



OUTREACH

Newsletter of the *Women's Law and Public Policy Fellowship Program*

Summer 2003

INSIDE THIS ISSUE

- [Update on our Fellows' Work](#)
- [WLPPFP Board Chair Named Democratic Woman of the Year](#)
- [Group Project](#)
- [LAWA Program](#)
- [Alum Corner](#)
- [Save the Date](#)
- [Diversity on Trial](#)
- [Special Thanks to New Funders](#)
- [Seminars and Events](#)

Update on our Fellows' Work

Belquis Ahmadi, the Program's first Leadership and Advocacy for Women in Afghanistan fellow, earned her LL.M degree from Georgetown Law Center in May. Shortly after graduation Belquis traveled to Kabul to conduct a conference on Women's Rights, Law and Justice in Afghanistan, where she hand-delivered a copy of her major research paper entitled *Women in Decision-Making and Leadership in Muslim Countries: Focus on Afghanistan* to the commission drafting Afghanistan's new constitution. Belquis will continue her work at the International Human Rights Law Group's Afghanistan Program, which includes a Human Rights Lawyering Project based in Kabul. Next September she will take a group of Afghan lawyers, judges and prosecutors to India for a study visit to meet with Indian legal professionals and human rights activists. Belquis' fellowship was made possible by a scholarship from the **Georgetown University Law Center** and from generous personal donations.

Through her placement at NARAL Pro-Choice America, **Justine Andronici** continues to work to craft outreach strategy and materials for a newly released publication, *Breaking Barriers: A Policy Action Kit Promoting the Reproductive Health of Women of Color and Low-Income Women*. Justine also helped to produce the 12th edition of NARAL's signature publication *Who Decides? A State By State Review of Reproductive Rights*. Justine has also contributed to NARAL Pro-Choice America's judicial nominations project, helping to educate the public and decision-makers on the records of judicial nominees. She continues her feminist leadership and activism outside of work, and has recently been appointed to the Advisory Board of *Ms. Magazine*. Justine's fellowship is generously supported by the **Robert Sterling Clark Foundation** and the **Kaiser Family Foundation**.

Gretchen Borchelt is working at the National Partnership for Women & Families in the Workplace Fairness program, contributing to efforts to improve the nation's civil rights laws and to eliminate workplace discrimination. Gretchen has been involved in monitoring the work of federal agencies that are critical to civil rights to ensure that they continue to enforce antidiscrimination law and policy. She has also been working extensively on the National Partnership's campaign to ensure fairness in the courts. Gretchen has been instrumental in developing statements on various circuit court nominees, analyzing their commitment to the core constitutional and statutory rights that are fundamental to women's equal opportunity. Her recent work has focused on promoting the use of affirmative action, with an emphasis on the benefits of affirmative action to women. The **Revson Foundation** generously supports Gretchen's fellowship.

Through her placement at the National Women's Law Center, **Ikeita Cantú Hinojosa** has worked on initiatives to promote health insurance coverage for prescription contraceptives, preserve affirmative action, and increase access to and affordability of child care. Ikeita has spoken and written extensively on the critical importance of affirmative action and twice returned to her alma mater the University of Michigan as the United States Supreme Court considers cases challenging the constitutionality of Michigan's admissions policies (see page 4 for Ikeita's article on *Grutter v. Bollinger*). Ikeita is also currently examining the records of federal

court nominees to make sure that those confirmed will contribute to a fair and balanced judiciary. She recently received a gubernatorial appointment to the Maryland Commission for Women and became co-chair of the Board of Advisers for *Female Entrepreneur* magazine. Ikeita's fellowship is generously supported by the **Revson Foundation**.

Mercy Garekwe, one of our LAWA Fellows from Botswana, received her LL.M degree from the Georgetown University Law Center in May. Mercy's graduate paper, entitled *Economic Status of Women in Botswana as an International Human Rights Concern*, examines both the customary and statutory laws of Botswana which discriminate against women and proposes recommendations to increase women's opportunities for economic independence. In June, Mercy began working on international economic and trade issues through her placement with **Women's EDGE**. Mercy's fellowship is generously supported by the **Sandler Family Foundation**.

Tammy Kuennen continues her placement in the Georgetown University Law Center's Domestic Violence Clinic, where she represents domestic violence clients and supervises students as they litigate civil protection order cases in the District of Columbia Superior Court. Tammy has also worked on the Targeted Offender Program, a collaborative effort between the U.S. Attorney's Office, the D.C. Coalition Against Domestic Violence and the Georgetown Domestic Violence Clinic. The Targeted Offender Program seeks to identify the highest-risk domestic violence cases in order to prevent domestic violence deaths. Tammy's fellowship is generously supported by the **Revson Foundation**.

Anne Daugherty Leiter continues her work at the DC Employment Justice Center as this year's economic literacy fellow. Anne provides direct legal services, advocacy and education to low income women workers, and assists clients with pregnancy discrimination, sexual harassment, and Family Medical Leave Act claims. Anne also works on policies to economically empower women, including advancing the rights and responsibilities of women under the Temporary Assistance to Needy Families' (TANF) welfare to work requirements and the intersection of domestic violence and employment rights. One of Anne's advocacy projects involves draft legislation that would extend unemployment insurance benefits to victims of domestic violence. The **Fannie Mae Foundation** generously supports Anne's fellowship.

Keneilwe Lekoba, one of our LAWA Fellows from Botswana, earned her LL.M degree from the Georgetown Law Center in May. Keneilwe spent her Spring Break roofing two homes with a Georgetown Law Habitat for Humanity team in North Carolina. As part of her degree Keneilwe completed her graduate paper, entitled *Domestic Violence Against Women as an International Human Rights Issue in Botswana*. She recently began her internship with **The Future's Group**, where she works on projects related to HIV/AIDS and inheritance laws with a particular focus on health and domestic violence in Botswana. Keneilwe's fellowship is generously supported by the **W.K. Kellogg Foundation**.

Teresa Mugadza, our first LAWA Fellow from Zimbabwe, earned her LL.M degree with distinction from the Georgetown Law Center in May. Teresa's graduate paper on *States' Compliance with CEDAW: A Case Study of Zimbabwe's Legal Framework for Women's Access to and Control of Land* discusses the land reform crisis in Zimbabwe as it affects women. In March, Teresa participated with other emerging international leaders in the 2003 Georgetown Leadership Seminar at the Edmund A. Walsh School of Foreign Service at Georgetown University courtesy of a full scholarship from Georgetown. Teresa recently began her work placement at **Oxfam America**, focusing on the impact of U.S. agribusiness on small farmers in developing countries. The **W.K. Kellogg Foundation** generously supports Teresa's fellowship.

Tandazwa Ndita, this year's LAWA Fellow from South Africa, earned her LL.M degree from the Georgetown University Law Center in May. Tandazwa wrote her final research paper on *Inheritance Rights of Rural Women in South Africa*. Tandazwa spent her Spring Break with other Georgetown law students and LAWA Botswana colleague Keneilwe Lekoba building a home in North Carolina with Habitat for Humanity. Tandazwa recently began her work placement at the **Whitman-Walker HIV/AIDS Legal Clinic**, where she will provide legal services until the end of her fellowship in November. Her fellowship is generously supported by the **Ford Foundation**.

Shannon Roesler teaches and supervises students in the Georgetown University Law Center's International Women's Human Rights Clinic. Through her work in the clinic, she has the privilege of working with several LAWA alumnae in Uganda, Tanzania, and Ghana on projects advancing women's human rights in Africa. Shannon has overseen the research of students working on a range of issues, including women's equality under Islamic family law, women's right to divorce under Nigerian civil law, and domestic workers' exclusion from Ghanaian labor law. This spring, clinic staff and students traveled to Accra, Ghana on a fact-finding mission to investigate and document abuses of women's human rights in order to advocate for legal and social reform. Shannon's fellowship is supported by **Georgetown University Law Center**.

Lisa Wilson is this year's **Harriet B. Burg/Ethel Louise Armstrong Fellow** focusing on the rights of women with disabilities through her placement with the Washington Lawyers' Committee for Civil Rights and Urban Affairs. Lisa is working on several important cases with the Committee's Disability Rights Project, including cases that would improve accessibility and treatment

conditions for disabled patients during hospitalizations. Lisa also works with the Committee's Equal Employment Opportunity Project, where she has worked on several sexual discrimination and harassment cases, including a groundbreaking case challenging religious immunity under sexual harassment laws. Lisa's fellowship is generously supported by the **Harriet B. Burg Foundation**, the **Ethel Louise Armstrong Foundation**, and the **Revson Foundation**.

Group Project

This year, under the leadership of **Lisa Wilson**, the Advocates will be contributing chapters to a new anthology on women's issues presented from both legal and psychological perspectives. The Advocates' chapters cover employment discrimination based on pregnancy, the intersection of domestic violence and employment, women and war, the impact of the HIV/AIDS pandemic in Southern Africa on women's health, the ways in which culture and customary law contribute to discrimination against women in a patriarchal African setting, and the effect of Islamic and Christian fundamentalism on women's human rights. The book will be edited by Andrea Barnes, Ph.D./J.D., and will be published by Jossey-Bass Publishers.

WLPPFP Board Chair Named Democratic Woman of the Year

WLPPFP Board Chair **Congresswoman Eleanor Holmes Norton** was recently named Democratic Woman of the Year. Congresswoman Norton was honored at the Woman's National Democratic Club Educational Foundation dinner on June 9th. Fellowship Board Members **Judith Lichtman** (President of the National Partnership for Women and Families) and **Wendy Williams** (Professor of Law, Georgetown Law Center) were also in attendance.

LAWA PROGRAM

LAWA Program Expands to Swaziland. The Leadership and Advocacy for Women in Africa (LAWA) Program will welcome its first participant from Swaziland in July. WLPPFP is grateful to continue to expand the program within the Southern Africa Region. In addition to the first participant from Swaziland, next year the LAWA Program will welcome additional participants from Zimbabwe and South Africa, thanks to the support of the **W.K. Kellogg Foundation**, the **Ford Foundation**, the **Overbrook Foundation**, and the **Sandler Family Supporting Foundation**.

CAPTION: Interview Panelists for the 2003-2004 Leadership and Advocacy for Women in Africa Program in Johannesburg, South Africa: Front Row- 2001-2002 Alumnae Ntibidi Rampete and Sibongile Sigodi; Back Row- Professor Cathi Albertyn of the University of Witwatersrand, Alice Brown of the Ford Foundation, Mary Hartnett of WLPPFP, and Venda Modise from USAID Pretoria.

2001-2002 Leadership and Advocacy for Women in Africa Fellows

Update: Our 2001-2002 LAWA Fellows are all back in their home countries where they continue to advocate tirelessly for the advancement of women in their own communities.

Ntibidi Rampete has recently been appointed as the Gender Research Officer for the Centre for Applied Legal Studies at the University of the Witwatersrand in South Africa, where she is working on a project that involves cooperating with traditional leaders to reform and define customary law in a non-discriminatory way.

Sibongile Sigodi has returned to private practice in South Africa. In addition, she has dedicated herself to reviving the first Rape Crisis Center in Port Elizabeth, which she founded prior to her fellowship.

Jamesina King returned to Sierra Leone where she resumed her position as a barrister and solicitor in the firm of Basma & MacAulay. She also organized a meeting with the Legal Access through Women Yearning for Equality Rights and Social Justice (LAWYERS) group. As a LAWYERS member, Jamesina recently met with the head of the Law Reform Commission to push for the inclusion of women's issues in their agenda.

ALUM CORNER

Christine Webber takes on Wal-Mart in Largest Sex Discrimination Case Ever. On April 28, 2003, **Christine Webber** ('93-'94) and other lawyers for the plaintiffs filed a motion in U.S. District Court in San Francisco to certify a class of more than 1.5 million women who are suing Wal-Mart for sex discrimination. The suit alleges that Wal-Mart violates Title VII by discriminating against female employees in promotion, compensation, and job assignments. According to Christine's

firm, Cohen, Milstein, Hausfeld, & Toll, P.L.L.C., “although women hold more than 70% of store hourly positions, they hold less than 10% of store manager positions....”

Given the number of plaintiffs (over 1.5 million if the Judge certifies the whole class) and the egregious nature of the allegations against Wal-Mart, the case will undoubtedly be significant for women workers across the country.

An Immigration Near Miss at the Supreme Court.

Liliana Garcés ('98-'99) acted as co-counsel in *Demore v. Kim*, which in a 5-4 ruling upheld a 1996 mandatory immigration detention statute. Liliana, who works for the ACLU Immigrants' Rights Project, worked closely with Judy Rabinovitz, who argued the case before the Supreme Court, to prepare the written submissions for the Court and to prepare for a contentious oral argument defending a ruling by the Ninth Circuit that struck down the statute as unconstitutional. Liliana served as co-counsel before the Ninth Circuit as well as the Third and Tenth Circuits in two other cases that also struck down the statute as unconstitutional.

As always, thanks to our fabulous volunteer Alum Co- Directors: **Johanna Bond, Angela Dwamena-Aboagye, Margaret Johnson and Sarah Lubega** for helping us keep in touch with our 180+ alums around the world!

WLPPFP/LAWA Anniversary Events – Save the Date

This fall, the Women's Law and Public Policy Fellowship Program will celebrate its 20th anniversary and the Leadership and Advocacy for Women in Africa Fellowship Program will celebrate its 10th anniversary. To mark these milestones, the Program is organizing a two-day conference in Washington, D.C. (September 25-26, 2003) for its 180-plus alums, highlighted by an anniversary dinner. The dinner (to be held September 25, 2003) will recognize the accomplishments of Fellowship alumnae as well as honor two outstanding women jurists who have also agreed to deliver keynote remarks – **U.S. Supreme Court Justice Ruth Bader Ginsburg** and **Botswana High Court Justice Unity Dow**.

Diversity on Trial

By Ikeita Cantú Hinojosa, 2002-2003 Fellow

Editor's Note: On June 23rd the Supreme Court handed down a decision in the Michigan cases, upholding the principle of affirmative action in higher education by recognizing that diversity constitutes a compelling governmental interest.

The United States Supreme Court is revisiting the issue of affirmative action in higher education this term, and its decision will not only impact college education — it will determine who will have access to our nation's graduate schools and through them to the professions. More broadly, it will test the proposition that the use of race-conscious affirmative action in employment and public contracting also remains needed and valuable.

Since *Regents of the University of California v. Bakke* in 1978, diversity has been the constitutional basis for permitting affirmative action in higher education. Justice Lewis F. Powell, the deciding vote in *Bakke*, ruled that universities could not set quotas but said that considering race as one of many factors in college admission decisions to achieve a diverse student body is constitutional. In the 25 years since the landmark decision, thousands of colleges and universities have incorporated affirmative action into their admissions policies, using *Bakke* as the guiding principle for the permissible scope of their plans.

Though the University of Michigan (U-M), one of the nation's most prestigious public universities, employs admissions policies consistent with the *Bakke* requirements, it was sued by three unsuccessful white applicants — Barbara Grutter, who was rejected by U-M's law school in 1996, and Jennifer Gratz and Patrick Hamacher, who were turned down by U-M's undergraduate program in 1995 and 1997, respectively. The challengers claim that the university's admissions programs violate the 14th Amendment's guarantee of equal protection by favoring less qualified racial minorities. U-M contends that it admits only qualified students and that race-conscious decision-making is necessary to ensure diversity in the student body and the important benefits that such diversity provides to the educational process and to society at large. A record number of civil rights organizations, educational institutions, military leaders, Fortune 500 corporations, and others have filed *amici curiae*, or friends of the court, briefs in support of U-M's position.

The law school case, *Grutter v. Bollinger*, and the undergraduate case, *Gratz v. Bollinger*, were argued before the United States Supreme Court on April 1. In response to a virtually unprecedented amount of media and public interest, the Court released a

complete audiotape immediately following oral arguments— a decision made only once before in its history (*Bush v. Gore*). Three fellows did not have to wait for the audiotape — **Justine Andronici**, **Ikeita Cantú Hinojosa**, and **Gretchen Borchelt** were in the courtroom that day and witnessed history in the making.

April 1 was a dramatic occasion. A diverse crowd of thousands demonstrated in front of the Supreme Court to show their support for affirmative action. Inside the courthouse, justices searched for the right constitutional calibration for racial diversity in higher education. Two justices appointed by Ronald Reagan— Sandra Day O'Connor and Anthony Kennedy — indicated skepticism toward the stance of plaintiffs' attorney Kirk Kolbo that race can never be taken into account in college and university admissions. Justice Ruth Bader Ginsburg and others asked Solicitor General Theodore Olson, who argued against race-conscious admissions on behalf of President George W. Bush, how the federal government could oppose U-M when the nation's military academies employ much more aggressive affirmative action measures themselves to ensure a diverse officer corps, which high-ranking military and civilian defense officials argue is vital to national security and a cohesive armed forces. Justice Antonin Scalia, a staunch opponent of affirmative action, suggested to both law school attorney Maureen Mahoney and undergraduate attorney John Payton that U-M could achieve diversity by lowering its admissions standards and becoming a "lesser college", a contemptible alternative that would dramatically change the character of one of the nation's premier universities. Justice Clarence Thomas, known for rarely asking questions during oral arguments, also noted a tension in the university being both elite and diverse. He was informed that there is no tension since diversity is an essential component of academic excellence and that U-M does not lower its standards to admit students of color but rather looks for such students within the large pool of qualified applicants.

A decision in the U-M lawsuits is expected in June. It is unclear whether the Court will uphold the systems now in place at Michigan, but given the realities — we are only several decades away from state-sponsored racial barriers; select universities like U-M are the acknowledged training grounds for our society's professional and public leaders; affirmative action has been remarkably successful; America's future in the global marketplace requires a work force that is more competitive and reflective of our increasingly diverse population — it is essential that affirmative action continue to expand opportunities for us all.

(Ikeita Cantú Hinojosa earned both her JD and MSW degrees from the University of Michigan and was a steering committee member of Law Students for Affirmative Action, a defendant-intervenor in the admissions suit against her law school.)

Special Thanks to New Funders

The Women's Law and Public Policy Fellowship Program would like to thank two new funders: the **Women's Bar Association Foundation** and the **Overbrook Foundation**. We are extremely thankful to these new funders and to all the foundations and individuals that so generously support this program.

- **The Women's Bar Association Foundation** granted partial funding for the 2003-2004 Advocate to work at the Georgetown University Law Center's Domestic Violence Clinic, providing direct legal services to low-income women who are victims of domestic violence, and training the next wave of domestic violence advocates through classroom teaching and supervised civil protection order cases.
- **The Overbrook Foundation's** grant will help support the 2003-2004 Leadership and Advocacy for Women in Africa (LAWA) initiative which seeks to promote Women's Reproductive Health and Rights in South Africa.

SEMINARS AND EVENTS

Supreme Court Hearings: This year the Advocates have had the opportunity to attend several groundbreaking Supreme Court cases. In December, they attended the *Scheidler & Operation Rescue v. NOW* Hearing, where the Court heard arguments regarding anti-choice protests and racketeering. In January, before attending the *Nevada v. Hibbs* case regarding state employees' right to leave under the Family and Medical Leave Act, Advocates were briefed by Georgetown Law Professor **Nina Pillard**, counsel for Respondent William Hibbs. (Late-breaking news flash – congratulations Nina on your victory!!) Several of the Advocates were also able to attend *Grutter v. Bollinger*, the Supreme Court affirmative action case discussed in Ikeita Cantú Hinojosa's article on page 4.

Advocates Meet with Justice Ginsburg: The Advocates were thrilled to have the opportunity to meet with **Supreme Court Justice Ruth Bader Ginsburg** in March in the Rehnquist Dining Room at the Supreme Court. Justice Ginsburg shared stories, history and wisdom as she answered the Fellows' many questions regarding her work as a lawyer and judge. Justice Ginsburg and **Botswana High Court Justice Unity Dow** have graciously agreed to be the honorees and keynote speakers at the Program's 20th Anniversary Dinner which will be held September 25, 2003.

CAPTION: 2002-2003 WLPPFP Advocates attend a Supreme Court hearing.

CAPTION: 2002-2003 WLPPFP Advocates and Staff with Supreme Court Justice Ruth Bader Ginsburg in the Rehnquist Dining Room at the Supreme Court.

Seminar Update: Fellowship seminars continue to take place bi-weekly. Recent seminars featured guest speakers **Lisa Mottet**, Legislative Lawyer on the Transgender Civil Rights Project at the National Gay and Lesbian Task Force, **WLPPFP Alumna Professor Johanna Bond** from the Georgetown University Law Center International Women's Human Rights Clinic, and **Eleanor Smeal**, President of the Feminist Majority Foundation. In addition, the current Advocates have had the opportunity to share their work experiences with each other during recent seminars.

Retreat: On, November 1st WLPPFP Fellows and staff headed to the Annual Fellowship Retreat at Lost River State Park in West Virginia. Inside the main cabin, staff members and Fellows played games, ate s'mores, swapped stories, and discussed group project ideas. LAWA Advocates prepared food dishes from home and everyone enjoyed a wonderful meal. Saturday featured a hike through the scenic mountains of West Virginia up to Cranny Crow Overlook.

Comings and Goings: In June we wished a fond farewell to our part-time Program Assistant, **Marianne Hamilton**, who has been a valuable team member for the past two years. Marianne received her Masters of Public Administration from George Washington University in May, and started her new position in the Emerging Leaders Program with the U.S. Department of Health and Human Services in Washington, DC in June. Congratulations, Marianne!

Program Director **Charlene Gomes** will be leaving the Fellowship Program in July to start a new position as Public Interest Coordinator at American University's Washington College of Law. Charlene has contributed greatly to the Program for the past four years and we know will continue to promote public interest law in her new position. Congratulations, Charlene!

We are delighted to welcome **Zinta Saulkalns** as our new Program Director. Zinta comes to us from the position of Office Manager for the Georgetown Domestic Violence and International Women's Human Rights Clinics, and prior to that she was WLPPFP's Program Assistant. Zinta has a deep interest in and commitment to women's rights and public interest law, and she will be an evening law student at Georgetown beginning in 2004.

CAPTION: 2002-2003 WLPPFP Advocates and Staff take in the view at the Cranny Crow Overlook in Lost River State Park, West Virginia.

Our most sincere thanks go to our generous supporters who responded to our annual appeal.

To date, we have raised over \$31,000 – more than \$5,000 above what was received last year! As a nonprofit program, every penny counts and we rely on each of our loyal supporters to keep our programs going. If you have not yet taken a moment to send in a donation, please do not hesitate to do so. Contributions are welcome at any time and are tax-deductible! [Support WLPPFP](#) Remember you may also give to WLPPFP by designating #1173 on your Combined Federal Campaign Pledge.