of analysis examines not only what a message said but also how it was received by specific groups. Textual analysis examines the perspective of the party delivering a message and of the party receiving it, as well as the time that the message was delivered.

Textual analysis was used in this research based on its utility in media and communications studies. This form of analysis has been used in studies on advertising, such as in Barbara B. Stern's "Textual Analysis in Advertising Research: Construction and Deconstruction of Meanings," in which Stern used textual analysis to understand the meanings of advertising text (Stern). Also, this method has been in research on gender studies, as in Gloria Y. Gadsden's "Femininity and Traditionality: A Textual Analysis of Gender Roles and Sexuality in Women's Magazines, 1986-1995;" Gadsden's study examined how magazines perpetuated gender traditions and compares the images such messages created (Gadsden). This body of

research adopted textual analysis in order to examine the similar topic of how articles from a specific era influenced the image and treatment of women.

### **Research Questions**

In consideration of the content of this work's Literature Review and of the utility of textual analysis for this thesis, the following questions were researched and answered in Findings of this body of work:

**RQ1:** How did the discrimination lawsuits of the 1970s and 1980s change the way that female reporters were viewed in newsrooms and portrayed in news publications?

**RQ2:** How did professionals in the field of journalism view the gender discrimination lawsuits that were being filed against major publications during the 1970s and 1980s?

**RQ3:** How *The Detroit News* react to the lawsuits, and was there an admission of guilt regarding the gender discrimination lawsuit filed against it?

**RQ4:** What were the motivations of Mary Lou Butcher and the women involved in the lawsuit against *The Detroit News*?

**RQ5:** What did these lawsuits mean for the future of women in journalism and what impact did they have on the field?

**RQ6:** How did the women's liberation movement aid these women in filing these lawsuits?

**RQ7:** How did industry literature report on the gender discrimination lawsuits?

### **Research Sources**

These questions were answered through textual analysis of an oral history with Mary Lou Butcher, which was consulted throughout this research as a primary source to provide Butcher's first-hand account of her career, the filing of the lawsuit against *The Detroit News* and the impacts she saw from the lawsuit on the industry and her own life. Consulting this oral history gave unique insight for this body of research. The oral history was provided by the Washington Press Club Foundation's Oral History Project, and transcripts of the project's oral histories are available from the Columbia University Oral History Research Office in New York City and in the National Press Club Library in Washington, D.C., as well as some major journalism schools and other research libraries. Quotes from Butcher and facts from the *Detroit News* lawsuit primarily have come from this oral history, as well as insight into the inner-workings of a newspaper during the era researched. Additionally, accounts of the various other discrimination lawsuits were compared and contrasted with Mary Lou Butcher's to answer the question of how did the lawsuit against *The Detroit News* differ from and how was it similar to the other lawsuits from the same era.

Additionally in this research, press releases, newspaper articles and other media were examined using textual analysis to discuss a party's motivation for sending a message as well as



how such a message revealed cultural truths from the 1970s and 1980s. Articles printed in *The Detroit News* and *The Detroit Free Press* were examined to analyze the publication's stance on the lawsuit filed against them. Industry literature was also examined as a reflection of the opinions held by those in the journalism field at the time, and textual analysis was used to reveal the opinions and stances within the field. Press releases from the female plaintiffs in the lawsuits were analyzed to explain the motivations for gender discrimination lawsuits and what the lawsuits meant for both the women's liberation movement and for journalism. Messages of the women and the publications were compared and contrasted to reveal the conflicts within the lawsuit that mirrored existing conflicts in the field of journalism.

Research materials were acquired through three different means. The first involved locating back-issues and old printings of *Quill* and *Editor and Publisher*, which are both industry literature in the field of journalism. *Quill* is published by the Society of Professional Journalists – the most broad-based journalism organization in America – and has been published and circulated in the field since 1909 (*Society*). *Editor and Publisher* is a journal that focuses on all aspects of the journalism industry, including circulation, advertising and business (*Editor*). Issues of both *Quill* and *Editor and Publisher* are only available online from the mid- to late-1980s onward, therefore issues had to be obtained by alternative means. Back-issues of *Editor and Publisher* were acquired by contacting the publishing company that houses the journal, Duncan McIntosh Company Inc., and requesting the issues with articles concerning various lawsuits. The specific articles were determined by consulting both the Humanities Index and the Business Periodicals Index in the library of the University of Central Florida. Back-issues of *Editor and Publisher* and *Quill* were also acquired by viewing microfilm at the same library.

These collected issues were analyzed to show the journalism industry's reaction to the groundbreaking lawsuits as well as to observe the industry literature's subsequent change toward women in the field.

Next, articles from *The Detroit News* and *The Detroit Free Press* that were printed during the time of the lawsuits were acquired through contacting the Library Director at *The Detroit News*. The Director was notified of which dates and years were relevant to this research, and the Director sent articles via fax of the old newspaper issues. These articles contained details about the case as they developed, but these items were the same articles that were accessible before requesting them from the Library Director. Therefore, requesting these articles verified that the materials readily available to researchers were the entirety of available materials. Pursuing information from *The Detroit News* directly revealed that pertinent research materials to this lawsuit were sparse.

Press releases from Women in the News and *The Detroit News* were acquired through the State Historical Society of Missouri's (S.H.S.M.O.) manuscript collection, which is a research center founded by the Missouri Press Association. S.H.S.M.O. archived papers from the Women's Institute of Freedom of the Press and the Media Report to Women in its National Women & Media Collection, and provided press releases from *The Detroit News* regarding the lawsuit filed against them. The article from *The Detroit News* written by Don Ball regarding the lawsuit settlement was also acquired from the S.H.S.M.O. The language of Ball's article was analyzed and compared to the press releases from *The Detroit News* and the Women in the News organization.

## CHAPTER 4: FINDINGS

### **Mary Lou Butcher**

The lawsuit filed against *The Detroit News* became a class-action gender discrimination lawsuit that began with Mary Lou Butcher's filing with the Equal Employment Opportunity Commission and ended in settlement. Many lawsuits from the 1970s and 1980s followed the same pattern as Butcher's, and all contributed to the movement that aided the acceptance of female journalists in the newsroom. Examining Butcher's career and the development of the lawsuit against the *News* illustrates why these lawsuits were formed and the motivations of the women behind them, as well as the risks and costs involved for the female plaintiffs. Though each lawsuit varied, this body of research focuses on the lawsuit filed against *The Detroit News* to serve as an archetype of the many lawsuits that women used to earn their place in American newsrooms.

Mary Lou Butcher was enrolled at the University of Michigan at Ann Arbor from 1961 to 1965 amidst the legislative changes that came with the Civil Rights Act of 1964 and the creation of the Equal Employment Opportunity Commission. Butcher was exposed to new people and ideas while attending a large college, as she was faced with being a "God-damned independent" for not being in a sorority and struggling with organizing programs and semester scheduling (Butcher 24). Butcher was also given opportunities to explore journalism by working at the student newspaper and to see prominent speakers, such as Betty Friedan in 1973 – author of the groundbreaking book *The Feminine Mystique*. Friedan's book spoke of the disturbing stereotype of the American housewife that was rampant at the time of publication and of Butcher's college

career, and also of the shameful coverage of the women's liberation movement in the media specifically in women's magazines. Butcher was assigned to cover Friedan's first visit to the University of Michigan at Ann Arbor, and she left the event with a new understanding of women's fight for equality that was taking place at the time: "It was all very exciting for someone who was sort of on the brink of a career in what I was to discover was basically a male profession," Butcher recalled (24). She covered Friedan's speaking event for the student newspaper, *The Michigan Daily*, during her sophomore year of college, and then held a summer job at *The Detroit News* as a copy person while still in college. Her job at *The Detroit News* as a "copy girl" was not one of great importance, as her responsibilities included monitoring the wire reports or getting coffee; however, the state of journalism being what it was, being a female at the publication at all was rare and she was the first copy girl to work there since World War II. The reporters would call "Boy!" when they needed Butcher to grab their copy and bring it to the city desk; they became accustomed to seeing a college girl appear upon their call, after a while (Butcher 22). Between her work there and holding multiple different part- and full-time positions at *The Michigan Daily*, Butcher gained solid experience as an editor and journalist before graduating in 1965, and such experience would qualify her for positions in the field that discrimination would ultimately prevent her from reaching. Upon graduation, Butcher was hired at *The Detroit News* and became part of the women's department there.

During the time that the airline lawsuits were creating momentum for future cases against gender discrimination, Mary Lou Butcher began her full-time work at *The Detroit News* as a women's department reporter. In 1966, there were eight women in the newsroom, which is what serves as the heart of a news staff (Butcher 41). The qualifications to write for the women's

pages included being female and being able to write, thus the majority of women working in journalism were secluded to this department. Though the women's pages did include news and current events relevant to both genders, the articles were directed toward women so the subject matter was, as Butcher described, "much more of the light features, much more of the society news, features and interview with socialites, and just a lot more light-hearted news" (62).

Because of this, Butcher did not receive many opportunities to demonstrate her writing talents in breaking, hard news, though she excelled at the routine of working as a reporter there. She was stuck on the fourth floor of *The Detroit News*, far from the city desk on the floors below where she wanted to be writing; but Butcher would often add a hard-news tilt to her stories to demonstrate her skills and to be noticed by others at the publication. It worked, as a year later, Butcher was moved to the suburban bureau where articles focused on less gender-based topics. "Going into a newspaper at that time was going into pretty much of a male club to start with," Butcher explains, "and then little by little, they let someone pass the threshold. You could actually get out of the women's department and actually get out of the feature department, and you could cover the suburbs or you could cover something like education" (Butcher 36).

But when an "old school" editor came into the company, Butcher began noticing not only how these women would systematically be moved out of the newsroom for good but also that she herself began getting fewer and fewer desirable stories – such as stories on monotonous local events or obituaries (53). "Instead of a city editor in his early thirties, we now had a city editor who was in his early to mid-fifties," Butcher recalled about the new editor, "I started getting less desirable stories...I got fewer and fewer of the breaking stories or the page-one and page-three stories, which I was very accustomed to handling over all the years I had been there" (54). Her

hard work up to that point was for the prestigious city desk position and the prominent news stories that came with the position – front-page, on-the-masthead type stories. Butcher began getting more obituaries than anything else – the section usually reserved for amateurs or soon-to-be retirees – and she noticed a pattern among *The Detroit News*'s treatment of its female reporters (54-55). Her dissatisfaction was building, she explains, as she witnessed other women experiencing the same mistreatment she was. “I observed other women either not getting good assignments or being transferred elsewhere, up to feature departments or suburban bureaus,” Butcher said, “or they were quitting or being fired...these were disturbing signs that something was going wrong” (55).

At this point, before the new editor at the publication began clearing the newsroom of the few women it had, Butcher's progress through the company did not raise any suspicion of discrimination, until Butcher was one of the last ones to be transferred out. She had worked her way from the women's pages to the suburban section, but after she reached those positions, the new editor came in. It was then that Butcher noticed a change not only in her assignments but also in treatment toward her when she requested consideration for a position as a bureau chief at *The Detroit News*. Butcher possessed adequate qualifications for bureau chief, and when it became available, she requested consideration for the position from the publication's editor via memo. The response was a counter-offer, suggesting Butcher become part of the prestigious city desk, which Butcher accepted. However, the role she had reached as the position of assistant city editor was only for one day a week, and she would be a general assignment reporter for the rest of the week. “I liked the editing position, I liked the responsibility, and I liked making the judgments on the story assignments and editing the stories,” Butcher said, “but I was frustrated

that I wasn't being allowed to move into the role on a full-time basis" (53). The split existence, as she called it, took a toll on her sleep patterns, as one position's shift began at midnight and the other during the day, but also the dual-role deprived her from being an effective editor on the city desk (53). Though she had finally earned her way into the newsroom, Butcher's split existence as a reporter and editor was disabling her effectiveness in both positions; her role as a once-a-week editor was not what she had signed up for. "I had been led to believe that I was going to get a full-time editing position," she said, "and when that didn't occur, I told the city editor that I really didn't want to continue with this split shift" (53). Additionally, Butcher had agreed to fill a Saturday time slot until a staff member could be hired to take the shift, which she was told would only take a few weeks, but she ended up possessing the undesirable shift for over a year. She had gone from taking promising steps within *The Detroit News* to being marginalized by her employer, and this treatment laid the foundation for what would become the class action lawsuit filed against them. The lawsuit was not being filed because Butcher was being harassed and whistled at when she would go from the women's pages department to the copy room, though that did happen (32). It was not being formed because she was forced to work on Saturdays when men less qualified than her were automatically given weekends off, though that happened as well. Rather, it was the social and historical movement that these lawsuits were creating, and this merited the national attention.

Eventually, Butcher decided to take action and request a change in her schedule. She approached the city editor and asked to finally be relieved of the undesirable Saturday morning shift. "He said, well, he couldn't do that," Butcher recalled, "I said, 'Why not?' He said because he had nobody else to put on Saturdays. So I said, 'What about the men on the staff?' There were

men on the reporting staff with less seniority than I had” (56). When Butcher pressed this point, the city editor replied that if Butcher wanted Saturdays off, he could send her back to the suburban bureau, which was where she had worked before as a stepping stone to get into the newsroom (56). The pivotal conversation ended up being cut-off by the city editor and Butcher left believing that his comment was only an idle threat meant to discourage her from making more schedule requests; however about a week later, Butcher received a typewritten memo from the city editor informing her that she was to be transferred to the *News*’s suburban bureau (56). On the verge of losing her post in the newsroom, and as the last female in the department, Butcher experienced treatment that would serve as the foundation for the class-action discrimination lawsuit. To Butcher, the moment she received the memo was “when the light bulb went on” (56). “It brought it all home, the pattern that I had been observing with what was happening to other women, that one by one, all the women were being moved out of the newsroom,” Butcher said; “If they transferred me, there were going to be no more women in the newsroom. I thought if I complied with that quietly, that I would just allow them to get away with that, and I just didn’t think it was right” (56). Under advising from N.O.W. and the American Civil Liberties Union (A.C.L.U.), Butcher filed a complaint with the E.E.O.C. in 1976. Butcher coordinated with the A.C.L.U. to notify *The Detroit News* of the complaint and to request a meeting from editor Martin Hayden, who instead sent the request to the labor relations manager, who responded to the request saying the company’s attorneys would handle the situation. The run-around *The Detroit News* immediately gave to the E.E.O.C., A.C.L.U. and Butcher was the first step they would take to dodge blame in the lawsuit, denying all the while any wrong-doing or discrimination in the company.



Butcher hosted meetings at her own house to encourage fellow female employees at *The Detroit News* to join the lawsuit, as her approach to the Newspaper Guild (a group of editorial employees) showed they would prefer non-legal action instead. Just as the women at *Newsweek* would compare their notes and stories of discrimination in the ladies' room, Butcher and the *Detroit News* women met to piece together and uncover a pattern of discrimination in their workplace. At the meetings in her home, Butcher would bring women from *The Detroit News* to have them examine their situations at the *News* to see if they would join her in filing complaints with the E.E.O.C. (58). Dorothy Smith, an attorney from the E.E.O.C., attended the initial meeting at Butcher's home to answer questions and inform the ladies of the procedures to file complaints – and how that could eventually end in a lawsuit (109). Butcher was able to have several women file complaints to the Commission with her as a result of these meetings, and these women agreed to stand with Butcher and face the long march ahead that would become a legal battle (58).

### **Male Supporters**

Discrimination toward female journalists existed often because of the male hierarchies at the publications, however there were several men who supported these female pioneers. Gender discrimination was not a wrong committed solely against women, but rather it was – and is – a wrong done onto humanity as a whole, and just as Caucasians marched with African Americans for their civil rights, men accompanied women in their marches toward gender equality.

Male employees at *The Detroit News* would support the women at fundraisers, and even root for the women in passing at work (Butcher 115). These male supporters understood what the women were fighting for and that equality in the workplace was a social issue that affected

both genders. And when Mary Lou Butcher was beginning her work at *The Detroit News*, the city editor she worked with supported her and women's participation in the newsroom. He was young, "dynamic, had new ideas, willing to try new things," Butcher explained (53). Butcher was able to make progress in the company with this man, Dennis Shere, as city editor and achieved a reporter position on the city desk (74). She began the position as a part-time city reporter, and expected to eventually hold the position full time; "I think that could very well have happened," Butcher said, "but then the city editor, who I had been working with and who I felt had a lot of confidence in me, left the paper" (53). The replacement editor, Alfred Lowman, was much more "old school," as Butcher described, one much more used to the all-boys' club of the traditional workplace (74). "I just don't think he was comfortable with women in the newsroom," Butcher said (53). When Butcher lost her male-support within *The Detroit News*, she gained some without. Jack Casey, her future husband and a partner at a public relations company, supported Butcher's search for justice and connected her with the president and executive director of the American Civil Liberties Union chapter in Detroit (56). The women were even able to hold meetings for strategy and fundraiser planning at Casey's public relations firm in Detroit (61). The men and attorneys Butcher connected with helped the women to determine the severity of their situations, and these connections were the start of the historic case Butcher would bring against *The Detroit News*.

Butcher's accomplishments earned her rapport with the men at *The Detroit News* as well, as she was proving to them her skills and capabilities. "You're not like these other women," she would be told (Butcher 63). Compliments such as that would be a backhanded compliment to Butcher, praising her but degrading her gender. This strategy served to separate the women at

the publication, making each feel disassociated from their fellow women yet never part of the boys' club that was the editorial staff. "It was a very clever strategy," Butcher recalled, "in that it would maybe keep the women from talking and uniting. When we did compare notes...I think we found out we had a lot in common" (63). Several women were interested in the case because they had been wronged, and also because of what the case would mean for future female employees in the industry; but participation in a class-action lawsuit against an employer had its consequences, and some women ultimately withdrew their complaints. One woman, Val Corbin, had been a copy editor at the *News* but left after she felt that she was not being given opportunities there to use her skills (58). "She did file a complaint," Butcher said of Corbin, "She did appear at our first news conference, but then she later dropped out of the case...then there were a couple of other women who asked not to be named, who filed complaints, but didn't want their names used in publicity, and they later withdrew their complaints" (58-59). Butcher explained that she suspected the women's motivations to be based on their job security, which is an aspect that is not often considered as part of the bold steps these women made by filing this suit (59). Even as the lawsuit progressed to the deposition state years later, women who initially filed complaints were dropping out; "They totally backed off of it, because they didn't want to get branded as troublemakers," Butcher said (69). Risking their job security is partly what makes lawsuits such as these so historically fascinating. These women had to fear for their job security if they were associated with these trouble-making employees, as the company would see them to be. These women faced the risk of retaliation from their employers upon filing a complaint, and as Butcher explains, "The wheels of justice grind exceedingly slowly. So say they were fired, it could take them years to get their remedy. Or even worse than being fired," Butcher

continued, these women “would be put on the blacklist” (65). This blacklist was something Butcher experienced, she explained, saying “The troublemaker list is what I was certainly on very quickly...you don’t quit, because you need a job. You need to support yourself, and you figure you’ll fight it the best way you can” (65). This situation was very real for many women at this time, and this understandably deterred many potential participants from joining the suit. For others however, it was important to join on the resolution of what the lawsuit signified: “We had to make our case that the issues that we were fighting for weren’t just for the benefit of a few women who were frustrated in their careers and wanted better opportunities,” Butcher said, “The issues we were talking about had a far greater impact. And that was that the whole community was affected by who was in power, who was in place to make story assignments, cover and write the stories, edit the stories, place the stories, write the headlines, determine which page of the newspaper the articles went on, that if all the news, what constitutes news, was determined by men, then you’re necessarily going to have a one-sided or distorted sense of the news” (66). The community is not well served if you don’t have a balance of men and women giving input into the news, Butcher said (66). This conviction was strong enough in several women for them to stand with Butcher in the case despite the risks and costs.

### **Lawsuit Officially Filed**

The lawsuit against *The Detroit News* was officially filed in April 1979 and included Mary Lou Butcher, Vivian Moore, Marcia Biggs and Diane Dunn as the named plaintiffs on the class-action lawsuit. Class actions are formed by a group of people who are in the same social, political or economic situation and seek redress not just for themselves but also for the fellow members of their group (Neubauer 228). One of the most highly recognized class-action

lawsuits filed is *Brown v. Board of Education* in 1954, which was filed in regard to racial segregation in U.S. public schools; the lawsuit is responsible for the social change that was integration. The women and their lawyers, Deborah Gordon and Ronald Reosti, presented their case to the federal judge, struggling to bring enough women before the court to prove a pattern of discrimination existed at *The Detroit News*. Class-action cases are filed with some named plaintiffs and often many more unnamed plaintiffs; for the women at *The Detroit News*, the lawsuit was filed with only four named plaintiffs though it represented about 90 women from the publication. This was because many still worked at the newspaper and the threat of being re-flagged was too great for some to openly add their name. The women at *The New York Times* faced the same situation, and while the *Times* was significantly bigger than *The Detroit News*, only seven women of the *Times* women agreed to be named plaintiffs in the lawsuit even though it would come to represent about 550 women (Robertson 168, 186).

The process of filing a class-action lawsuit begins with filing a complaint with the Equal Employment Opportunity Commission, which the *Detroit News* women did in October 1976. Then the E.E.O.C. reviews the complaint and decides whether to litigate the case. According to the Women in the News coalition – formed in Detroit to as a support group for the women filing the lawsuit – the E.E.O.C. issued instead a “right-to-sue letter” to the women, and due to “an enormous backlog and severe understaffing, [the] EEOC is able to litigate very few of the charges made to it” (Women, *FACT*). The women were granted such a letter in January of 1979 and filed their suit in Federal District Court in Detroit on April 9, 1979. Potentially hundreds of women could have joined the case, as the class action was open to represent all female employees – past, present and future – of the editorial departments at *The Detroit News*. There

was only the approximate figure of 90 women and the four named plaintiffs, but in July 1981 the suit was classified as a class action by the district court judge assigned the case, and a tentative court date was set as a result (Women, *LEGAL*). Around this time, *The Detroit News* made a concerted effort to recruit and hire women from all over the country, Butcher said, and to pay them as well as – or better than – the men (70). The company sought to improve their image of diversity to the court this way, but the women used these actions to their advantage by showing the court the *News*'s distinct effort to increase the number of female staffers once the lawsuit was filed (70). “The whole way through [the case] they maintained that they were an equal opportunity employer, and, of course, their numbers had suddenly gotten better once we officially filed in court,” Butcher said (73).

The responsibility of the free press is to spread news and information vital for citizens and their democratic rights. This voice has great power, and has shifted the course of history time after time in the evolution of America. Calling the press about social wrongdoings can sometimes bring greater justice to a situation than calling the police; this contributes to the Fourth Estate's vital watchdog function in American society. Therefore, the women involved with these lawsuits knew the necessity of making their cases known to the public. Surely if the *New York Times* case had not been broadcast as it was, women at other institutions would have less precedent for their own lawsuits, and less motivation, too. The women at *Newsweek* understood this, and strategically held a press conference for their lawsuit on the day *Newsweek* printed its article on the women's movement, “Women in Revolt,” the cover of which served as a great prop for the women to use (Bennett, “Are We”). On December 30, 1976, it was the *Detroit News* women's turn, and they broadcast their complaint at their first news conference. *The*

*Detroit News* had recently filmed a commercial about their staff and was meant to show the great and diverse staff that worked there. Mary Lou Butcher described the filming of the commercial, detailing the irony of how the commercial was filmed in the city room but no women regularly worked there. “They had to bring women down from the fourth floor from the various feature departments to sit in the city room to be in this commercial,” she recalled, “and they had to import them, basically, from other departments to give women a presence in the newsroom, basically they had gotten rid of all of us” (Butcher 59). The women described this commercial during their first news conference, and it was also detailed in their new release. One news station that covered the conference, the Evening News Association WWJ-TV in Detroit, even aired the staged *Detroit News* commercial during their news report that night to help illustrate the women’s point. “It was very dramatic and very effective,” Butcher recalled of the station’s juxtaposition (59). The effort put into the commercial showed that *The Detroit News* was aware of what diversity meant and why it was valuable in a newsroom; the production of the fictitious commercial and the reality of the staff showed their apathy toward instating such diversity.

Diane Dunn and Vivian Moore were the first two named plaintiffs to step up with Mary Lou Butcher to pursue the case, as both Dunn and Moore had been denied the opportunity to be reporters and to write at *The Detroit News*. Diane Dunn had a degree in journalism from Wayne State University and had applied at the *News* to be a reporter; she was never given the opportunity, however (Butcher 58). Vivian Moore was an indexer-cataloger at *The Detroit News* beginning in 1970; six years later, she sought another position in the company that her research work and some college education qualified her for (Butcher 106). However, a male travel agent with less experience and less education than Moore was hired for the position she applied for,

and this incident became the basis for Moore's involvement with the lawsuit (107). These women bravely backed the case, and under advising from the A.C.L.U. and their attorney Ernest Goodman (one of the top civil rights attorneys of the time in Michigan), put their careers on the line for the betterment of the industry and for the implementation of justice. Goodman would guide the women and advise the case, though not litigate, and he had extensive experience working on equal rights cases with unions and in cases that appeared before the Supreme Court in which he argued for labor and civil rights ("Ernest"). "We were fortunate enough to get probably the top civil rights attorney in Michigan," Butcher said (60). The women had a great lawyer on their side, and additionally they had the support of the women's liberation movement and of the women around the country dealing with the same discrimination in journalism as Butcher.

The similar lawsuits happening at the time served as wind to the women's backs as they marched toward the federal courts. Butcher was aware of the lawsuits and had heard coverage of the case against *The Washington Post* as well. But Butcher was directly aided by Donna Allen from the Media Report to Women, who was the founder and first editor there, and she started the publication to provide important women's news she felt was not being broadcast in the mainstream media (Butcher 60). Allen shared information with Butcher about the other similar cases happening at the time after Allen heard of Butcher's developing lawsuit, and Allen also provided contact information for the women and attorneys involved in the other lawsuits. Something that was most helpful that Allen provided was a set of guidelines created by the women's caucus from *The New York Times* for other women seeking to bring a case against their own employers. "It became important to kind of mobilize other women, inform other women,



and try to encourage them to take action with you,” Butcher said regarding these guidelines and Allen’s help, “because certainly there’s strength in numbers, and we felt like we had a lot of cases of incidents where women just weren’t treated as fairly as men” (60). Butcher and the other women went through depositions and other judicial actions as part of the case, leading up to but not ending in a court trial. “It doesn’t progress quickly,” Butcher explained, “There are various steps in the process...you have some meetings, preliminary meetings, to talk about that, some of the depositions. Of course, I went through that, and then also I sat in on some of the depositions of the Detroit News executives when they were deposed” (Butcher 68). The depositions were a highly intense experience for the women, as the executives Butcher mentioned were allowed to sit in during the women’s depositions as well, including the women who were still working at *The Detroit News*. Depositions for the lawsuit involved litigants being questioned on record by the counsel opposing them, so the women were questioned by the lawyers representing the *News*. “[The women] were not really probed adequately ahead of time on whether or not they had experienced discrimination,” Butcher explained of the depositions, “so I think many of them went in there and testified, ‘No, I’ve never been discriminated against,’ and then later were kicking themselves...when they’d find out what the salary structure was and they found out that men were being paid so many more dollars a week than they were, men with comparably or less experience...they figured out later that they were discriminated against, but it was too late” (69).

*The Detroit News* at this time requested from the court for the case to be dismissed, which is common in class-action lawsuits formed against companies that do not wish to spend money on the legal fees of a case it felt has no basis. Federal Judge Avern Cohn, who presided

over the case, did not dismiss the case but instead requested the women add a fourth named plaintiff, and this was when Marcia Biggs agreed to join as a signed plaintiff in July of 1981 (69). In the judge's opinion, the three women held outdated complaints and wanted a woman from *The Detroit News* who could testify that the pattern of discrimination still existed, if at all. Biggs was still working at the *News* and was classified as a part-time editorial assistant there, though she was actually doing the full workload of a reporter just a couple hours short of a full-time employee and was receiving lower pay for her work. "She was getting the assignments," Butcher said of Biggs, "She was getting the bylines, she was doing just as competent a job as anybody else, but she couldn't get her status changed to reporter or full-time work" (Butcher 69). Biggs agreed to be the fourth named plaintiff, and it was then certified as a class-action lawsuit; *The Detroit News* then knew things were getting serious.

### **The Detroit News Settles**

Judge Cohn recommended the case be turned over to another judge after it was certified as class-action with the recommendation for mediation of a settlement. His reasoning was that the facts had been brought forth, the depositions were taken and there was a clear outline of who the plaintiffs were, so streamlining the lawsuit into a settlement would be the most efficient option for the litigants. The women agreed under counsel from their attorneys, and from that point it was a mediation process between the lawyers and the judge, who was Judge Ralph Guy, Jr. (Butcher 70). The women gave their input when asked and negotiations went back and forth, but the case was finally settled in November 1983. A press release of the lawsuit was released on November 23 from Women In the News, the group that supported the female plaintiffs, and the release outlined the settlement agreement from each party. "A long-standing suit charging

the Detroit News with sex discrimination in employment practices was settled today in U.S. District Court in Detroit,” the release read, “The agreement...calls for the newspaper to pay \$330,000 to the plaintiffs and class members and in legal fees” (Women, *Sex*). The release quoted a statement from the four named plaintiffs: “The winners are the News’ readers and the community since women now participate more fully in producing the newspaper, as well as women who work in journalism. We express particular appreciation to our support organization, Women in the News (WIN), to the American Civil Liberties Union and to our attorneys” (Women, *Sex*).

The release also reported that the lawsuit began with Butcher’s notification of transfer, and that at the time of the notification no women reporters worked in the business news department, Lansing bureau, Washington bureau, sports department, editorial writing or photography; then, at the time of the settlement, 30 percent of the newsroom staff was female (Women, *Sex*). “We couldn’t get any specific affirmative action goals,” Butcher said, “because the [Detroit] News had, in fact, really made a big effort to recruit and bring in women, to increase the ranks of the women in the newsroom...we just didn’t have the ability to get an affirmative action plan, but, rather, I think we got a commitment that they would continue as they had been” (Butcher 73). Additionally, Marcia Biggs did not receive a promotion as the women rooted for, but rather the *News* had agreed to allow her to “try out” as a reporter – even though had she had been already been doing a reporter’s work and functioning at top quality, according to Butcher (73). Biggs’ participation in the lawsuit was what perpetuated it past the potential roadblock the women faced when the judge requested more named plaintiffs; ultimately, Biggs was never promoted to reporter, which Butcher calls a “very unfair penalty to

Marcia for having the courage to join our case” (73). Vivian Moore encountered a similar situation, according to Butcher, as she was also given a “try out” period in the city room but was never given the position either (74). “We insisted on a \$5,000 award being given to Women in the News,” Butcher said of the settlement, “and then the attorneys got approximately \$45,000 to \$50,000 to cover their fees and expenses. And of the four named plaintiffs, those of use who had been there the longest came out with around \$22,500 apiece...and then Marcia [Biggs] got \$17,500 for her share” (Butcher 71). According to the press release, \$190,000 was given to the class members on a formula related to when and how long they worked at *The Detroit News*, and the attorneys estimated that about a fifth of the class would receive close to \$6,000 each (Women, *Sex*). The average payment to class members, the lawyers said, “is perhaps the highest ever for editorial employees in a newspaper sex discrimination suit” (Women, *Sex*). Irene Fogarty, chairperson of Women in the News, was quoted in the press release: “The settlement is a compromise which we accept as favorable for the community and for women in general. We got the News’ attention and we believe they have learned that the participation of women results in a better newspaper.” The lawsuit may have gotten the attention of *The Detroit News*, and it did motivate the executives to hire many women during the course of the case to improve their claims of innocence to the court, but the paper never admitted to any wrongdoing; “They never really acknowledged it,” Butcher said (Butcher 71). “I think it’s very typical with a lot of employers that settle sex discrimination cases. It’s like, ‘We didn’t do anything wrong, but we’re paying \$330,000 to this group.’ It’s sort of a face-saving thing on their part,” she explained (71).

*The Detroit News* published an article about the settlement the following day by news staff writer Don Ball, and the attitude Butcher describes emanates from the Ball’s staunch report

of the case. Ball, a Detroit reporter beginning in 1953, structured the article around quotes from then-president and publisher of *The Detroit News* Robert C. Nelson: “The court made no finding that The News engaged in discriminatory employment practices,” Nelson is quoted saying, “The consent judgment is agreed to in order to end burdensome, costly protracted litigation” (Ball). It is factual that the court made no such findings, as the case never went to trial, but the quote is misleading since the federal E.E.O.C. found the evidence that the women’s claims were based upon. In Ball’s article, quotes from the female plaintiffs echoed the press release, but while 77 words were used to quote the women, 255 were used to fill the article with defensive quotes disguised as public statements from executives at the publication. Nelson was quoted multiple times in the article, as was editor and vice-president of *The Detroit News* Lionel Linder, both male executives from the publication, yet only three sentences from women were quoted in the one-page, 23-paragraph article (Ball).

Across town, *The Detroit Free Press* also printed an article about the settlement. The article fairly laid out the facts of the settlement, bulleting the financial figures and to whom the amounts were given, and it quoted only one person: Vivian Moore (“\$300,000 settlement”). “Each of us is giving some portion of her settlement to women’s causes,” Moore was quoted saying, “The amount may vary for personal reasons, but each will definitely give something” (“\$300,000 settlement”). The *Detroit Free Press*’s seemingly unbiased and relatively fair coverage of the settlement reflects a different management style than that of *The Detroit News*. Lee Hills, editor at *The Detroit Free Press* at the time, had been at the publication since 1954 and had established an atmosphere in the newsroom that treated female journalists with respect (Voss and Speere, “A Women’s” 407). Hills had created the same atmosphere at *The Miami Herald*,

where he had previously been editor, and witnessed the work of acclaimed female reporter Marjorie Paxson there (407). At *The Detroit Free Press*, Hills gave Dorothy Journey a spot in the newsroom as well, and while *The Detroit News* was faced with a sex discrimination class-action lawsuit, Hills' newsroom demonstrated that not all news publications were faced with the such lawsuits during the women's liberation movement (407). Though *The Detroit News* and *The Detroit Free Press* were in the same city and in the same industry, the managing style of an "old school" editor greatly contrasted with that of Lee Hills', and the comparison of the two publications and their coverage of the lawsuit's settlement lends legitimacy to the women's claims of discrimination at *The Detroit News*.

Mary Lou Butcher's original intention for filing the suit – or at least threatening *The Detroit News* with it – was to stop her pending transfer to suburban bureau. The steps she took to file the suit, however, showed her that the judicial system could not prevent the transfer, only react to it. "It's like so many other wrongs in society – you have to be wronged before you get a remedy," Butcher said (56). Notified of the transfer in September of 1976, Butcher accepted the transfer to the sake of the case and quit in March of 1977. Her positions at the *News* had gone from a progression into the city desk to suddenly taking a step backward into a position she had already held, and Butcher ultimately decided to leave the field altogether (84). "I just thought other media are just not going to want to be associated with somebody that's causing trouble at a newspaper," Butcher said of her decision to not apply to another newspaper (86). "My advancement opportunities were almost totally blocked at the *News*," Butcher said, "And after filing a lawsuit, it wasn't realistic to think that other media in Detroit would be eager to hire me. Management doesn't like wave-makers" (Schultz-Brooks 26). Referring to the blacklisting that

was likely to occur from forming the lawsuit, Butcher described that she likely had better chances in a completely new career field than the one she had worked so hard to progress in (Butcher 86). She was hired in a top position at a public relations company, Carl Byoir & Associates, where two staff members advocated for Butcher because of her involvement with the case against the *News*; a female on staff was a founding member of the National Organization for Women in New York, and a male was a former Associated Press employee who witnessed the important gender discrimination lawsuit filed against A.P. unfold – which he supported (Butcher 85). Public relations became Butcher’s new career field, but it was not an easy decision to leave journalism, she said: “Journalism was my first love, and that’s what I always envisioned myself doing...it was tough to feel like you were being driven out of something that you really cared about and that was your first love” (87).

Mary Lou Butcher fought for women’s entry into American newsrooms with her lawsuit against *The Detroit News*, and the precedent that it set has served the women’s liberation movement in an immeasurable way. In addition to creating judicial precedent, Butcher used about half of her settlement money to create a scholarship at her alma mater, University of Michigan at Ann Arbor, which serves to encourage diversity in the newsroom. The Mary Lou Butcher Equality in Journalism Award is “given to encourage equality in journalism and emerging forms of news gathering and reporting including media involved in information dissemination, investigative reporting, public affairs and news analysis” and “commemorates the class action sex discrimination suit against the *Detroit News* settled in 1984 in favor of Mary Lou Butcher and three other *Detroit News* employees” (“Undergraduate”). “I decided to take about half the money, \$10,000, and contribute it to the University of Michigan Department of

Communication to establish a cash award...for future journalists,” Butcher explained (Butcher 78). “We set it up so that the students would have to apply for the award...and they would have to write an essay on ‘Diversity in the Newsroom: Who Benefits, and Why’” (78). Scholarships such as this and other incentives will benefit diversity in the field of journalism and aid women while in college; the challenges they will meet in the job field however deserve national attention and need to be removed for the sake of a democratic, functioning Fourth Estate.

Another part of the settlement with *The Detroit News* went to the Women in the News support group that aided the women. Butcher explained that \$5,000 was given to the group to establish a fund to be used to fight discrimination in the future: “The group decided to set up a fund, the W.I.N. fund, at the A.C.L.U. in Detroit, which would be segregated for similar cases or causes, that the funds would be used not for just any civil rights cause or any women’s cause, but women in employment-type issues” (Butcher 78). The fund has been used since the settlement to create guidelines and reference material on sex discrimination as well as a reference guide on attorneys who handle such cases (78). This fund has therefore had a lasting effect from the *News* settlement that has contributed to the women’s equality in the workplace even outside of journalism, and the efforts of the women involved in the lawsuit have helped others’ fight against gender discrimination. Mary Lou Butcher’s career in journalism ended with the lawsuit she and the other women filed against *The Detroit News*, and she was faced with being blacklisted in the career field she had dreamed of working in all her life. She and the other women in the case held fundraisers, press conferences and meetings at each other’s houses to form this lawsuit that could ultimately destroy their careers. The goal of the lawsuit, however, was worth it. Creating precedent through the judicial process and E.E.O.C. took years for the women involved, but the



impact of the lawsuit – in combination with the other lawsuits filed at the time – would change the field of journalism, and therefore the Fourth Estate, forever.

## CHAPTER 5: DISCUSSION

Settlements of discrimination lawsuits such as these sought to remedy the injustices done against women at the publications of the time, but as Butcher explained, the women had to wait to be wronged for the judicial system and the E.E.O.C. to be able to act. While the women fought for their own rights and gambled with their careers and futures, the sacrifices they made were also for their fellow women in journalism and for women who would enter the field in the future. The repercussions of these cases are near impossible to precisely measure, but their historical significance is clear in their contribution to the actions of women's rights in the 1970s and 1980s, and women in news today can look back to these pioneers of journalism and trace the opportunities available to them now back to these women.

Civil lawsuits that settle out of court are not documented in a court system in the same way that courts decided by trial are, and therefore do not implicate either party as a "winner" of the suit. However, settlements are by no means a tie or a defeat for the plaintiffs, as not only are settlements the most common outcome for district court civil cases but also create actions of redress, as is seen in the agreement between female reporters and *The Washington Post* (Neubauer 351). A settlement was only reached after the *Post* negotiated with the women and installed the affirmative action plans agreed upon in the settlement, and therefore the case had tangible, practical and effective agreements satisfying the women's lawsuit as well as ending it before reaching trial – something litigants attempt to avoid because of expensive legal fees involved in trial. Because of this, the fact that a case settles out of court, although it may allow both parties to claim "victory," it does not dilute the effectiveness of the case nor does the case

lose any historical significance or validity to serve as precedence. In the U.S. district courts, settlements outnumber trials by a ratio of ten to one, with trials disposing of only four percent of all filed civil suits (Neubauer 351). Therefore, despite how *The Washington Post*, *The New York Times* and the other publications may broadcast their swift settlements as a dismissal of a superfluous outcry from their female employees, the facts are that these settlements had a major impact on the future of these publications and were a great step toward women's rights.

Though the effect that these lawsuits had on the industry is clear, none of the publications were ever technically found guilty of discrimination in a courtroom. Both the publications and the women can claim victory in one form or another, as the progress women slowly made into the newsroom can be contributed to these lawsuits, yet the publications were never forced to admit any wrongdoing nor to change their ways outside of the plans they agreed to. Management at *The New York Times* insisted that it did not discriminate against women, even after the discrimination lawsuit settled: "We thought it was unfair to single out *The New York Times* – that it was one more case of whacking *the New York Times* because it's so visible," said Abe Rosenthal, then-*Times* magazine associate editor, in a 1986 interview (Mills 162). "We didn't really feel we were treating women unfairly," Rosenthal said, and when others viewed the settlement as an admission of guilt, he insisted it was rather a victory for the *Times* (162). The reluctance of management to acknowledge the lawsuits' significance echoed through the rounds of promotions years later, despite the *New York Times*' affirmative action plan that committed them to placing women in one out of every eight top corporate positions during the four-year life of the settlement (Mills 164). Eight years after the lawsuit settled, during a round of promotions, there were still no women's names among the likely successors of the executive editor, and the

first round of promotions of 1986 included only men (Mills 165). The second round included one woman, Judith Miller, who was named news editor for the *Times* Washington bureau (165). Meanwhile, the positions of Washington editor, assistant managing editor for personnel, foreign editor, London bureau chief, metropolitan editor, senior editor for staff recruitment and training and business manager were all filled by men (165). This shows that though there were affirmative action plans moving women around on the lower levels of the publication and in positions of editors, thinking at the very top was impervious to the changes.

Other lawsuits yielded similar results. Tad Bartimus, who became the Associated Press's first female bureau chief in 1974, commented on the progress women made in journalism after the lawsuits: "Almost every bureau I ever worked in, I was the only woman. That's not true now," she said in Kay Mills' 1988 book, *A Place In the News*; "Where the news is concerned, there are lots of women doing stories about women...the suit did that" (Among) (Mills 155-156). Management, however, was not affected by the progress, she said; "AP has two levels. The top leadership is male – it answers to a virtually all-male board of directors coming from male newspaper leadership. Women may be powerful in the content of the news, but they are not powerful in determining the course of their lives" (156). There is no question that these lawsuits had impact on the women's liberation movement and that they changed the journalism field forever, but it is important to realize that corporations and major publications were not changed overnight; nor, it seems, in a decade or two.

Since the time of the lawsuit settlements, all of journalism has undergone an extreme makeover in the way the news is delivered through technology and the Internet. Print journalism is on its way out the door and social media positions in the newsroom are gaining more and more

importance. On October 18, 2012, *Newsweek* announced it would be printing its last hard-copy magazine and all materials would subsequently be published online (Haughney). This migration to the web is a sign of the times and technological progress, yet social order and the gender ratio in the newsroom has stagnated in comparison. The march of women into the newsroom during the 1970s and 1980s from the lawsuits these women filed and the demonstrations from the women's liberation movement have been observed in history, but the newsroom has yet to accurately represent women. In June 2011 – 34 years after *The New York Times* settled its case with Grace Glueck, Betsy Wade Boylan and the other plaintiffs – the *Times* promoted Jill Abramson to executive editor, and a woman held the position for the first time in history. The *Times* has built an international reputation of excellence throughout its existence; this paper is a model of journalism throughout the world, and every action of theirs is an example to other publications around the world. It was not until 2011 however that a female held the top position of executive editor, and while the event in no way deserves scorn, it is clearly overdue. Grace Glueck, one of the plaintiffs in the *Times* case, observed Abramson's promotion proudly, "I was very pleased. I said to myself 'well, it's about time!'" (Sullivan). "The lawsuit did not have an immediate effect [on Abramson's promotion]," Glueck continued, crediting Abramson with her accomplishments and earning of the position, "but I do think the lawsuit did quite a lot for the future of women at the *Times*...our suit did improve the male environment there" (Sullivan). The case was part of a movement that changed history, and Abramson acknowledged the progress made before her for reaching executive editor, thanking her "sisters" in her remarks to the *Times* staff upon the announcement (Sullivan). "I'm extremely conscious that I stand on the

shoulders of women—some of whom, because I didn't come to the *Times* until 1997, I never met,” she told NPR about her promotion (Folkenflik).

### **Enlightened Sexism**

There is a connection between a 21<sup>st</sup>-century woman's accomplishments and the women's liberation movement of the 1970s, as is seen in Abramson's position at the *Times*; but the mindset of these accomplishments – and why they are accomplishments – has greatly changed. There is a general understanding of why women should be treated as equals, but feminism no longer reaches past understanding its definition and into action against its existence. This idea is outlined in Susan A. Douglas' book *Enlightened Sexism*. “The media illusion is that equality for girls and women is an accomplished fact when it isn't,” Douglas wrote to explain the book's title (Douglas 4). This enlightened sexism is feminist in outward appearance, but sexist in its intent (10). “Since the 1990s, much of the media have come to overrepresent women as having made it – completely – in the professions, as having gained sexual equality with men,” Douglas explained while citing TV shows featuring smart-talking female attorneys or controlling and powerful female executives (4-5). “At the same time, there has been a resurgence of retrograde dreck clogging our cultural arteries...[but it] was presented as empowering, because while the scantily clad or bare-breasted women may have seemed to be objectified, they were really on top, because now they had chosen to be sex objects,” Douglas said (5). The idea of enlightened sexism explains that while feminism is widely understood today, its work is being defeated before it has begun because the belief that women have “made it” is so far-reaching in modern media and culture. *TIME* magazine found in 2009 that sixty percent of men polled say there are no longer any barriers to women's advancement in the workplace, while only 50

percent of women agreed (“Growing”). Surely, it is silly to be sexist nowadays, so the idea that sexism exists seems outlandish and exaggerated, according to Douglas (13). “Enlightened sexism is a response, deliberate or not, to the perceived threat of a new gender regime. It insists that women have made plenty of progress because of feminism – indeed, full equality has allegedly been achieved – so now it’s okay, even amusing, to resurrect sexist stereotypes of girls and women,” Douglas wrote (9). Whether deliberate or not, the mindset of enlightened sexism has served to combat feminism’s progress since the women’s liberation movement all but died.

Enlightened sexism explains the temptation to declare the battle for equality to have been won. Women in general have reached great heights of accomplishment in America that would make members of the women’s liberation movement proud, but for the sake of progress, this feel-good idea of victory needs to be examined thoroughly, and with all women in mind, before being accepted. An example of how such an idea is propagated is a study from Maria Shriver and the Center of America Progress published in 2009. The report, called *The Shriver Report: A Women’s Nation Changes Everything*, held that America has become a “women’s nation,” and that equality has been reached as women are making up half of U.S. workers, compared to one-third in 1967 (Shriver 17). This fact changes everything, the report stated, taking the stance that the newly arisen balance in America must be analyzed because it is such a feat of sociology and cultural progress (17). “As we move into this phase we’re calling a women’s nation,” Shriver said in the report, “women can turn their pivotal role as wage-earners, as consumers, as bosses, as opinion-shapers, as co-equal partners in whatever we do into a potent force for change. Emergent economic power gives women a new seat at the table – at the head of the table” (15). The sense of completion and accomplishment that this report creates is misleading; though it

acknowledges that businesses rely on outdated models of employment, America is not yet a “women’s nation,” nor are women “co-equals” in America as the report enthusiastically implies (17). Having more women in the U.S. job field does not imply equality, as not all jobs are equal in power, salary, prestige or opportunity for advancement. Ideas such as that created by the Shriver report contribute to Douglas’s enlightened sexism and the assumption that women have made it. By examining specific career fields and also the stagnated progress of women in journalism, it is clear that ideas declaring a “women’s nation” must be critiqued with greater perspective.

Discrimination in the workplace has already been shown in studies that examine gender discrimination; a study conducted in 2000 tested orchestra musician auditions and found that when a screen was used to hide the candidate’s identity and therefore gender, women were more likely to be advanced and hired in the “blind” tests than otherwise (Goldin). It has been made clear that the gender discrimination observed in the field of journalism exists in other fields as well. Additionally, racial discrimination has been studied in similar ways and various studies demonstrate the handicap of even having a foreign- or African American-sounding name. The National Study of Economic Research study titled “Are Emily and Greg More Employable than Lakisha and Jamal? A Field Experiment on Labor Market Discrimination” in July of 2003 revealed that racial discrimination was still evident in America, finding “little evidence that our results are driven by employers inferring something other than race, such as social class, from the names. These results suggest that racial discrimination is still a prominent feature of the labor market” (Bertrand 1). Though there is a national trend of racial and gender discrimination in career fields, discrimination is distinctly apparent in the field of journalism. In 2012, the



American Society of Newspaper Editors (A.S.N.E.) found that minorities made up just 12.32 percent of American newsrooms (Tenore). Also, employment in American newsrooms by 2012 has fallen in general, the A.S.N.E. reported, but among minorities, the decrease has been more than twice as large; while employment dropped 2.4 percent overall, employment of minorities in the newsroom fell by 5.7 percent (Tenore). The lack of diversity in American newsrooms by 2012 is shocking when compared to the movements that fought for exactly that throughout history. The national trend of discrimination in various career fields is significant as well, however the failure of American newsrooms to include a diverse staff embodies its disturbing failure to fulfill its role as a Fourth Estate with equal representation of the community that it serves.

## CHAPTER 6: CONCLUSION

While the progress Mary Lou Butcher, Betsy Wade Boylan, Shirley Christian and the other women fought for in the 1970s and 1980s was monumental and has contributed to women's rights in immeasurable ways, a few decades with the spread of enlightened sexism has bred a renewed scourge of discrimination toward women in journalism. The field of journalism has had a flood of educated, qualified women graduating from journalism and mass communication college programs, but somewhere on the way from walking across the stage on graduation day to walking into a newsroom, women disappear. A Women's Media Center report, *The Status of Women in the U.S. Media 2012*, found that "While women represent less than half of several key media occupations, for over a decade [they] have outnumbered men by two or three to one among journalism and mass communication graduates" (Pugh 6). The report includes data from 1999 to 2010, and between those years the average percentage of graduates from such college programs was 73.58 percent female (Pugh). Though there is no guarantee that all graduates will pursue a career in the field they possess a degree in, there is a stark difference between the percentage of female communications graduates and those employed in the field. The American Society of Newsroom Editors found that only 37 percent of newsroom employees between 1999 and 2010 were female (Pugh 2). The data is gathered from the same years that the Women's Media Center surveyed, and comparing the studies reveals a significant discrepancy.

The progression of female journalists has stagnated in recent history, which is shown in The Global Media Monitoring Project (G.M.M.P.), the largest and longest longitudinal study of the representation of women in the world's media; the G.M.M.P. depicts the importance of

women in the newsroom and what happens when a newsroom is imbalanced in their Global Media Monitoring Report 2010. The G.M.M.P. Report compared statistics from 2010 with those from 2005 and found that the percentage of female reporters in television, radio and newspapers had not changed in the five-year period, as both were at 37 percent (“Global Media”). This figure represents women in journalism in recent years, and while it is alarmingly low, it also disturbingly aligns with the average percentage of female reporters between 1999 and 2011 according to the ASNE: 37 percent (Pugh 2). This comparison demonstrates that employment of women in journalism has stagnated, and according to the spread of an enlightened sexism, there has been a reluctance to acknowledge this stagnation. The 2010 Annual Survey of Journalism & Mass Communication Graduates examined the types of jobs sought by graduates with journalism and mass communication degrees in 2010 and found stark differences between the types of positions sought by each gender (Becker, Vlad, Kazragis, Toledo, & Desnoes). According to the survey’s findings, female graduates were the dominant percentage of applicants for positions in public relations and advertising agencies and departments (Becker et al). Female graduates also were the majority of applicants for consumer magazine positions, and also held slight leads in newsletter, research report/journal publisher and book publisher positions (Becker et al). Meanwhile, the survey found that larger percentages of male graduates applied to positions in television, wire, radio and cable than female (Becker et al). Specifically, in the television category: 23.4 percent of female graduates applied for positions, while 35.3 percent of male graduates applied (Becker et al). This comparison may imply that more men than women are applying for television positions, however what is significant is that even though the percentage of female applicants is lower, the number of female applicants is greater than male; the 23.4

percent of female graduates is projected by the survey to be 7,817 women, while the 35.3 percent of male applicants is projected to be only 6,406 men (Becker et al). This is due to the greater amount of female graduates than male, overall. Therefore, women make up the majority of graduates and applicants, though female applicants are more likely to seek positions in the fields of public relations and advertising rather than the field of their degree. It is important to note that though women are more likely to apply to fields outside of their degree, there are still more women applying for positions in journalism (television, radio, cable) than men. Therefore, the imbalance in the newsroom cannot be attributed to the notion that more men are applying to positions in news than women since they are still outnumbered by female applicants in these categories.

The consequences of the gender imbalance in the newsroom are undeniable. The A.S.N.E. report found that this imbalance has influenced news coverage, and this influence is the epitome of why diversity in the newsroom is crucial (“Global Media”). According to the report, male reporters are less likely to feature statements from women in their articles: “In 2000, 24% of news subjects in stories by female reporters were female, in contrast to only 18% in stories by male reporters” (“Global Media” 2). In 2010, there was a slight improvement with 28 percent of news-subjects in female reporters’ stories being female and 22 percent in male reporters’ (“Global Media” 2). The report expanded this research to show that “Only 24% of the people heard or read about in print, radio and television news are female...[therefore,] the world depicted in the news remains predominantly male. This picture is incongruent with a reality in which at least one half of the world’s population is female” (“Global Media” 2). This project monitored 1,281 newspaper, television and radio stations in 108 countries; these statistics

therefore are international (1). The content of the news coverage is also important, as not only are the commentators, experts and sources of the news are mostly male but also the focus of the news is influenced by the gender of the reporter. The G.M.M.P. found that only 13 percent of all stories examined focused specifically on women, only 6 percent highlighted issues of gender equality or inequality and an astounding 46 percent of stories reinforced gender stereotypes (“Global Media” 3). The report connects these statistics directly to the gender imbalance among newsroom employees, and it found that “Stories by female reporters are visibly more likely to challenge stereotypes than those filed by male reporters and are less likely to reinforce stereotypes than those reported by men” (“Global Media” 3). There are clearly benefits to employing female reporters beside for the sake of diversity in the workplace, yet women’s progress into the newsroom does not reflect the pace set by the historic lawsuits during the women’s liberation movement.

### **Lilly Ledbetter**

Gender discrimination was brought to the forefront of media in 2009 when President Barack Obama signed the Lilly Ledbetter Fair Pay Act. The Supreme Court ruled against Ledbetter, a Goodyear employee, in a gender discrimination lawsuit on the grounds that her complaint was filed after the deadline Title VII of the Civil Rights Act despite the E.E.O.C.’s findings of legitimate discrimination toward Ledbetter (Ledbetter). Similarly to how the *Detroit News* women were required to bring evidence before the court that proved the discrimination was ongoing at the *News* and therefore added Marcia Biggs to the lawsuit, Ledbetter’s claims were called untimely by the court, but for different reasons. Though the E.E.O.C. found evidence supporting her claims, a technicality in the law prevented any redress or remedy for Ledbetter,

and this Supreme Court decision greatly limited judicial accessibility for future gender discrimination lawsuits. The Court's decision, that "Because the later effects of past discrimination do not restart the clock for filing an EEOC charge, Ledbetter's claim is untimely," hindered the power of gender discrimination lawsuits; the Ledbetter Act adjusted this requirement and overturned the Supreme Court's decision ("Notice"). Just as Mary Lou Butcher worked strenuously during the course of the lawsuit against *The Detroit News*, Ledbetter devoted 12 years of her life to forming her lawsuit against Goodyear and encountered the struggle of suing one's own employer; also, her husband became ill and died before President Obama signed the bill, adding to Ledbetter's struggle (Pickert). The 2009 Act restored the E.E.O.C. findings and solidified the Commission's stance on deadlines into law, resetting the "deadline" at each employee paycheck with "discriminatory compensation" ("Notice"). The Act demonstrates that gender discrimination lawsuits not only still exist in the 21<sup>st</sup> century but also are still being legislatively defined. While women are amidst gender discrimination in various workplaces across the country, the U.S. legislature is torn between a tempting enlightened sexism belief that the problem is resolved and between its responsibility to respond. In 2009, the Ledbetter Act illustrated the government's acknowledgement of gender discrimination and has brought the issue to the attention of the nation.

The obstacles that meet women at the door of the newsroom and the enlightened sexism that attempts to make feminism appear out of vogue form a constant battle that is renewed with each naïve generation. Women are only beginning to reach leadership positions that will have a lasting effect on the field of journalism. "The problems attacked by women's lawsuits are by no means solved," Kay Mills said in her book, *A Place in the News* (172). The results have been

uneven, Mills explained, but the lawsuits were essential: “Women had been slowly moving into jobs outside the home for decades without much appreciable change in the newsroom. Without these legal actions, the laissez-faire attitude of management would have allowed male editors to go on denying women key assignments and promotions” (176). Butcher’s lawsuit against *The Detroit News* exemplified the fight women journalists made for future females in the field and for the entire women’s liberation movement in the 1970s and 1980s. While the settlements and the lawsuits themselves brought incredible progress to the movement and clearly depicted a change to the entire field’s view of women, the march into the newsroom has been halted by the mindset that sexism no longer exists – though it clearly and statistically is alive and kicking. And though more journalism and mass communication graduates are female than male, women are more likely to search for positions outside of the newsroom. Recognition of discrimination has been driven by Lilly Ledbetter and highlights from other industries, but the importance of a balanced newsroom affects every citizen in the United States and is not receiving adequate emphasis. The male-dominated hierarchy of publishers and journalists cannot disseminate a balanced message to its audience when it is not fairly representing the diverse population it serves, and the imbalanced message being produced by such a hierarchy is the product of the gender discrimination Mary Lou Butcher’s case sought to eliminate. “Look at the masthead,” says Joan Cooke, one of the plaintiffs in the case against *The New York Times* former head of the New York Newspaper Guild, “That’s where the power is, and they’re not going to give up power easily. And most women don’t want to devote all their extra energy to equal rights – they want to go home like everyone else, to be with their families or friends. But if the spirit is there, and the will is there, it can be done” (Schultz-Brooks 31). For the sake of a functioning free press, and to

fulfill its role as the Fourth Estate in America, the press needs to have women with this spirit. The Constitutional protection of a free press guarantees that women will be given balanced information about topics expressly concerning them, like abortion and other election issues, and the current state of the press is not granting that to Americans. The women filed these class-action lawsuits with the understanding that such diversity is necessary in order for the U.S. government and American newspapers to work and function together as the Constitution and founders of the country established, and this motivation must be remembered today.

With the historical progress at women's back, the march into the newsroom should be swift and without encumbrance; but it has not been that way. Women are still a minority in leadership roles in journalism, a minority of the reporters in the field and women are even being discriminated as subjects or sources in the news – despite being a majority in the United States (“Global Media”). Women like Mary Lou Butcher sacrificed their careers for the sake of equality in the newsroom – Butcher worked in public relations for the rest of her career – and there has been progress because of her sacrifice. It is clear, however, that this progress has stagnated at a point far less than the women's liberation movement deserves, and the consequences of it need to be recognized. Pat Lynden, one of the early organizers in the *Newsweek* lawsuit, told *Equality Myth* in April 2010 of her disappointment with the imbalance in modern newsrooms: “Sadly, history didn't play out as we hoped it would,” she said, “The working world has always been a men's club, and now, once again, it has stopped letting women in. In many ways, this generation of women find themselves in the same predicament we were in, but without the support the women's movement gave us” (Bennett, “Pat Lynden”). Women need to keep the spirit Joan Cooke spoke of, which Butcher and the other women illustrated in



their actions in suing their employers. Meeting in the ladies' restroom, putting up with being called "dollies" or having to write about a local socialite's gaudy wedding – going the hard and risky route of patiently filing a discrimination lawsuit – displayed that these women had this spirit and determination, and this is what journalism needs now. The progress has been remarkable, and women have reached a high point in politics and business that are nationally recognized as great accomplishments for women as a whole. But there needs to be a point where a woman achieving a notable position in a company is no longer news-worthy but standard. It is clearly not that time yet however, as women need the Lilly Ledbetter Fair Pay Act in order to be fairly compensated for equal work; and until equality is reached, the women's liberation movement must carry on. American newspapers have reached their potential in the past through disseminating crucial information to citizens and voters and through diversifying its staff; and now, the industry is capable of reaching its full potential again if it embraces the movement started by these women in the 1970s and 1980s. The message these women sent, if recognized and imitated, could make American newspapers the great Fourth Estate outlined in the Constitution, and their actions should be looked upon as examples of the spirit and motivations needed today.



## **APPENDIX: CHAPTERS AND SECTIONS**

- I. Chapter 1: Introduction
  - a. Fourth Estate
  - b. 2012 Election
  - c. Women's Media Center
  - d. History of Women in Journalism
    - i. Women's National Press Club
    - ii. Women's pages
    - iii. Eleanor Roosevelt
  - e. Women Work in World War II
    - i. United Press waivers
    - ii. Dorothy Journey
  - f. Legislation
    - i. Nineteenth Amendment
    - ii. Equal Rights Amendment
    - iii. Civil Rights Act of 1964
    - iv. Equal Employment Opportunity Commission
  - g. National Organization for Women
  - h. *The Feminine Mystique* and criticism
  - i. *Ladies' Home Journal* sit-in
  - j. Airline lawsuits
- II. Chapter 2: Literature Review
  - a. Girls in the Balcony
    - i. National Press Club
    - ii. Bonnie Angelo
    - iii. Society of Professional Journalists
  - b. *The Detroit News*
  - c. *Newsweek*
    - i. Lynn Povich's *The Good Girls Revolt*
  - d. *The Washington Post*
  - e. The Associated Press
  - f. Lawsuit Settlements
    - i. A.P.
    - ii. *The New York Times*
  - g. Editor and Publisher
- III. Chapter 3: Research Methods
  - a. Purpose
  - b. Methods
    - i. Textual Analysis
  - c. Research Questions
  - d. Research Sources
    - i. Washington Press Club Foundation's Oral History Project
    - ii. *Editor & Publisher*
    - iii. *The Detroit News* Articles
    - iv. State Historical Society of Missouri, Women & Media Collection

#### IV. Chapter 4: Findings

- a. Mary Lou Butcher
  - i. University of Ann Arbor
  - ii. Betty Friedan's *The Feminine Mystique*
  - iii. *The Michigan Daily*
  - iv. *The Detroit News*
  - v. "Old school" editor
  - vi. Notified of transfer
  - vii. Meetings in Butcher home
- b. Male Supporters
- c. Blacklisting
- d. Lawsuit Officially Filed
  - i. Class action
  - ii. *News* hires women
- e. News Conference + Commercial
- f. Other Women in Lawsuit
- g. Donna Allen, Media Report to Women
- h. Depositions
- i. *The Detroit News* Settles
- j. Women in the News press releases
- k. Don Ball article
- l. *The Detroit Free Press* article
- m. Mary Lou Butcher post-settlement
  - i. Career change
  - ii. Scholarship
  - iii. W.I.N. fund

#### V. Chapter 5: Discussion

- a. Settlements
- b. Effectiveness
- c. Jill Abramson
- d. Enlightened Sexism
- e. *Shriver Report*
- f. Discrimination

#### VI. Chapter 6: Conclusion

- a. Global Media Monitoring Report
- b. 2010 Annual Survey of Journalism & Mass Communications Graduates
- c. Lilly Ledbetter

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