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Staking Their Claim: The Impact of Kentucky Women in the Political Process

BY PENNY M. MILLER*

For the past 200 years, women have faced tremendous obstacles in staking their claim to influence the politics of “traditionalistic” Kentucky.¹ Their intermittent forceful impact has been felt throughout the Commonwealth in their various roles as voters, elected and appointed officeholders, policymakers, party activists, interest group participants, lobbyists, and campaign contributors; but in such activities Kentucky women have lagged behind national trends. “Seventy-five years after suffrage, women are still the missing majority on Kentucky’s ballot.”²

“Women’s issues” have ebbed and flowed, but always in an ultimately conservative direction, in Kentucky.³ In 1881, the Kentucky

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¹ In most of the state, Kentucky presents the classic example of the traditionalistic political culture, allowing an active role for government, but primarily as keeper of the old social order and maintainer of the status quo. Kentucky politics does not foster major political and social change. In that sense, government is usually viewed as a negative force. Political affairs, it is felt, should remain chiefly in the hands of established elites, whose members often claim the right to govern through family ties or social position.

PENNY M. MILLER, *KENTUCKY POLITICS AND GOVERNMENT: DO WE STAND UNITED?* 3 (1994) (relying on the typology of political cultures into traditionalistic, moralistic, and individualistic by DANIEL J. ELAZAR, *AMERICAN FEDERALISM: A VIEW FROM THE STATES* 115-22 (3d ed. 1984)). See also MILLER, *supra*, at 3-4, 58-80 (analyzing political culture and public opinion in Kentucky).

² *One Vote, One Man*, LEXINGTON HERALD-LEADER, Nov. 5, 1995, at E1.

³ For an excellent overview, see Mary Hawkesworth, *The Quest for Equality: Women in Kentucky Politics*, in *KENTUCKY GOVERNMENT AND POLITICS* 236-53 (Joel Goldstein ed., 1984) (examining Kentucky women’s political involvement from the late 1800s to the early 1980s). For statistical

Woman Suffrage Association was founded — the first state suffrage society in the South.⁴ At the 1890 Kentucky constitutional convention, a major address by Laura Clay proposed a provision to give women property rights and suffrage.⁵ It failed.⁶ In 1894, however, the Married Women's Property Act was passed, and in the same year "school suffrage" (the right of women to vote in school board elections) was extended to second-class cities from rural districts where it had been adopted in 1838.⁷ School suffrage was repealed in 1902 in response to statistics indicating that more black women voted in Lexington school board elections than white women and contentions that black women "practically controlled" such elections.⁸ School suffrage returned in 1912, but with a literacy test, again entwining the rights of women with the rights of blacks.⁹ On January 6, 1920,¹⁰ Kentucky became the twenty-third state to ratify the Nineteenth Amendment, the Women's Suffrage Amendment,¹¹ but Kentucky's laws continued to be permeated with

information, see KY. COMM'N ON HUMAN RIGHTS, TENTH STAFF REPORT, THE STATUS OF WOMEN IN KENTUCKY STATE AGENCIES (1991) (analyzing the salary gap between genders in Kentucky agency positions); HESTER R. STEWART, KY. CABINET FOR WORKFORCE DEV., WOMEN IN KENTUCKY: A DOCUMENTED PROFILE (1991) (containing statistical information about family status and occupations of Kentucky women); CAROL M. STRAUS & LUCINDA R. ZOE, KY. COMM'N ON WOMEN, WOMEN AND POVERTY IN KENTUCKY (1987) (analyzing the economic status of Kentucky women).

⁴ PAUL E. FULLER, LAURA CLAY AND THE WOMEN'S RIGHTS MOVEMENT 25 (1975).

⁵ *Id.* at 43.

⁶ *Id.* at 45.

⁷ *Id.* at 46-47.

⁸ *Id.* at 90.

⁹ HELEN D. IRVIN, WOMEN IN KENTUCKY 91 (1979).

¹⁰ FULLER, *supra* note 4, at 25.

¹¹ *Id.* at 159. For additional sources on the history of the women's rights movement in Kentucky, see generally EMMA G. CROMWELL, WOMEN IN POLITICS (1939) (an autobiography of Kentucky's first elected female statewide officeholder); HISTORY OF WOMAN SUFFRAGE 665-77 (Susan B. Anthony & Ida H. Harper eds., 1969); IRVIN, *supra* note 9, at 89-127 (recounting the fight for women's rights in Kentucky, including: suffrage, the right to own property, and access to contraception); Melba D. Porter, *Madeline McDowell Breckenridge: Her Role in the Kentucky Woman Suffrage Movement, 1908-1920*, 72 REG. KY. HIST. SOC'Y 342-63 (1974) (providing information about Laura Clay's successor to the presidency of the Kentucky Equal Rights Association); Sally W. Maggard, *Eastern Kentucky Women on Strike: A Study of Gender, Class, and Political*

provisions that treated men and women differently. For example, in 1923, a constitutional amendment striking the word "male" from the election clause of the state constitution was defeated by a margin of 11,000 votes.¹²

In 1972, Kentucky became the sixteenth state to ratify the federal Equal Rights Amendment ("ERA"). A major issue of the 1970s was the attempt (and success) of anti-feminist "Pink Ladies" to rescind that ratification. The legality of rescission was unknown, and was further put in doubt by Lieutenant Governor Thelma Stovall, who vetoed the resolution while Governor Julian Carroll was out of the state.¹³ It never mattered, of course, because the period soon lapsed for the remaining states to ratify the ERA.

Women in Kentucky (51.6% of the population — 1,900,061 women, compared to 1,785,235 males)¹⁴ now cast more than a majority of the votes, and have done so throughout the 1980s and early 1990s. More women than men are registered to vote (1.2 million women to 1.1 million men).¹⁵ Women also participate disproportionately in the electoral process as participants in political campaigns (in time and effort if not money), and as the backbone of local Democratic and Republican party organizations.¹⁶ In the decade of the 1990s, although increasing numbers of women are running for elected office, the overall percentage of women currently serving in public policymaking positions in Kentucky has increased only slightly and remains small in relation to the population.

I. WOMEN AS VOTERS

Women in Kentucky have for two decades registered and voted in larger numbers than their male counterparts. Recently, more than 52% of

Action in the 1970s (1988) (unpublished Ph.D. dissertation, University of Kentucky) (examining how two union organizing drives mobilized Eastern Kentucky women and the effect on gender relations).

¹² The Bill of Rights of the Kentucky Constitution proclaimed that "all men are equal," but ignored the existence of female citizens within Kentucky. The Kentucky League of Women Voters led the campaign to strike the word "male" from the constitution's election clause. The League's efforts met success with state legislators, but met failure with the voters. FULLER, *supra* note 4, at 165.

¹³ See Jennifer Howlett, *Pioneering Former Lieutenant Governor Dies in Louisville*, LEXINGTON HERALD-LEADER, Feb. 6, 1994, at A1, A14.

¹⁴ Report by Bob Babbage, Secretary of State of Kentucky, *Towards Balance: Women in Politics* (Dec. 5, 1995) (on file with author).

¹⁵ See *infra* note 17 and accompanying text.

¹⁶ See *infra* notes 50-59 and accompanying text.

the 175,000 newly registered voters since the implementation of the Motor Voter Bill in January 1995 were females. As of fall 1995, 1,191,285 females and 1,056,884 males were registered to vote in Kentucky's November elections.¹⁷ In part because of patterns of female longevity, and age-related registration and turnout differences, women all over America heavily out-number men voters. In the 1992 presidential election, about 45.3 million women cast their ballots compared with 38.6 million men.¹⁸ Pollsters are finding "the widest political gender gap between white men and white women [that they have] ever seen . . .," with white men having much stronger tendencies to vote for Republican congressional candidates.¹⁹

According to a survey done by the Voter News Service, of the 1,520,682 Kentuckians who voted in November 1992 (73.2% of registered voters), 55% were women, 45% were men.²⁰ However, the Center for Policy Alternatives ("CPA") data from the 1992 presidential election placed Kentucky women forty-third (52.8% of eligible voters) among the fifty states; the national actual voting average for eligible female voters was 61%. ("Eligible" was defined as of voting age and a United States citizen, whether registered or not.) CPA found the percentage of women who voted varied greatly from state to state. Ranked the highest was Montana, where nearly 75% of eligible women voted; South Carolina women ranked the lowest, with 46.2%. "With the exception of Louisiana (61.9%), the southern region of the United States ranked below average in terms of women's voter turnout."²¹

¹⁷ Interview with Jim Curtis, Kentucky Secretary of State's Office, Kentucky Board of Elections (Dec. 5, 1995).

¹⁸ Since 1964 female voters have outnumbered male voters. Women constituted 54% of the vote in 1992. See CTR. FOR THE AM. WOMAN AND POLITICS ("CAWP"), *SEX DIFFERENCES IN VOTER TURNOUT* (1993); see also JERRY JENNINGS, U.S. DEP'T OF COMMERCE, BUREAU OF THE CENSUS, *CURRENT POPULATION REPORT: VOTING AND REGISTRATION IN THE ELECTION OF NOVEMBER 1992* (1993) (analyzing voter participation in light of sex, age, and other population characteristics).

¹⁹ Thomas Edsall, *Pollsters View Gender Gap as Political Fixtures: White Men Heed GOP Call; Women Lean to Democrats*, WASH. POST, Aug. 15, 1995, at A1.

²⁰ Letter from Linda Smith Niemi to Barbara Ward, Reporter, LEXINGTON HERALD-LEADER (Aug. 10, 1995) (reporting results of survey conducted by the Voter News Service).

²¹ CTR. FOR POLICY ALTERNATIVES ("CPA"), *THE STATE OF THE STATES FOR WOMEN AND POLITICS* 5 (1995) (comparing women's political involvement

Table 1 provides a breakdown of voting in the November 1992 general election in Kentucky by gender and age. Female registered voters turned out in larger numbers than males in every age category except "62 and over."²² Due to the disappointing turnout of female senior citizens shown in Table 1, which was repeated in 1994's congressional elections, the Democrats in the 1995 gubernatorial election made a special appeal to older women (25% of whom live in poverty), citing Medicare, Medicaid, and other social welfare cuts proposed by the national Republicans.²³

TABLE 1:²⁴
NOVEMBER 1992 KENTUCKY ELECTION STATISTICS TOTALS

	Age Code 1 (17-24)	Age Code 2 (25-34)	Age Code 3 (35-49)	Age Code 4 (50-61)	Age Code 5 (62& OVER)	State Totals
Male Registered	117,049	204,262	303,075	160,151	198,826	983,363
Male Voting	55,150 47%	124,604 62%	234,579 77%	132,696 83%	160,274 81%	707,303 72%
Female Registered	122,324	220,391	324,102	170,216	255,867	1,092,900
Female Voting	61,566 50%	141,556 64%	258,634 80%	142,769 84%	196,602 77%	801,127 73%

in the various states, as well as surveying the history of women in American politics and identifying state resources on women and politics).

²² Interview with Jim Curtis, Kentucky Secretary of State's Office, Kentucky Board of Elections (Dec. 5, 1995).

²³ Jamie Lucke, *Women and Seniors React to GOP Agenda*, LEXINGTON HERALD-LEADER, Nov. 8, 1995, at A1, A6.

²⁴ The statistics in Table 1 reflect the registered voters on file in December 1993 that voted in the 1992 general election. The number registered reflects the number of registered voters for the 1992 general election. Thus the total number voting may vary from the voter turnout report produced after the 1992 general election. Facsimile from Kentucky State Board of Elections (Nov. 27, 1995) (on file with author).

As in the rest of the nation, there has recently been a noticeable gender gap in voting in Kentucky, as witnessed in the 1992 presidential election and the 1995 gubernatorial contest. During the 1960s and 1970s, the voting differences nationwide between women and men, reported in surveys, were usually statistically insignificant.²⁵ The gender gap in voting behavior became evident in 1980, about the same time that women's registration and voting numbers increased. Since then, American women consistently have given stronger support to Democratic candidates.²⁶ As a result, in the 1992 contest, according to a national exit poll, women voted 46 to 37% in favor of Clinton over Bush, while men split by a far narrower margin of 41 to 38%.²⁷ Similar trends are evident at all other levels of elected office.²⁸ The percentage difference is not great (in most presidential and congressional elections the gap is in the range of four to ten percentage points),²⁹ but it can determine the results of close elections.

The women's movement has mobilized around this development; it affects millions of votes, and varies in size according to a campaign's dominant issues. Also, as a result, political parties have sought to compete for women's ballot box power. As noted above, in the 1995 Kentucky gubernatorial election, Democrat Paul Patton targeted female voters. In addition to health care and welfare issue differences, Patton

²⁵ See Mary E. Bendyna & Celinda C. Lake, *Gender and Voting in the 1992 Presidential Election*, in *THE YEAR OF THE WOMAN: MYTHS AND REALITIES* 237-54, 238 (Elizabeth Adell Cook et al. eds., 1994) (analyzing Gallup polls from the 1950s through the 1970s).

²⁶ *Id.* at 238-39. See also *Gender Differences in Political Attitudes and Voting*, in *WOMEN IN POLITICS: OUTSIDERS OR INSIDERS?* 30-94 (Lois L. Duke ed., 1993) (containing articles about the historical and generational development of "the gender gap" in political attitudes).

²⁷ See Bendyna & Lake, *supra* note 25, at 247-48 (analyzing the Voter Research and Surveys Exit Poll for November 1992).

²⁸ For an analysis of the gender gap in 1990-92 United States Senate races, see Elizabeth A. Cook, *Voter Responses to Women Senate Candidates*, in *THE YEAR OF THE WOMAN: MYTHS AND REALITIES*, *supra* note 25, at 217-36 (analyzing whether media attention on women candidates increased voter turnout, and whether women were more supportive of women candidates in party primaries and general elections).

²⁹ See Bendyna & Lake, *supra* note 25, at 237-54 (analyzing 1980-94 Gallup polls). For an in depth understanding of the gender gap, see *THE POLITICS OF THE GENDER GAP: THE SOCIAL CONSTRUCTION OF POLITICAL INFLUENCE* (Carol Mueller ed., 1988).

supported reproductive rights, while Republican Larry Forgy wanted to restrict abortion. According to the *Bluegrass State Poll* of October 28, 1995, there was a defined and standard gender gap, women favoring Patton and men favoring Forgy.³⁰ In another poll of 1000 Kentuckians on November 5, 1995, there was a salient gender gap in support of Patton: Women favored Patton by more than six percentage points, whereas men favored Patton over Forgy by a margin of two percentage points.³¹ Patton attributed a significant portion of his slim victory (51% to 49%, less than 22,000 votes) to his female supporters.³²

Nationwide the gender gap in voting had narrowed considerably in 1994, with many eligible female voters staying home from the polls. "Part of this drop could be attributed to the fact that, in contrast to 1992, the issues that truly concern women, such as family security and health care, were not being addressed by 1994 [congressional and gubernatorial] candidates."³³

Female gender may turn out to be a positive campaign "issue," but not predominantly as a gender gap issue: studies find that women candidates appeal in some respects to Independent, Republican, and Democratic voters — both male and female, though female to a greater

³⁰ Al Cross, *Forgy Pulls into Tie with Patton in Poll*, COURIER-JOURNAL (Louisville), Oct. 28, 1995, at A1, A15.

³¹ Internal Campaign Poll, conducted by anonymous source, November 5, 1995. Another pre-election poll showed Patton with an 11 point lead among women. *Women Can Lead Democrats Back in 1996*, NOTES FROM EMILY, (Emily's List, Washington D.C.), Dec. 1995, at 1.

³² Robert T. Garrett, *Patton Used GOP Tactics as His Own*, COURIER-JOURNAL (Louisville), Nov. 8, 1995, at A1 (indicating that Patton targeted women with attack on Forgy's position on abortion); Lucke, *supra* note 23, at A1, A6 (where Patton organizer, Carol Palmore, credited women with a major role in the Democratic victory). See also Rick C. McDonough & Andrew Melnykovich, *Black Turnout in Louisville Key to Jefferson County*, COURIER-JOURNAL (Louisville), Nov. 9, 1995, at A1, A10 (attributing large turnout in Jefferson County, an essential part of Patton's victory, to concerns about women's issues).

³³ CPA, *THE STATE OF THE STATES FOR WOMEN AND POLITICS*, *supra* note 21, at 5. Women's voter turnout fell to 51% of the vote in 1994, despite the fact that women comprise 53% of the voting-age population. However, the gender gap was a factor in a majority of senatorial and gubernatorial races in 1994. "In 51 of the 63 races (81%) where Voter News Service (VNS) conducted exit polls on election day, there were gender gaps of at least four percentage points" Katheryne McCormick & Lytisha Williams, *Gender Gap a Factor in a Majority of Races in 1994*, 10 CAWP NEWS & NOTES 7-8 (1994).

degree — more than men in certain ways. The key is that the preference relates only to some matters — a positive “female” stereotype.³⁴ For example,

[a]ccording to RENEW [(Republican Network to Elect Women)], 70% of Democrats say Republican women candidates “can be trusted to do what’s right,” but only 48% say that about Republican men. And 74% of independent voters say Republican women office seekers “understand middle-class concerns,” but only 59% believe that about their male counterparts.³⁵

If the “female” stereotypes can be translated into votes, women candidates would be at an advantage, especially, but far from exclusively, with women voters.

II. WOMEN AS INTEREST GROUP MEMBERS, CAMPAIGN CONTRIBUTORS AND LOBBYISTS

A. *Interest Group Members*

Women with an interest in public affairs have only recently seen elective office or professional government service as viable outlets for their energies. Historically, however, women have been the mainstays of public-interest groups, such as the League of Women Voters (“the League”) whose activities are civic in nature. Since its inception in 1920, the non-partisan League has worked to inform and engage voters with candidate and issue debates, political skills workshops, and public forums. However, there has been a decrease in membership in recent years. For example, the Louisville League enrolled 500 members during its heyday

³⁴ See Leonie Huddy, *The Political Significance of Voters’ Gender Stereotypes*, in RESEARCH IN MICROPOLITICS: NEW DIRECTIONS IN POLITICAL PSYCHOLOGY (1994). Many studies are analyzed in Huddy’s chapter that show voters’ tendency to stereotype women political figures. Women were viewed as more compassionate, concerned about people, in touch with voters, aware of the problems facing families, Democratic, liberal, and feminist than male politicians. See also JODY NEWMAN & RICHARD A. SELTZER, SEX AS A POLITICAL VARIABLE: WOMEN AS CANDIDATES AND VOTERS IN U.S. ELECTIONS (1996) (presenting research and analysis on women as candidates and voters in U.S. politics).

³⁵ Richard S. Dunham, *Can the GOP Bridge the Gender Gap?*, BUS. WK., Dec. 19, 1994, at 105, 108.

in the 1960s; in 1995, its membership numbered fewer than 250.³⁶ Public cynicism and distrust, along with economic downturns, has led to increased decline in League's memberships around the country.³⁷

Groups like the League extend across the nation, and, as they do in Kentucky, span a broad ideological spectrum. The incentives for membership in these groups include a commitment to specific public policy goals and the strong desire to have an influence on politics while operating as a private citizen. Some of the effective women's organizations in Kentucky that lobby on behalf of women's concerns, and also educate women and foster their political leadership include: National Organization for Women ("NOW"); American Association of University Women ("AAUW," twenty chapters); Kentucky Federation of Business and Professional Women ("BPW," sixty chapters); Pro-Choice Coalition of Kentucky; Planned Parenthood; Right-to-Life Association; Kentucky Pro-ERA Alliance; Junior League; National Association of Women Business Owners; Kentucky Nurses Association; Kentucky Domestic Violence Association; and National Council of Jewish Women in Louisville.³⁸

Kentucky Women's Political Caucus, a non-partisan group under the leadership of Alayne White, recruits and trains women to run for offices at all levels in the Commonwealth. Kentucky Women Advocates is a statewide coalition of 40 women's organizations; its functions encompass impacting legislation, improving the judicial system, monitoring executive and legislative decision makers, and encouraging women to seek elective offices.³⁹

B. Campaign Contributors

Although historically women have been less likely than men to make sizeable donations to political candidates,⁴⁰ they have long constituted

³⁶ Diane Aprile, *Women Won It: What Have We Done with It?*, COURIER-JOURNAL (Louisville), Aug. 13, 1995, at H4 (article appearing in a section commemorating the 75th anniversary of woman suffrage).

³⁷ *Id.* (noting that economic factors are among the many factors contributing to the League's decline).

³⁸ Telephone Interview with Marsha Weinstein, Executive Director, The Kentucky Commission on Women (Dec. 9, 1995).

³⁹ *Id.* For a national perspective on women's interest groups, see Kay L. Schlozman, *Representing Women in Washington: Sisterhood and Pressure Politics*, in WOMEN, POLITICS, AND CHANGE 339-82 (Louis A. Tilley & Patricia Gurin eds., 1990).

⁴⁰ See Clyde Wilcox et al., *Sex and the Political Contributor: The Gender*

an important part of the direct-mail base of small gifts for progressive and Democratic groups.⁴¹ Women's organizations have formed political action committees ("PACs") to help encourage and elect women candidates. EMILY's List (Early Money is Like Yeast) specializes in raising money early to help pro-choice Democratic women who run for Congress or governor to gain legitimacy and fend off other contenders. In 1994 the organization solicited and collected \$8.2 million from 33,000 members, making it third among PACs in fund raising and second in spending.⁴² The WISH List (Women in the Senate and the House) supports pro-choice Republican women candidates.⁴³ The National Women's Political Caucus ("NWPC") and NOW have two of the larger feminist PACs; both organizations have Kentucky affiliates.⁴⁴

Mobilized by the underrepresentation of women in elective offices (especially among Jefferson County's judges) and the difficulties for female candidates to raise campaign monies, Emma's List was established in Louisville in 1993. Named after Emma Guy Cromwell, Kentucky's first female elected statewide officeholder, Emma's List is a non-partisan, donor network and PAC which provides information about and campaign donations to qualified pro-choice women candidates from Jefferson County.⁴⁵

Gap Among Presidential Contributors in 1988, 46 POL. RES. Q. 355-69, 359 (1993) (noting that women are generally less affluent than men and, thus, are less likely to contribute \$200 or more).

⁴¹ See *id.* at 366 (reporting that women are generally more liberal, although Republican women are generally more conservative than Republican men).

⁴² Jodie Valade, *EMILY's List Founder Urges Women to Vote*, LEXINGTON HERALD-LEADER, Sept. 28, 1995, at B3. For an analysis of women's PACs, see Candice J. Nelson, *Women's PACs in the Year of the Woman*, in THE YEAR OF THE WOMAN: MYTHS AND REALITIES, *supra* note 25, at 181-96 (analyzing the significance of women's political action committees in the 1992 elections); see also Beth Donovan, *Women's Campaigns Fueled Mostly by Women's Checks*, CONG. Q. WKLY. REP., 3269, 3269-73 (1992) (analyzing the problem of attracting sufficient funds for female candidates).

⁴³ For information on WISH List, see Craig Rimmerman, *New Kids on the Block: The National Gay and Lesbian Victory Fund and WISH List*, in RISKY BUSINESS: PAC DECISIONMAKING IN 1992 (Robert Biersack et al. eds., 1993).

⁴⁴ *Id.*

⁴⁵ Al Cross, *Emma's List, "Yeast" to Help Political Women Rise*, COURIER-JOURNAL (Louisville), Apr. 18, 1993, at B1.

C. Lobbyists

Having gained lobbying experience as interest group participants, more women have entered the previous male-dominated, "good old boy" profession of lobbying in Frankfort. In the 1994 General Assembly and special sessions of 1995, women represented various associations, corporations, and local and state government organizations. These special interests include Kentucky Education Association, General Electric Company, Arthritis Foundation, Humana, Kentucky Nurses Association, Alliance for Managed Competition, Aetna Life Insurance Company, United Parcel Service, and the Kentucky AFL-CIO. Among the association and government female lobbyists are Penny Gold (Kentucky Academy of Trial Attorneys), Debra Miller (Kentucky Youth Advocates), Sylvia Lovely (Kentucky League of Cities), Linda Locke (Community Coordinated Child Care), and Sherry Currens (Kentucky Domestic Violence Association).⁴⁶ Two women were among the top ten most influential lobbyists in the 1994 General Assembly — Judith Taylor (a contract lobbyist) and Sarah Nicholson (Kentucky Hospital Association staff lobbyist).⁴⁷ Taylor, a respected "hired gun," represents various clients, including the Keeneland Association, Commonwealth Preservation Advocate, Ericsson GE Mobile Communications, Kentucky Taxicab Association, Kentucky Physical Therapists Chapter, Kentucky Retail Drug Association, and Kentucky Academy of Eye Physicians.⁴⁸

During regular legislative sessions, many unpaid female "citizen lobbyists" congregate in Frankfort and monitor legislative proceedings. They generally represent both registered and nonregistered groups, and include nonprofit, social service, and special-interest groups. Such groups include the state chapters of NOW, BPW, and League of Women Voters; community and neighborhood associations; the state PTA; the state American Association of Retired Persons ("AARP"); Kentucky War on Drugs and Mothers Against Drunk Driving ("MADD"); and Kentuckians for the Commonwealth.⁴⁹

⁴⁶ Telephone Interview with Marsha Weinstein, Executive Director, The Kentucky Commission on Women (Dec. 9, 1995).

⁴⁷ *A Special Report on Legislators' Effectiveness During 1994 Kentucky General Assembly*, (Supplement to) KENTUCKY ROLL CALL, Aug. 26, 1994 (reporting results of a Legislative Effectiveness Survey conducted by the Kentucky Center for Public Policy Issues).

⁴⁸ *Who's Hiring State's Top Lobbyists?*, KENTUCKY ROLL CALL, Mar. 4, 1996.

⁴⁹ For an analysis of the different types of lobbyists in Frankfort, contract,

III. WOMEN AS PARTY OFFICIALS, PARTY WORKERS, AND CAMPAIGN ACTIVISTS

Since attaining suffrage in 1920, Kentucky women have consistently played an increasingly important role in county and district Democratic and Republican party organizations.⁵⁰ A few women served as heads of powerful local party machines. "Miss Lennie" McLaughlin of Jefferson County and Marie Roberts Turner of Breathitt County were, in the middle years of this century, leading figures in the Democratic party. Both women functioned as true local party bosses — traditionally the key figures in Kentucky politics.⁵¹

During the last few decades, female party workers have developed invaluable grass roots organizing skills — mass registering eligible voters, disseminating party and campaign literature, canvassing neighborhoods, administering telephone banks, and "getting out the vote" on election day. As resourceful and loyal party activists, women maintain the party apparatus from one electoral contest to the next. In an age of weak party allegiance and declining party activity, these female party stalwarts tend to be more committed to the survival and rejuvenation of local party institutions than their male counterparts.⁵²

A rule of the two parties mandates that both men and women be in party leadership positions: both major state parties in Kentucky must provide for a vice chair who is to be of the opposite sex from the chair; each county executive committee must include at least one woman.⁵³ Today, women play a major role in local, congressional district, and state party organizations. In fact, the state Republican Party is under the direction of two experienced women politicians, Chair Mary Fisher and Executive Director Cathy Bell. The Democratic Party Vice Chair Sandra

in-house company or association, government, and citizen, see MILLER, *supra* note 1, at 189-91.

⁵⁰ Information on Kentucky's major political parties was obtained in more than twenty-five anonymous personal interviews with past and present local and state Democratic and Republican leaders conducted from 1988 to 1995.

⁵¹ MALCOLM E. JEWELL & EVERETT W. CUNNINGHAM, *KENTUCKY POLITICS* 71-72 (1968).

⁵² See generally PAUL HERRNSON, *PARTY CAMPAIGNING IN THE 1980S* (1988) (examining current trends in campaign involvement); XANDRA KAYDEN & EDDIE MAHE, *THE PARTY GOES ON: THE PERSISTENCE OF THE TWO-PARTY SYSTEM IN THE UNITED STATES* (1985) (examining how the two-party system persists despite societal changes).

⁵³ REPUBLICAN PARTY OF KENTUCKY, *OFFICIAL RULES* 9, 17 (1994) and KENTUCKY DEMOCRATIC PARTY, *BYLAWS* 21-22, 42 (1993).

Higgins is a respected veteran of many local, state, and national electoral campaigns. Both parties also benefit from the activities of their state and county women's clubs. These groups have made vital contributions to the lifeblood of the parties, and currently are striving to mentor and promote future elected and appointed female government officials.⁵⁴

Women have proven to be valuable workers for all types of campaigns: local, statewide, congressional, and presidential. They contribute disproportionately in terms of time and effort. Working and retired women, not the stereotypic housewife-volunteers, donate the greatest amounts of time and effort to political campaigns.⁵⁵ Gubernatorial activists "are the heart and core of [Kentucky's] political nominating process";⁵⁶ they played a vital role in the 1979, 1983, 1987, 1991, and 1995 Democratic and Republican gubernatorial primary and general election campaigns. Most candidates appointed female and male county chairs. Women campaign activists engaged in various campaign activities: managing the campaign, fundraising, speech writing, organizing volunteers, running headquarters, mass mailings, directing telephone banks, door-to-door canvassing, scheduling, and polling. In the past, women have not spent much time raising campaign monies, a reality that can be expected to change as (and to the extent that) women become integrated into the wider financial marketplace.⁵⁷

Women are also providing most of the campaign assistance for female candidates — another trend that will impact future elections if more female candidates run for office.⁵⁸ In the 1990s, more and more women are collectively organizing, recruiting, and boosting each other past the glass ceiling barriers into positions of elective leadership. In 1993, the highly successful campaigns of Lexington Mayor Pam Miller and Vice Mayor Teresa Isaac were directed and staffed primarily by female supporters. Gaining critical experience as fundraisers and campaign treasurers, some of these female volunteers plan to translate their newly acquired political skills into their own future electoral pursuits.⁵⁹

⁵⁴ See sources cited *supra* note 50.

⁵⁵ PENNY M. MILLER & MALCOLM E. JEWELL, *POLITICAL PARTIES AND PRIMARIES IN KENTUCKY* 132 (1990).

⁵⁶ *Id.* at 125.

⁵⁷ See generally *id.* at 125-51.

⁵⁸ Information on the role of female campaign activists in women candidates' electoral organizations was obtained in more than 15 anonymous personal interviews with past and present local and state female candidates (winners and losers) conducted from 1988-1995.

⁵⁹ Interviews with some anonymous female volunteers in the Miller and Isaac campaigns. Pam Miller had been an at-large member of the Urban County

IV. WOMEN AS ELECTED GOVERNMENT OFFICIALS

A. *The Underrepresentation of Women in Public Offices*

Despite the key role of women as party activists, both major parties in Kentucky lag behind as effective escalators for women in elective office. It has been observed that neither state party organization frequently nominates female candidates for seats that are easily won. Women tend to run in closely contested races, in politically balanced districts — and sometimes as “sacrificial lambs” in districts where the party has no chance to win.⁶⁰ The Republican party has done more to recruit women than the Democratic party, a detriment to women in a heavily Democratic state. While for years the Democratic party did little to bring women into the process, the state Democratic party leaders now hold political skill workshops for women around the Commonwealth.⁶¹

In recent years, studies suggest that national party organizations have played an increasing advocacy role for women in office — even though, in general, the positive role of parties is limited on this and most other structural matters.⁶² In the last decade, national parties have taken active steps to promote women’s candidacies, including national conferences for female party activists aimed at urging them to run for office, special funds targeted for women party candidates, training seminars, and positive statements in party platforms. As women gradually took over many leadership positions within parties, change has come to those organizations from within. Even more importantly, recruiting women candidates has been perceived as good electoral politics in recent years. The gender gap has highlighted the advantage of women candidates who can attract cross-over votes. Moreover, women challengers were seen as attractive to voters given the strong tide against incumbents, relying on the perception of women politicians as “outsiders.”⁶³

Council since 1981; she was also a council member from 1974 to 1977.

⁶⁰ MALCOLM E. JEWELL & PENNY M. MILLER, *THE KENTUCKY LEGISLATURE: TWO DECADES OF CHANGE* 50-51 (1988) (stating that both parties “meet the minimal nominating requirement by nominating female candidates for seats that are unwinnable or for contests in which the opposing party [candidate] is also a woman”).

⁶¹ See sources cited *supra* note 50.

⁶² See Barbara Burrell, *John Bailey’s Legacy: Political Parties and Women’s Candidacies for Public Office*, in *WOMEN IN POLITICS: OUTSIDERS OR INSIDERS?*, *supra* note 26, at 123-34 (concluding that political parties have become more conducive to women seeking elective office, but that party support has failed to correct severe underrepresentation of women in such offices).

⁶³ KAYDEN & MAHE, *supra* note 52, at 63 (citing the Democratic National

The long delay of women to achieve public office, so remarkably lagging behind their activities as voters, interest group members and party activists, parallels a distinction made in established political philosophy. This convergence should not be surprising, as both the philosophy and the behavior are elements of the same political culture.

Those attending the suffrage convention in 1848 at Seneca Falls, New York did not consider women holding political office a goal of their movement.⁶⁴ The early twentieth century suffragists argued that by the ballot alone women would influence male politicians to effect reforms, and would themselves help enact direct legislation by ballot initiatives and ratifications, as in the case of prohibition.⁶⁵ After national suffrage was granted in 1920, suffragists were consistent: they largely did not participate in campaigns for elective office. In 1920, women won office in only twenty-three of the forty-eight states, none in most states; and in no states were they elected to a significant proportion of the available offices.⁶⁶ By 1929, only 122 women served in the state legislatures,⁶⁷ increasing only to 140 in 1937.⁶⁸

Committee's recommendations to require representation of women).

⁶⁴ The first generation of feminists defined the problem of women in the widest sense — in social relationships, economic institutions, marriage, and domesticity. The Seneca Falls Convention in 1848, led by Elizabeth Cady Stanton and Lucretia Mott, agreed to a series of demands including: property rights in all states for married women; access to education and professional training; and the right to vote. For some ideas of the early feminists, see SALLY H. GRAHAM, *WOMAN SUFFRAGE AND THE NEW DEMOCRACY* (1995); *HISTORY OF WOMEN SUFFRAGE*, *supra* note 11; MARY RYAN, *WOMEN IN PUBLIC: BETWEEN BANNERS AND BALLOTS, 1825-1880* (1990). For an overview of the suffrage movement and women in public office, see *WOMEN, ELECTIONS, AND REPRESENTATION* 12-15 (R. Darcy et al. eds., 2d ed. 1994).

⁶⁵ See generally ELEANOR FLEXNER, *CENTURY OF STRUGGLE: THE WOMAN'S RIGHTS MOVEMENT IN THE UNITED STATES*, Part 3, 233-345 (rev. ed. 1974) (discussing the suffragist movement 1890-1920); AILEEN KRADITOR, *THE IDEAS OF THE WOMAN SUFFRAGE MOVEMENT, 1890-1920*, at 1-13 (1981) (discussing suffragist organization); NANCY E. MCGLEN & KAREN O'CONNOR, *WOMEN'S RIGHTS: THE STRUGGLE FOR EQUALITY IN THE 19TH AND 20TH CENTURIES* 19-23 (1983) (discussing suffrage movement 1890-1920).

⁶⁶ MCGLEN & O'CONNOR, *supra* note 65, at 65 (citing J. STANLEY LEMONS, *THE WOMAN CITIZEN: SOCIAL FEMINISM IN THE 1920S* (1973)).

⁶⁷ Dorothy Moncure, *Women in Political Life*, 29 *CURRENT HIST.* 630, 640 (1929).

⁶⁸ National League of Women Voters ("NLWV"), *A Survey of Women in Public Office* (1937).

The suffragists reflected the wider culture of political theorists, who with a few significant exceptions, had not envisioned a hands-on political life in which women participate. The major exceptions are Plato and John Stuart Mill, who was an active participant in the British women's suffrage movement.⁶⁹ In *The Republic* (ca 400 B.C.E.), Plato viewed men and women as having equal political ability if they were trained for it. The ideal state would be governed proportionately by each sex.⁷⁰ In *The Subjection of Women* (1869), Mill not only argued for suffrage, but for full and equal rights for women — legal, economic, and political. Mill argued that the common good required that women participate equally with men in government at every level.⁷¹ Even the female leaders of America's suffrage movement just didn't "get it." Only in the 1950s did such ideas penetrate the political culture; and not until the late 1960s was Plato's ancient logic widely absorbed.

B. Why the Continued Underrepresentation of Women in Public Offices?

In *The Political Role of Women* (1955), Maurice Duverger, noting the absence of women from public life, theorized that women encounter three obstacles in achieving public office. The *first* is called "voter hostility" — voters (male and female) may prefer for a variety of cultural and psychological reasons to be represented by a man. *Second* is the "male conspiracy." Male-dominated political parties, in their own self interest, resist challenges to their control posed by new groups. The *third* barrier is structural. Duverger suggests that electoral arrangements vary in their susceptibility to the election of women; female candidates tend to be more successful in multimember districts than in the single-member-district systems, the predominant American electoral arrangement.⁷² The

⁶⁹ For a discussion of political theory and representation of women, see WOMEN, ELECTIONS, AND REPRESENTATION, *supra* note 64, at 18-25 (specifically discussing Plato, Aristotle, John Locke, Machiavelli, and John Stuart Mill).

⁷⁰ ERNEST BARKER, THE POLITICAL THOUGHT OF PLATO AND ARISTOTLE 144-45 (1959) (discussing Plato's views on the emancipation of women); SUSAN MOLLER OKIN, WOMEN IN WESTERN POLITICAL THOUGHT 58 (1979) (indicating Plato's view, as expressed in *The Republic*, that women should be trained to serve in civil positions as men were); ARLENE W. SAXONHOUSE, WOMEN IN THE HISTORY OF POLITICAL THOUGHT: ANCIENT GREECE TO MACHIAVELLI 39-52 (1985) (discussing the idea of sexual equality espoused in *The Republic*).

⁷¹ John S. Mill, *The Subjection of Women*, in 21 ESSAYS ON EQUALITY, LAW AND EDUCATION, COLLECTED WORKS 259, 348 (John M. Robson ed., 1984).

⁷² MAURICE DUVERGER, THE POLITICAL ROLE OF WOMEN (1955).

first two of Duverger's obstacles will be analyzed and extended later. However, the structural barrier is not going to be a useful tool of analysis in a static formal political structure, except that enacting term limits (infrequently discussed in Kentucky) would, through the demise of the power of incumbency (a "male conspiracy" mechanism), enhance the opportunities for women candidates.

Whatever the causes, women are significantly underrepresented in elected government offices in Kentucky, as in the rest of the nation. No member of Kentucky's six-seat congressional delegation is female, nor is either of Kentucky's United States senators. The only time Kentucky elected a woman to Congress was in 1926, when Katherine Langley was elected to replace her husband United States Representative John W. Langley, who resigned after he was convicted of a liquor law violation.⁷³ In 1923, Emma Guy Cromwell became the first woman elected to statewide office when she defeated three primary opponents and a general election foe to become Secretary of State.⁷⁴ Despite the passage of more than seven decades, Cromwell's experiences, aspirations and apprehensions, as reflected in her 1939 autobiography, *Women in Politics*,⁷⁵ are those shared by many women in Kentucky politics today.⁷⁶ Governor Martha Layne Collins (elected in 1983) stands nearly alone as a high female officeholder in Kentucky history.

Women comprise 51.6% of the population, yet hold only 8% of the seats in the 1996 General Assembly. In this respect, Kentucky ranks forty-ninth in the country.⁷⁷ While more than a 1000 women hold elective office, 83% of the state's 6592 elective positions are held by men. Percentage-wise, women have encountered the most success at the local level as county and circuit clerks — traditionally female venues. Table 2 presents a statistical profile of the drastic underrepresentation of Kentucky women in elective office in 1992 and 1996.⁷⁸

⁷³ See THE KENTUCKY ENCYCLOPEDIA 535-36 (John E. Kleber et al. eds., 1992).

⁷⁴ *Id.* at 243.

⁷⁵ See generally CROMWELL, *supra* note 11.

⁷⁶ See *id.*

⁷⁷ CTR. FOR THE AMERICAN WOMAN AND POLITICS, EAGLETON INST. OF POLITICS, WOMEN IN ELECTIVE OFFICE 1996 (1996). CAWP has spent two decades charting and analyzing women's changing status as leaders in public office. Its first large-scale research project, *The Impact of Women in Public Office* (1991), a three volume series, began answering the early questions about the implications of women's presence in political leadership in the first volume entitled *Reshaping the Agenda: Women in State Legislatures* and the second volume entitled *Gender and Policymaking: Studies of Women in Public Office*.

⁷⁸ Report by Bob Babbage, Secretary of State of Kentucky (Jan. 1993 - Dec. 1995) (on file with author).

TABLE 2:⁷⁹
WOMEN ELECTED OFFICIALS IN KENTUCKY:
1992 AND 1996

Office	1992	1996	Total Offices	Percent 1992	Percent 1996
U.S. Senators	0	0	2	0%	0%
U.S. Representatives	0	0	6	0%	0%
Supreme Court Judges	0	1	7	0%	14%
Court of Appeals Judges	1	1	14	7%	7%
Statewide Elective Officers	1	0	7	14%	0%
State Legislators	6	11	138	4%	8%
Railroad Commissioners	0	0	3	0%	0%
Mayors	71	60	436	16%	14%
City Council Members	371	558	3276	11%	18%
County Judge/ Executives	5	4	120	4%	3%
County Magistrate/ Commissioners	50	28	584	9%	5%
Circuit Judges	3	6	93	3%	6%
District Judges	16	18	125	13%	14%
Commonwealth Attorneys	0	3	56	0%	5%
County Attorneys	0	2	120	0%	2%
County Sheriffs	2	0	120	2%	0%
Circuit Clerks	54	64	120	45%	53%
County Clerks	59	60	120	49%	50%
County PVAs	31	36	120	26%	30%
Jailers	6	3	120	5%	3%
Coroners	4	3	120	3%	3%
School Board Members	206	241	885	23%	27%
Totals	885	1099	6592	13%	17%

⁷⁹ Kentucky Secretary of State's Office, 1996.

At least two of Duverger's formulations are reflected generally in Kentucky's experience. The extent of an explicit or even conscious "male conspiracy" is impossible to measure, but the powerful inertia of incumbency at all levels, the entrenched "good old boy network," keeps many women from political office. Incumbents, who tend to be white male candidates promoted by the "courthouse gang," are difficult to unseat.⁸⁰ It is in this context that it is appropriate to repeat, and to reflect on the facts that despite their valuable contributions as party workers, few women have won their party's nomination to elective office in Kentucky, and that political parties have not functioned as escalators for women who aspire to candidacy.

The effects of a broadly understood "voter hostility" are also apparent. Women are forced to prove their competence, electability, and toughness, whereas men are assumed to have these qualities. A fundamental reason for sparse female success is the traditionalistic political culture of Kentucky. Since that culture is somewhat less predominant in major population centers, it is not surprising that most of the female members of the General Assembly live in the more densely populated counties of Jefferson and Fayette.

Noted above was the positive response of voters on some matters to women candidates.⁸¹ On the surface this conflicts with the notion that voters are hostile to women generally, but it is entirely consistent with the perception that hostility is a "traditionalistic" response — and may not prevail in the Republican areas (including Kentucky's larger cities) where women run for office in larger numbers.⁸² Furthermore, giving a softer

⁸⁰ Political science and psychology literature are replete with many studies of the underrepresentation of women in political offices. Various reasons have been advanced for the dearth of female officeholders, including: the power of incumbency, *see* WOMEN, ELECTIONS, AND REPRESENTATION, *supra* note 64, at 82-86; limited access to campaign money, escalating campaign costs, and the rise of negative campaigning, *see* Malcolm Jewell & Marcia L. Whicker, *The Feminization of Leadership in State Legislatures*, 26 PS POL. SCI. & POL. 705 (1993); the lack of political experience, the entrenched "good old boy network," and less political party support, *see* MILLER, *supra* note 1, at 76; and stereotypical attitudes that politics is a male domain, *see* Leonie Huddy & Nayda Terkildsen, *Gender Stereotypes and the Perception of Male and Female Candidates*, 37 AM. J. POL. SCI. 119 (1993); Lee Sigelman & Susan Welch, *Race, Gender, and Opinion Toward Black and Female Presidential Candidates*, 48 PUB. OPINION Q. 467 (1984).

⁸¹ *Supra* notes 61-68 and accompanying text.

⁸² *See* Huddy, *supra* note 34 (Huddy presents analyses of several types of

“female” edge to current Republican “Revolution” issues may have been useful to female Republican candidates in 1994.

The same factors that operate to restrict the role of women in the financial centers of Kentucky’s communities affect political success. Women do not have the same access to campaign money, especially Eastern Kentucky females who are saddled with poverty. Many women struggle to maintain both a job and a family, not to mention the struggle of raising money for a political race. Despite campaign finance reform, money is still essential in order to get out a candidate’s name and message. Similarly, the lack of voter interest in feminist issues in Kentucky’s traditionalistic and profoundly religious southern society limits the availability of public offices to women who tend to be outspoken feminists.

Some constraining influences on female candidacies comes from the feelings of women themselves. Their feelings reflect broader cultural themes as much as voter hostility does. Women in traditional roles have children at home, meals to cook, and difficulty in traveling as far as Frankfort, especially women from Eastern and Western Kentucky. In addition, women have not had many role models and mentors in politics, nor have they had networks to help one another politically. Also, a lack of training in public affairs and fund-raising handicaps young women who might otherwise be interested in political office. The innate “toughness” of Kentucky politics deters many women from participating. The negative aura surrounding the General Assembly, along with BOPTR0T (the FBI investigation of government corruption),⁸³ presents the legislature as an uncomfortable, corrupt setting for potential female lawmakers.

The Kentucky media must also accept its share of the blame for the dearth of female candidates. Some researchers suggest that the gender gap in the news has contributed to the significant underrepresentation of women in elected offices. The electability of women candidates may be influenced by differential press treatment. Female candidates may be covered differently because of standard operating procedures of the press, as well as stereotyping by reporters and editors. Nationwide, in recent

people who tend to prefer the female stereotype).

⁸³ An FBI probe, code-named BOPTR0T (an acronym coming from the legislature’s Business Organizations and Professions committees and trotting-horse-racing legislation) became public in the closing days of the 1992 General Assembly. A former gubernatorial aide, some lobbyists, and legislators, including House Speaker Don Blandford, were convicted and later imprisoned. MILLER, *supra* note 1, at 325-28 (discussing BOPTR0T).

United States Senate and statewide races, female candidates have consistently received less coverage than men and coverage that is more focused on their chances of winning, less devoted to campaign issues, and more likely to emphasize their possession of typical feminine traits and their strengths in typical "female" policy areas.⁸⁴

A *Lexington Herald-Leader* editor recently summarized the litany of factors contributing to Kentucky's dismal rankings: "What this all adds up to is the simple fact that fewer women are elected because fewer run in the first place."⁸⁵

C. *Women as Local Government Officials*

As illustrated in Table 2, female candidates continue to win more local races in the Commonwealth of Kentucky, with a net gain of more than two hundred positions since 1992.⁸⁶ In their traditional roles as mothers, housewives, and church/synagogue service auxiliary members, women have been actively engaged in affecting local public policies — including education, health care, police and fire protection, sanitation, and roads. As committed members of neighborhood associations, women's organizations, and environmental groups, women have acquired valuable political skills and earned community recognition prior to seeking public office. Local elective positions are more appealing to many Kentucky women interested in public policymaking since they must juggle their various professional and civic roles with their ever-expanding family

⁸⁴ For an in depth look at media coverage of female candidates, see MARIA BRADEN, *WOMEN POLITICIANS AND THE MEDIA* (1996) (discussing how the media has affected public perception of women seeking office); Kim F. Kahn, *The Distorted Mirror: Press Coverage of Women Candidates for Statewide Office*, 56 J. POL. 154 (1994); Kim F. Kahn, *Does Being Male Help: An Investigation of the Effects of Candidate Gender and Campaign Coverage on Evaluations of U.S. Senate Candidates*, 54 J. POL. 497 (1992) ("Candidates who receive male candidate coverage are always viewed as more viable than candidates who receive female candidate coverage."); Kim F. Kahn, *Does Gender Make a Difference? An Experimental Examination of Sex Stereotypes and Press Patterns in Statewide Campaigns*, 38 AM. J. POL. SCI. 162 (1994) ("Differences in news coverage . . . lead people to view female senators as weaker leaders and as less viable than male senators."); Kim F. Kahn, *Senate Elections in the News: Examining Campaign Coverage*, 16 LEGIS. STUD. Q. 349 (1991) ("The news media, a pervasive face in today's political campaigns, can influence how citizens think about politics and how they evaluate political candidates.").

⁸⁵ *One Vote, One Man*, *supra* note 2, at E1.

⁸⁶ See *supra* notes 78-79 and accompanying text.

responsibilities. Frankfort positions which require travel and overnight stays are not viable opportunities for most women with young children, husbands, and/or elderly parents in Western and Eastern Kentucky.

In 1996 (as shown in Table 2), sixty women serve as mayors in Kentucky (14%), primarily in fourth-to-sixth class cities, and 558 females hold municipal council positions (18%). Only 5% of the 584 county fiscal court members are women. Most city councils have at least one woman, while more than 100 of the state's 120 counties have no female representatives on their fiscal court. Three percent of the 120 county judge-executives are women. There are three female commonwealth's attorneys, but no women sheriffs. In contrast, women occupy 50% of the county clerks seats and 53% of the circuit clerk positions. In addition, female representation on local school boards in 1996 is 27% (241 women).⁸⁷

Kentucky women's ability to secure local and district offices appears to be greater for those positions that are not traditionally considered to be male venues. Female candidates have experienced greater success in winning school board, circuit court clerk, and county clerk positions. Women do least well in holding law-enforcement jobs like sheriff, jailer, and county attorney.

To place female local officeholders in a national perspective, it should be noted that in 1988 (last available data) Kentucky ranked sixth from the bottom in the number of females on county commissions. Three percent of the representatives were women. In 1988, in the forty-seven states which have county governing boards, women held 1653, or 8.9%, of the 18,483 available seats across the country. Between 1975 and 1988, the number of women serving at the county governing board level more than tripled, rising from 456 in 1975, to 1653 in 1988.⁸⁸

Lexington Mayor Pam Miller shares company with sixteen other female mayors in heading one of the 100 largest cities in the nation. The number of women mayors in cities with populations over 30,000 has increased from 12 in 1973, to 177 (or 18.2%) in 1996. Of the 21,601 mayors and municipal council members (and their equivalents) serving nationwide in 1994 in cities with populations over 10,000, 4513, or 20.9%, were women. From 1975 to 1985, the percentage of women holding municipal and township offices in forty-four states more than tripled, rising from 4% to 14.3% (14,672 female officials in 1985).⁸⁹

More than 18,000 women currently serve as mayors or members of city or county councils, compared to fewer than 1700 who serve as state

⁸⁷ *Supra* note 79 and accompanying text.

⁸⁸ CTR. FOR THE AM. WOMAN AND POLITICS, *supra* note 77.

⁸⁹ *Id.*

legislators or statewide executive officeholders. These local female officials may work their way up through the political pipeline and strive for higher elective office in the future.

D. Women as State Legislators and Policymakers

Since 1993, Kentucky has moved from fiftieth to forty-ninth place in the percentage of women elected to state legislatures. In the United States generally, women have been winning state legislative seats in increasing numbers, especially in the last two decades — from 4.0% in 1969, to 10.3% in 1979, to 14.7% in 1985, to 18.1% in 1991, and to 20.8% in 1996 (1541 female legislators). The number of female legislators has increased five-fold since 1969. However, there are considerable differences among the states. Washington leads the nation with a state legislature that is 39.5% female; then Nevada at 34.9%; Colorado at 31.0%; and both Arizona and Vermont at 30.0%. In contrast, Alabama's legislature now holds the distinction once held by Kentucky; it is just 3.6% female. The five states with the lowest percentages of women state legislators are Alabama (3.6%), Kentucky (8.0%), Oklahoma (10.7%), Louisiana (11.1%), and Mississippi (11.5%), and three of the next five are also in the South, perhaps reflecting this region's traditionalistic, conservative political culture.⁹⁰

In 1996, women hold 343, or 17.3%, of the 1984 state Senate seats and 1198, or 22.0%, of the 5440 state House seats. The party breakdown for women serving in state legislatures in 1996 is: 850 Democrats (55.2%), 674 Republicans (43.7%); 12 Nonpartisans (.8%), and 5 Independents (0.3%). Of the 1541 women state legislators serving nationwide in 1996, 221 (14.3%) are women of color. There are 54 senators and 167 representatives; all but twelve are Democrats.⁹¹

Kentucky's leap from fiftieth to forty-ninth in a rising tide does not obscure its very limited gains. It was not far to come from one female legislator in 1960, to six in 1970, and nine in the 1980s' legislative sessions — only 6.3% of the seats in the General Assembly from 1978 through 1986. From 1948 through 1991, nine women served in the Senate, thirty-four in the House. Female representation dropped in the early 1990s; women held only 5.8% of the seats in the 1992 legislature. Because of two retirements, one incumbent's primary defeat, and the losses of eight female challengers in the 1992 general election, there was one woman in the Senate and five in the House in the 1993 General

⁹⁰ *Id.*

⁹¹ *Id.*

Assembly — 4.3% of the offices. Most of these female legislators were elected by the metropolitan counties of Jefferson and Fayette. Some of these women served the unexpired legislative terms of their late husbands.⁹²

Table 3 illustrates the key gains made by Kentucky women in the 1994 state legislative elections.⁹³ Nine females (five Democrats, four Republicans) were elected to the House, and two to the Senate (both Republicans). Incumbent Louisville Democrat Susan Johns, the only female voice in the 1994 Senate, was defeated by a Republican pro-life businesswoman, Julie Carman Rose.⁹⁴

TABLE 3:⁹⁵
KENTUCKY FEMALE LEGISLATIVE CANDIDATES

	HOUSE								
	1973	1979	1981	1984	1986	1988	1990	1992	1994
<i>Number of women running</i>	12	22	28	26	18	16	11	11	21
<i>Number of women elected</i>	3	8	7	7	5	6	6	5	9
<i>(Number of males running)</i>	279	210	221	236	211	179	201	203	191

	SENATE								
	1973	1979	1981	1983	1986	1988	1990	1992	1994
<i>Number of women running</i>	2	6	7	3	1	2	6	3	8
<i>Number of women elected</i>	1	1	1	1	1	0	1	0	2
<i>(Number of males running)</i>	48	47	41	52	44	36	47	47	40

⁹² JEWELL & MILLER, *supra* note 60, at 50-51; MILLER, *supra* note 1, at 106.

⁹³ JEWELL & MILLER, *supra* note 60, at 51. Data was compiled from the 1988-1994 records of the Kentucky State Board of Elections.

⁹⁴ Fran Ellers & Mark Schaver, *Rose's Win in Jefferson Leads GOP Senate Surge*, COURIER-JOURNAL (Louisville), Nov. 9, 1994, at B1; Nina Walfoort, *Newcomer Unseats Johns; Harris Ousts Rand*, COURIER-JOURNAL (Louisville), Nov. 9, 1994, at B1.

⁹⁵ JEWELL & MILLER, *supra* note 60, at 51; data compiled from the 1988-1994 records of the Kentucky State Board of Elections.

A decreasing turnover of membership has been one of the most important changes in the Kentucky legislature in recent years, and is a detriment to female candidacies generally. But female incumbents in Kentucky remained in office just as frequently as did their male counterparts. During the period 1979-1994, only one woman lost as an incumbent in a Senate general election contest, and only three women lost as incumbents in House general election races.⁹⁶ In the cases of most female candidates in Senate and House general election races, however, women were pitted against male incumbents, and the women lost. Non-incumbent women's victories came primarily in open House seat contests, but so many male incumbents were running that it was hard for women to find open seats to contest. Many women ran in races that they were guaranteed to lose; either they were nominated by their party in districts where that party is generally the loser, or they challenged male incumbents.

Table 3 helps assess the proportion of women and men who run compared with the proportion that win. During the 1979-94 period, 189 women ran for state legislative offices, and sixty of these candidates (32%) won the general elections. Of the 2006 males who ran for legislative seats during these same elections, 892 (44%) were ultimately victorious. Given the predominance of male incumbency, this is a strong showing indeed.⁹⁷

Due to the resignation of Representative Donna Shacklette in 1995 and the special election victory of Representative Eleanor Jordan in 1996, eleven women are members of the 1996 General Assembly. The female legislators serve on a wide array of standing committees in the House and Senate. For example, Representative Ruth Ann Palumbo's (Democrat-Lexington) committee assignments include Appropriations/Revenue, Business/Professions, and Health/Welfare; Senator Elizabeth Tori's (Republican-Radcliff) committee assignments include Agriculture/Natural Resources, Judiciary, and State/Local Government. The 1996 female legislators have the opportunity to affect the full spectrum of policy decisions.⁹⁸ Representative Anne Northup (Republi-

⁹⁶ *Supra* note 93 and accompanying text.

⁹⁷ JEWELL & MILLER, *supra* note 60, at 50-51.

⁹⁸ LEGISLATIVE RESEARCH COMM'N, 1995-96 KENTUCKY GENERAL ASSEMBLY DIRECTORY (1995). "The House's gender gap was made an issue yesterday during debate on a bill about 'pay equity' for men and women in state government." *Gender Gap in House Becomes an Issue in Debate on Pay Equity*, LEXINGTON HERALD-LEADER, Mar. 22, 1996, at B4. Representative Eleanor Jordan, a black, Democratic legislator from Louisville "turned the spotlight on the House itself, where men outnumber women 91-9." *Id.* Jordan said, "we can see that there is a problem when we look at the number of men in this room and the number of women. Maybe that's why this room looks like this, because we haven't taken looks before at equity issues." *Id.*

can-Louisville) has already gained national recognition for her anti-smoking initiatives.⁹⁹

In dealing with a male-dominated General Assembly, the current women legislators can look back at the valuable contributions of their female predecessors. Three role models include Louisville Democratic legislators Susan Johns, Gerta Bendl, and Georgia Powers. In the 1994 General Assembly, Senator Susan Johns received high marks for spearheading an investigation attacking medicaid fraud; in 1992 Johns played a key role in the passage of the landmark Child Care Reform Bill and legislation which significantly improved Kentucky laws in protecting adult and child victims of domestic violence.¹⁰⁰

Representative Gerta Bendl was a leading force in the House from 1976-1987. She chaired the Health and Welfare Committee, the first woman to hold that powerful House position. Bendl sponsored and/or worked on a variety of significant legislation which included: establishing a "children's survival bill;" creating boarding-home regulations and bills of rights for nursing home residents and persons with developmental disabilities; mandating health insurance coverage for mentally ill; and providing for a living will.¹⁰¹

Senator Georgia Powers was the first black woman to be elected to the Kentucky Senate. Serving from 1968-1989, Powers chaired two vital standing committees, Health and Welfare (1970-76) and Labor and Industry (1978-88). Senator Powers was regarded the leading advocate for blacks, women, children, the poor, and the handicapped. She sponsored or co-sponsored the following: an open housing law; a low-cost housing bill; a law to eliminate the identification of race from Kentucky operator's licenses; an amendment to the Kentucky Civil Rights Act to eliminate discrimination based on race, gender, or age; an equal opportunity law; the Equal Rights Amendment resolution; the Displaced Homemaker's Law; and a law to increase the minimum wage in Kentucky.¹⁰²

⁹⁹ Jolie Soloman, *Taking on Tobacco Road*, NEWSWEEK, Feb. 22, 1993, at 45.

¹⁰⁰ State Senator Susan Johns was ranked the ninth most influential Senator for the 1994 General Assembly in a Legislative Effectiveness Survey conducted by the Kentucky Center for Public Issues in 1994. See Ky. Ctr. for Public Issues, *Kentucky Roll Call* (Supp. 1994).

¹⁰¹ Telephone Interview with Lindsay Campbell, Executive Assistant, Kentucky Commission on Women (Dec. 5, 1995). Campbell is writing a book about the more than 50 women who have served in the Kentucky General Assembly.

¹⁰² *Id.*

The political science literature presents many examples of the differences in policy priorities between male and female state legislators. Female state legislators are reported to be more liberal than men, even when controlling for party membership,¹⁰³ and female state legislators are more concerned with feminist issues than their male colleagues.¹⁰⁴ Debra Dodson and Susan Carroll's analysis of legislators' most important policy issues found that women are three times more likely than men to offer at least one woman-oriented policy issue among their top concerns.¹⁰⁵ Although from her research Michelle Saint-Germain cannot conclude that women and men differ in their support for women's issues, she does show that as women have increased in number within the Arizona state legislature they have become more likely than men to propose legislation addressing traditional women's concerns (e.g., abortion, children, education, family, public health, sex, and welfare).¹⁰⁶

Sue Thomas, in *How Women Legislate*, suggests that more women in state legislative office will translate into an altered political agenda in which issues surrounding women at home and in the workplace, as well as issues dealing with health care and child welfare, will play a more dominant role. Nevertheless, Thomas emphasizes that women will assume leadership on a wide range of political issues not limited by gender.¹⁰⁷

E. Women as Statewide Executive Officeholders

Kentucky has a minimal record of electing women to statewide executive offices. Currently no female holds a statewide elected position. However, in 1983, Kentuckians elected Martha Layne Collins as the Commonwealth's first woman governor. Collins's victory highlights the fact that it is not necessarily women's unpopularity at the polls that impairs their political prospects. Collins followed the path traditional to men. She gained experience and recognition in her longtime activities in

¹⁰³ Shelah G. Leader, *The Policy Impact of Elected Women Officials*, in *THE IMPACT OF THE ELECTORAL PROCESS* (Joseph Cooper & L. Sandy Maisel eds., 1977).

¹⁰⁴ Susan G. Mezey, *Women and Representation: The Case of Hawaii*, 40 *J. POL.* 369-85 (1978).

¹⁰⁵ DEBRA L. DODSON & SUSAN J. CARROLL, *RESHAPING THE AGENDA: WOMEN IN STATE LEGISLATURES* 41-45 (1991).

¹⁰⁶ Michelle A. Saint-Germain, *Does Their Difference Make a Difference? The Impact of Women on Public Policy in the Arizona Legislature*, 70 *SOC. SCI. Q.* 956, 965-66 (1989).

¹⁰⁷ See SUE THOMAS, *HOW WOMEN LEGISLATE* (1994).

behalf of male candidates (e.g., electing Governor Wendell Ford in 1971), and then in her elected positions as Clerk of the Court of Appeals and Lieutenant Governor. Collins's greatest achievements as governor came in two of the states' biggest priorities — education and economic development (in facilitating the decision of the Toyota corporation to build a car manufacturing plant in Kentucky).¹⁰⁸

In 1996, across the nation women represent a quarter of statewide elective executive officers (a record number of eighty-three women), including one out of fifty governors (Governor Christine Todd Whitman of New Jersey). Among these women, thirty-five are Democrats, forty-five are Republicans, and three were elected in nonpartisan races. Of these eighty-three women, five, or 6.0%, are women of color. Women hold at least half of the statewide elected positions in nine states. A record nineteen women serve in the position of lieutenant governor. However, eight states do not have any women in statewide elective executive offices. And most states (thirty-eight) have never elected a woman governor.¹⁰⁹

F. Women in the Judiciary

In the 1990s, Kentucky women have made historic inroads in the male-dominated judiciary. Sara Combs, the widow of former Governor Bert T. Combs, was appointed to fill the vacancy of retiring Supreme Court Justice Dan Jack Combs (no relation). Later she was defeated in a special election by a female member of the Court of Appeals, Janet Stumbo. In November 1994, Combs won the seat vacated by Stumbo. Judge Combs and Justice Stumbo were the first women to serve on the state's highest court.¹¹⁰

As shown in Table 2, more women are also serving as District and Circuit Judges — especially in the metropolitan areas of Lexington and Louisville. Janice Martin of Jefferson County was elected the first

¹⁰⁸ *Fans and Foes Praise Effort, Split on Effect*, COURIER-JOURNAL (Louisville), Dec. 6, 1987, at A1; *It's a Question of Subtle Style*, COURIER-JOURNAL (Louisville), Dec. 6, 1987, at A14; Cindy Rugeley & Jack Brammer, *After Shaky Start, Collins Converted the Skeptics*, LEXINGTON HERALD-LEADER, Dec. 6, 1987, at A1.

¹⁰⁹ CTR. FOR THE AM. WOMAN AND POLITICS, *supra* note 77.

¹¹⁰ John Voskuhl, *Combs Looks to Coast to Easy Win in 7th District*, COURIER-JOURNAL (Louisville), Nov. 9, 1994, at B4; MILLER, *supra* note 1, at 156-57.

female African-American judge. Circuit Judge Mary Noble of Lexington also chairs the Chief Justice's Gender Fairness in the Courts Task Force.¹¹¹

Moreover, Kentucky elected its first female commonwealth's attorneys in 1993. And Fayette Countians recently chose Margaret Kannensohn as their first female county attorney.¹¹²

With the large increase in women law school graduates in the Commonwealth in the past decade, the pool of potential female judicial candidates as judges and as participants in law enforcement has grown significantly.¹¹³ Women lawyers are actively joining forces to recruit female cohorts to run for the bench.

Kentucky women are also impacting the federal judiciary. Jennifer Coffman was appointed (by President Bill Clinton at the insistence of Senator Wendell Ford and confirmed by the United States Senate) Kentucky's first female United States District Judge in 1993.¹¹⁴

G. *Women as National Officeholders*

During the past 200 years, Kentucky has elected only one Congresswoman, Mrs. John W. (Catherine) Langley, a Republican from Pikeville, who served from 1927 to 1930.¹¹⁵ Very few women have even been nominated for national legislative positions. Two female Kentuckians were candidates for the United States House in 1992, 4 in 1994. Pro-choice Republican Susan Stokes narrowly lost the Third Congressional District general election race in 1994.¹¹⁶

¹¹¹ See THE KENTUCKY LEGAL DIRECTORY 167 (1995).

¹¹² *Id.* at 161.

¹¹³ See generally Mary Lou Song, *Women Note Visible Victories But Slow Gains*, CHICAGO LAWYER, June 1992, at 1 (discussing the increase in women graduating from law school); M.A. Stapleton, *Presidency and House Chair in Hand, Women Wield Power at ABA*, CHICAGO DAILY LAW BULLETIN, Aug. 3, 1995, at 1.

¹¹⁴ Deborah Yetter, *U.S. Judge Johnstone Taking Semi-Retirement*, COURIER-JOURNAL (Louisville), Oct. 14, 1993, at A1 (discussing the appointment of Judge Coffman).

¹¹⁵ THE KENTUCKY ENCYCLOPEDIA, *supra* note 73, at 535-36.

¹¹⁶ Jack Brammer, *Democrat Ward Leading Stokes in Close Race*, LEXINGTON HERALD-LEADER, Nov. 9, 1994, at A3; Rick McDonough, *Vote Check Slated After Power Blip*, COURIER-JOURNAL (Louisville), Nov. 9, 1994, at A1; Rick McDonough, *Ward Wins; Power Blip Lost Just 74 Ballots*,

Kentucky's record diverges substantially from national trends. The political climate of 1992 proved favorable to landmark increases in the number of women in national office. The 1992 elections provided rich opportunities for women outside of Kentucky as a result of their preparation as state legislators and local officeholders, and as a result of a large number of Congressional openings brought about by voluntary retirement, the United States House bank overdraft scandal, redistricting, and electoral defeat in primaries. These openings provided the opportunity for well-positioned females (of whom there were few in Kentucky) to overcome the primary obstacle for all newcomers — running against an incumbent. Where there were women on a launching pad, many moved up in the system.

The high expectations for women candidates led some to call 1992 the Year of the Woman in American politics. Women were seen as Washington "outsiders." There was voter desire to change the face of Congress. Thus, since there was a large number of open seats and years of preparation by women, 1992 became a viable election year for women. In addition to these structural factors, females were mobilized to political action in part as a consequence of the 1991 Clarence Thomas confirmation hearings in the United States Senate. These televised hearings spurred many women in politics to reaffirm their ambitions for high national office and convinced women voters of the importance of voting for women in the next round of Congressional elections. Finally, an economic downturn in the United States highlighted domestic concerns over foreign policy issues. This allowed women to concentrate their campaigns on issues about which women are considered more credible than men, according to some polls.¹¹⁷

The key to the scope of victory in 1992 was the number of women nominated. Females won 106 primary elections (out of 222). There was a 68% increase in the number of women elected to the United States House — from twenty-eight to forty-seven (plus a non-voting District of Columbia representative). Twenty-nine females filed, and eleven won primary elections for the United States Senate; *five* won their general elections, and then there was a special Texas election which brought the number of women Senators to seven. Senator Nancy Landon Kassebaum

COURIER-JOURNAL (Louisville), Nov. 10, 1994, at A1.

¹¹⁷ For an analysis of the 1992 election, see Ruth Mandel et al., *No Year of the Woman, Then or Now*, EXTENSIONS, Spring 1995, at 7-10 (a journal of the Carl Albert Congressional Research and Studies Center, University of Oklahoma).

(Republican-Kansas) was reelected in 1990; thus she did not run in 1992. Thus, the number of females in the Senate more than tripled from two to seven.¹¹⁸ The 103rd United States Congress will always be known for its historic change in composition — the landmark rise in female and minority representation.

Women hold fifty-five, or 10.3%, of the 535 seats in the 104th United States Congress — eight, or 8%, of the 100 seats in the Senate, and forty-seven, or 10.8%, of the 435 seats in the House of Representatives. Of the eight female Senators, five are Democrats and three are Republicans. Forty-seven women from twenty-three states serve in the House — thirty Democrats and seventeen Republicans. In addition, one Democratic woman serves as the Delegate to the House from Washington, D.C. Women of color constitute 25.5% of the membership.¹¹⁹

Table 4 provides a national overview of the percentages of women in elective offices during the last two decades.¹²⁰ The number of women in elective positions grew steadily. Female officeholders may be a long way from parity in Congress, statewide executive positions, and state legislatures, but almost everywhere they are beginning to be present in numbers that constitute a critical mass.

TABLE 4:¹²¹
PERCENTAGES OF WOMEN IN ELECTIVE OFFICES

Level of Office	1975	1977	1979	1981	1983	1985	1987	1989	1991	1993	1994	1996
<i>U.S.</i>												
Congress	4%	4%	3%	4%	4%	5%	5%	5%	6%	10%	10%	10%
<i>Statewide</i>												
Elective	10%	10%	11%	11%	11%	14%	14%	14%	18%	22%	23%	26%
<i>State</i>												
Legislatures	8%	9%	10%	12%	13%	15%	16%	17%	18%	21%	21%	21%

The CPA ranked states according to the percentage of women serving in 1995 as state representatives, state senators, state elective officials, congressional representatives, and congressional senators. The top-ranking

¹¹⁸ CTR. FOR THE AM. WOMAN AND POLITICS, *supra* note 77.

¹¹⁹ *Id.*

¹²⁰ *Id.*

¹²¹ Center for the American Woman and Politics (CAWP), Rutgers University, 1996 Fact Sheet.

state was Washington; the lowest-ranking state, Mississippi. Kentucky was ranked forty-eighth. The bottom ten were all southern states.¹²²

V. WOMEN AS APPOINTED OFFICEHOLDERS

Kentucky women have a long history in appointive positions in local and state government. National research demonstrates that women use such positions as a springboard to run for public office, just like their male counterparts.¹²³ For decades females have served on the full array of municipal and county boards and commissions. As appointed members of special service districts and authorities, women impact local and regional policies dealing with water service, fire protection, libraries, flood control, airport facilities, solid-waste disposal, to name a few.

By 1975, women were serving on 44% of the 181 state boards and commissions; Governor John Y. Brown made a special effort to appoint women to Cabinet-level roles in his administration, and Governors Collins and Wilkinson did the same. Under Wilkinson, women held cabinet positions (at one time or another) in the Departments of Labor, Tourism, Natural Resources and Environmental Protection, and Workforce Development, and more than 560 women were appointed to various executive positions. During Governor Jones's first year of office, he named four women to head Cabinets (one-third of his top-level appointments — Carol Palmore as Secretary of Labor, Kim Burse as Secretary of Revenue, Crit Luallen as Secretary of Tourism, and Sherry Jelsma as Secretary of Education and Humanities), putting the female representation in his cabinet in the top fifteen in the United States; Jones also appointed a female Chief of Staff, Diana Taylor, and a female Legislative Liaison, Mary Helen Miller. Moreover, numerous appointments to middle-level offices and boards and commissions were filled by qualified and competent women, including Marsha Weinstein as Executive Director of the Kentucky Commission on Women.¹²⁴

¹²² CTR. FOR POLICY ALTERNATIVES, *supra* note 21, at 3.

¹²³ SUSAN M. HARTMANN, FROM MARGIN TO MAINSTREAM 11-14, 96-98 (1989).

¹²⁴ MILLER, *supra* note 1, at 77. Governor Jones continued to appoint more women to state boards and commissions; for example, 30% of his June 1992 nominations for university boards were females. According to a survey, *The Appointment of Women: A Survey of Governors' Cabinets*, conducted by the National Women's Political Caucus, in 1992 women held 23.3% of all state cabinet appointments across the country, an increase of 3.5% since 1991.

During the Jones administration, more women held top administrative positions and seats on the 300 state boards and commissions than at any other time in Kentucky's history. Governor Paul Patton is also committed to establishing an inclusive government. His first top level appointments demonstrate this commitment; in fact, Patton's sixteen-member cabinet has more women, blacks, and Republicans than any previous Democratic administration. The female members of his cabinet include: Bell South President Margaret Greene, Kentucky's first female Secretary of the Cabinet; Governor Jones' Finance Secretary Crit Luallen, Deputy Secretary of the Cabinet; Murray State University educator Viola Miller, Secretary for Children and Families (formerly half of Cabinet for Human Resources); Louisville attorney Margaret Handmaker, Secretary of Revenue; former Prestonsburg Mayor Ann Latta, Secretary of Tourism; and the black legal counsel for Louisville's Metropolitan Sewer District, Laura Douglas, Secretary of Public Protection.¹²⁵

To ensure that Kentucky women are represented in the policymaking process, the Kentucky Commission on Women ("KCW") was created during Governor Edward Breathitt's administration.¹²⁶ Numerous states have developed similar state-based infrastructures. These resources include: Women's State Agenda Projects (now in thirty-six states); Commissions on the Status of Women (now in thirty-seven states); and legislative caucuses (now in nineteen states).¹²⁷

Since 1984, the KCW has cooperated with the Cabinet for General Government as an administrative body attached to the Governor's office. During the Brereton Jones administration, KCW was active in bringing together organizations and interested parties to discuss issues impacting women and create strategies for addressing them. Of specific focus were areas such as: violence against women and children; gender fairness in the courts, the media, and the educational system; family-friendly work policies; economic/pay equity; health care reform; encouraging women to run for political office and pursue seats on state boards and commis-

Governor Jones Among the Top Governors in the Nation in Appointing Women to Cabinet Level Positions, KENTUCKY WOMAN, Summer 1992, at 6.

¹²⁵ Ky. Ctr. for Pub. Issues, Kentucky Roll Call, Dec. 8, 1995.

¹²⁶ In April 1964, Governor Breathitt established, by executive order, the Kentucky Commission on the Status of Women to study the needs of women in the Commonwealth; in November 1968, Governor Louie Nunn signed an executive order creating the Kentucky Commission on Women. See KY. REV. STAT. ANN. § 344.510 (Michie/Bobbs-Merrill 1994) (establishing the Kentucky Commission on women).

¹²⁷ CTR. FOR POLICY ALTERNATIVES, *supra* note 21, at 9-15.

sions; and educating the public about the past and present contributions of women.¹²⁸

CONCLUSION

This Article presents a mass of information about the role of women in Kentucky politics — a role that is complex, extensive, and critical — a role not imagined or even sought by the apparent radicals who fought only for the vote in the first quarter of this century. At the same time, however, is an equally complex, extensive and critical absence of women at the highest levels of Kentucky political office. Let us face it: 51% of the population occupies 8% of the state legislature, despite the disproportionately high percentage of women who are active in the campaigns of the other 92%, and despite the success of large numbers of women as local elected officials. At the highest level, women are second class citizens. The unique experience of women, their perspectives and insights into Kentucky's problems, are accepted as those of supporters, advisors, and implementers of a male decision-making process.

¹²⁸ Telephone Interview with Lindsay Campbell, Executive Assistant, Kentucky Commission on Women (Dec. 5, 1995).