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2008 volume 23:2 a continuation of Berkeley Women's Law Journal

BERKELEY JOURNAL OF GENDER, LAW & JUSTICE

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From the Membership

The *Berkeley Journal of Gender, Law & Justice* is guided by an editorial policy that distinguishes us from other law reviews and feminist journals. Our mandate is to publish research, analysis, narrative, theory, and commentary that address the lives and struggles of underrepresented women. We believe that excellence in feminist legal scholarship requires critical examination of the intersection of gender with one or more axes of subordination including, but not limited to, race, class, sexual orientation, and disability. Therefore, discussions of "women's issues" that treat women as a monolithic group do not fall within our mandate. Because conditions of inequality are continually changing, our mandate also is continually evolving. Articles may come within the mandate because of their subject matter or because of their analytical attention to differences in social location among women. The broad scope of this mandate, and the diversity of scholarship it supports, is reflected in this volume of the *Berkeley Journal of Gender, Law & Justice*.

The majority of pieces submitted to this journal, however, do not fall within the mandate. There are far too few of us in legal education and practice committed to advocating for women, let alone focusing on those women least served by the legal system. Rather than abandon or modify our mandate in response to the limited pool of available scholarship, we hope to cultivate and support such scholarship by recommitting ourselves to the vision our mandate reflects. We need your help. This forum can only exist with the vigorous participation of thinkers and writers nationwide who share our vision and our commitment. We urge you, our readers and friends, to consider the issues raised in the *Berkeley Journal of Gender, Law & Justice* as you pursue your own work. Share your work-in-progress with us. Publish with us. Tell your colleagues, students, and teachers about us. If you read an unpublished paper or hear a speech at a conference that addresses the mandate of the *Berkeley Journal of Gender, Law & Justice*, refer it to us. Join us in nurturing and critically engaging the legal research, theories, and strategies required to serve the interests of underrepresented women, and thus serve the interest we share in social justice.

From the Editors

On behalf of the membership, we are delighted to present Volume 23, Issue 2 of the *Berkeley Journal of Gender, Law & Justice*, a continuation of the *Berkeley Women's Law Journal*. Fall of 2008 has been an exciting time for the *Journal*. For the first time since the *Journal's* founding in 1984, we are publishing issues in both the fall and spring. Increasing our publication frequency allows the cutting-edge scholars who publish in our pages to more quickly circulate their ideas, contributing to law, feminism, and society sooner. As our dedicated and talented editorial staff have pioneered the transition to semi-annual publication, we have been inspired by the insightful, visionary work contained in the pages of our first-ever fall issue, Volume 23-2.

The second issue begins with Professor Susan Ekberg Stiritz's Commentary, *Cultural Cliteracy: Exploring the Contexts of Women's Not Coming*. Stiritz defines "cultural cliteracy" as the knowledge "an adequately educated person should about the clitoris." She employs a psychoanalytic framework and popular culture to illustrate how using positive experiences and representations of the clitoris can dismantle the hegemony of clitoral ignorance and aggression. Her piece aims to "enlarge understandings of the clitoris" by improving the historical and anatomical information, and thus the attitudes about the clitoris to help women locate and utilize their sexual power to, as she states, "come into their own."

Our first article, by Professor Susan Frelich Appleton entitled, *Toward a "Culturally Cliterate" Family Law?*, is a companion piece to Professor Stiritz's Commentary. A recent student of Stiritz and a renowned family law expert, Appleton engages in a project to reconcile family law with cultural cliteracy. Using a culturally cliterate lens, she examines how contemporary family law's silence about women's sexual pleasure is inherently inconsistent with its efforts to "channel sexual desire into monogamous marriage" and achieve gender equality. Professor Appleton then looks for ways to incorporate cultural cliteracy into family law and related fields, namely into matters such as no-fault divorce, actions for sexual harm, and legal challenges to some of the tools of women's sexual pleasure. Concluding, she offers her thoughts on the viability of a culturally cliterate family law and the potential challenges and contradictions that may arise as a result. In our second article, *Gender, Geography & Rural Justice*, Professor Lisa Pruitt argues that both legal scholars and critical geographers prioritize the urban to the exclusion of the rural, with particular consequences for rural women. Professor Pruitt uses the analytic tools of critical geographers to inform both law and policymaking about how spatiality profoundly impacts rural women in a range of settings and circumstances.

This issue's essay/review discusses the recent work of British academic and journalist Alison Light, *Mrs. Woolf and the Servants: An Intimate History of Domestic Life in Bloomsbury*. Professor Ruthann Robson provides a review essay that situates Virginia Woolf's troubled and troubling relation to her domestic servants within the larger—and continuing—struggles around class within femi-

nism. Through a discussion of Light's original research into Woolf's life and staff, together with contemporary American cases that implicate the law of labor, immigration, and trafficking, Professor Robson argues for a more pronounced engagement of feminists with the practices of servitude, both in and outside the domestic setting.

The *Journal* continues to adapt to changes in legal publishing, as well as physical renovations and upgrades at Boalt Hall. However, among these transformations, the *Journal's* commitment to publishing innovating, intersectional feminist scholarship has not wavered. Nor has its character as a non-hierarchical, democratic space where members are encouraged to preserving their unique voices, perspectives, and commitments despite the pressures of law school. In closing, we want to express out deep gratitude to all of our readers and supporters. We look forward to presenting another collection of outstanding feminist scholarship in Volume 24-1, to be published spring 2009.



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Berkeley Journal of Gender, Law & Justice

2008 Barbara Nachtrieb Armstrong Award for Outstanding Advocacy on Behalf of Social Justice for Women

The *Journal* created the Barbara Nachtrieb Armstrong Award for Outstanding Advocacy on Behalf of Social Justice for Women in 1985 when the *Journal* was founded. Barbara Nachtrieb Armstrong was the only woman in the Boalt Hall Class of 1915. She became the Morrison Professor of Municipal Law, Emeritus, and was the first tenured female law professor in the United States. She was instrumental in drafting state and federal social security acts and also published a monumental text on family law and community property. The Armstrong Award is a national award open to all people—including scholars, community workers, legal practitioners, and activists—who demonstrate outstanding advocacy on behalf of social justice for women and underrepresented genders. The recipient is chosen by the membership of the *Journal*.

The recipient of this year's Armstrong Award is Professor Karen Musalo. Professor Musalo is the Director of both the Center for Gender and Refugee Studies, and the Refugee and Human Rights Clinic at UC Hastings College of Law. Her dedication to removing the particular barriers faced by female asylum seekers embodies this *Journal's* focus on the intersection of gender with economic, social, and political rights. As an expert in refugee law and women's rights, she has substantially contributed to the development of asylum jurisprudence—both academically and as an attorney in a number of influential cases. Most notably, Professor Musalo served as lead counsel in *Matter of Kasinga*, a landmark decision recognizing female genital cutting as a basis for granting asylum. Currently, she is litigating a case that could provide political asylum for women experiencing domestic abuse abroad. In addition, Professor Musalo co-authored the authoritative text entitled *Refugee Law and Policy: An International and Comparative Approach*, and has written a number of reports published by the *Expedited Removal Study*, which she directed from 1997 to 2000.

The *Journal* is honored to present Ms. Musalo with the Barbara Nachtrieb Armstrong Award for her continued fight for justice on behalf of refugees and her long-standing commitment to gender equity.