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Table of Contents - Issue 2

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CONTENTS

SYMPOSIUM: IS THE LAW MALE?

LINDA R. HIRSHMAN
SYMPOSIUM EDITOR

FOREWORD: THE WANING OF THE
MIDDLE AGES

Linda R. Hirshman 293

INTRODUCTION: WELCOME ADDRESS

Judith S. Kaye 301

FOUR FEMINIST THEORETICAL APPROACHES
AND THE DOUBLE BIND OF SURROGACY

Mary Becker 303

This article analyzes specific performance of paid surrogacy from the perspective of four feminist approaches to legal issues. The four approaches are formal equality, dominance feminism, hedonic feminism, and pragmatic feminism. Professor Becker argues that the surrogacy issue should not be resolved as an abstract question of high theory but as a pragmatic question, in light of the likely advantages and disadvantages of any approach.

IS TORT LAW MALE?: FORESEEABILITY
ANALYSIS AND PROPERTY MANAGERS' LIABILITY
FOR THIRD PARTY RAPES OF RESIDENTS

Leslie Bender 313

with Perette Lawrence

Focusing on a 1992 Tennessee Supreme Court case about property managers' potential liability for key mishandling that results in a third party rape of a resident, Professor Bender illustrates how tort doctrine can be male in its application and on its face. By failing to understand the reality of rape in women's lives and experiences, tort law has developed and applied doctrine based on myths and male-biased perspectives about rape. Professor Bender argues that inclusion of women's perspectives and understandings in tort law will eliminate some of its biases and make the legal system more just.

IS THE LAW MALE?:
THE CASE OF FAMILY LAW

Sylvia A. Law 345

& Patricia Hennessey

This article argues that family law is male in three ways: rules explicitly favor men; rules are neutral but have an adverse impact on women; and fixed rules are inherently male. American child custody has embodied male law in each of these
forms. In the child custody area, fixed male-like rules—for example the primary care
taker presumption—benefit women.

Rape, Violence, and Women’s Autonomy

Dorothy E. Roberts 359

In this article, Professor Roberts addresses two recent proposals to replace tradi-
tional rape law with a scheme that distinguishes between violent sexual assaults and
nonviolent impairment of sexual autonomy. She argues that placing the blame for
rape law’s failure to protect women on the association of rape with violence misses
more fundamental biases in the law. Professor Roberts also questions whether the
move beyond violence neglects important continuities between violent rape and seem-
ingly nonviolent exploitation.

Is the Law Male?: The Role of Experts

Sarah E. Burns 389

Professor Burns examines the role of social science experts in identifying and
changing bias and stereotyping in the law.

Is the Law Male?:
Let Me Count the Ways

Lynn Hecht Schafran 397

This article argues that just as using the male-disease model as the standard for
medical training, research and treatment has produced gender bias in health care, so
the exclusion of women’s life experience from the creation and implementation of the
law has produced gender bias in the courts. Gender is a factor in many more areas of
the law than is generally realized. Only by integrating considerations of gender
throughout legal and judicial education can we achieve a justice system responsive to
the diversity of human experience.

The Charles Green Lecture

The Technology of Insight:
Computers and Informed Citizens

Peter Seipel 417

Information technology gives new dimensions to the citizens’ right of access to
official documents. This article, which is based on the 1993 Charles Green Lecture in
Law and Technology, presents and discusses Swedish experiences with information
technology against the background of recent developments in the European
Communities.

Notes

The Troubled Constitutionality of Antigang Loitering Laws

Joel D. Berg 461

Cities across the country are passing broad antigang ordinances in an effort to
curb rising crime rates attributed to criminal gang activity. Many of these antigang
ordinances are loitering laws, which have long been constitutionally questionable.
This note examines the constitutionality of one such loitering law—the Chicago anti-
gang loitering ordinance—and proposes measures for drafting antigang loitering laws
that are both effective and constitutionally sound.
CLEAN SWEEP OR WITCH HUNT?:
CONSTITUTIONAL ISSUES IN CHICAGO'S
PUBLIC HOUSING SWEEPS

This note examines the constitutionality of Chicago's public housing sweeps under two contrasting models of Fourth Amendment jurisprudence. Objective evaluation of legal precedents and social sciences data suggests that the sweeps, standing alone, are neither constitutionally permissible nor particularly effective. This evaluation does, however, indicate what the content and limits of a program to increase security in public housing should be.
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