

Pregnancy Discrimination and 1970s Feminism

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Abstract: The paper discusses the feminist movement of the 1970s, focusing on its approach to pregnancy discrimination, which initially did not emerge as a top priority. The work highlights that, while pregnancy discrimination was indeed an important issue, it took time to come into prominence and be represented within the feminist agenda until the final passage of the Pregnancy Discrimination Act of 1978-a poignant piece of legislation. By analyzing feminist manifestos, legislative records, and key writings from prominent feminists in ways that capture, at each stage, how the movement adapted to various forms of discrimination. The adaptation shows how evolving priorities within the feminist movement influenced its overall strategy aimed at winning the struggle for gender equality. It also highlights how ongoing feminist activism has been changing through the resurgence against new challenges in movements that fight for broader social justice. These changes show the dynamic nature of feminist advocacy and its struggle for progress.

Keywords: Feminism, Pregnancy Discrimination Act, Gender Equality, 1970s Feminist Movement, Workplace Discrimination

1. Introduction

In the 1970s, pregnant women in the workplace commonly faced extreme discrimination, consisting of being fired or demoted, because of their condition. This led to the question: "Why did feminists in the 1970s not prioritize pregnancy discrimination?" This paper discovers how and why pregnancy discrimination, regardless of its extensive impact on women, was not a key emphasis of very early feminist agendas. By analyzing legislative documents, feminist writings, and vital additional resources, this analysis uncovers the factors behind this first oversight and traces the development of feminist top priorities that caused the Pregnancy Discrimination Act of 1978. The analysis will show that the status of pregnant women was a minor concern for early feminists, but over the course of the 1970s it grew in prominence.

2. Background

The feminist movement of the 1970s, known as the 2nd wave of feminism, sought to address a broad series of concerns, including reproductive rights, workplace equal rights, and social justice. Originally, pregnancy discrimination was not a key issue for early feminists. Before the Pregnancy Discrimination Act of 1978, women encountered substantial workplace discrimination due to pregnancy, including being fired or demoted. Influential works like Betty Friedan's *The Feminine Mystique* and organizations like the National Organization for Women more comprehensively gender

inequality problems [1]. The mid-1970s saw a change as legal scholars and feminist protestors, including Ruth Bader Ginsburg, highlighted the extreme impact of Betty Friedan, *The Feminine Mystique* [1]. pregnancy-related discrimination [2]. The Supreme Court case *General Electric Co. v. Gilbert* in 1976, which ruled that pregnancy discrimination was not covered under Title VII of the Civil Rights Act of 1964, galvanized the movement, leading to raised advocacy for lawful protections [3]. The PDA amended Title VII to forbid discrimination based upon pregnancy, childbirth, or relevant medical conditions, making certain equal treatment for pregnant women [4].

3. Secondary Sources

The conversation surrounding pregnancy discrimination within the feminist movement of the 1970s is enriched by various academic point of views and historic analyses. In "Feminism and the Labor Movement: A Century of Collaboration and Conflict" from New Labor Forum, the partnership between feminism and labor legal movement is comprehensively analyzed. This article reviews the historical partnership and tensions in between feminist protestors and labor unions. It says that while both movements aimed to address workplace discrimination, their priorities frequently diverged, highlighting that the merging around pregnancy discrimination was pivotal for advocacy [5].

Some feminist, or more radical, like Shulamith Firestone, whose views on the matter are discussed in the recent article in *The Conversation*. Firestone argued that pregnancy was inherently overbearing and advocated for artificial wombs to get rid of the need for biological motherhood [6]. This extreme view pushed the boundaries of feminist advocacy, influencing mainstream discourse on women's liberation. These sources jointly give a nuanced understanding of the feminist movement's evolving top priorities pertaining to pregnancy discrimination, discovering why it was not initially focused on and just how it eventually gained considerable attention.

4. Method

While existing literature has highlighted considerable facets of the feminist movement and labor rights, there continues to be a space in recognizing exactly how pregnancy discrimination advanced to become a main problem within feminist top priorities. This paper synthesizes feminist manifestos, legislative records, and contemporary analyses to address this space. This paper's sources include the Redstockings manifestos, which supplies ideological insights right into the feminist movement's fundamental goals and early priorities [7]. Legislative hearing records from the Pregnancy Discrimination Act use detailed views of the legal arguments and advocacy strategies used by feminists and allies, exposing the legal procedure affected by feminist advocacy [4]. Articles by prominent feminists such as Ruth Bader Ginsburg and Susan Deller Ross offer context on the lawful reasoning and expected impact of the PDA, showcasing the intellectual and strategic underpinnings of feminist advocacy [2]. By integrating these primary sources with secondary analyses, this paper explores why pregnancy discrimination was not initially prioritized and how it eventually obtained significant attention, highlighting the advancement of feminist concerns and the strategic changes that caused the PDA's passage.

5. Primary Source Analysis

5.1. The Redstockings Manifesto

The Redstockings Manifesto, written in 1969, is a foundational paper of the radical feminist movement. It highlights the broader goals of the feminist movement, emphasizing the need for women to gain control over their lives and bodies. The manifesto's primary focus gets on issues like reproductive rights, access to birth control, and the fight against patriarchal structure. Nonetheless, it

does not clearly address pregnancy discrimination the work environment [8]. The absence of pregnancy discrimination from the manifesto indicates that, at this phase, the feminist movement was largely worried about broader problems of bodily autonomy and reproductive legal rights. This focus shows the early concerns of the movement, which centered on dismantling systemic obstacles to women's independence and empowerment. The manifesto's focus on reproductive legal rights laid the groundwork for later feminist campaigning for, including the fight against pregnancy discrimination, by establishing the concept that females ought to have complete control over their reproductive options and be free from discrimination based upon those options. This directly showing that pregnancy discrimination was initially a minor concern.

5.2. Legislative Hearing Records

The legislative hearing records for the Pregnancy Discrimination Act of 1978 give important insights right into the arguments and campaigning for approaches used by feminists and their allies to promote the Act's passage. These records reveal a shift in emphasis within the feminist movement towards addressing details circumstances of workplace discrimination that prevented women's economic stability and professional improvement [4]. In these hearings, advocates argued that pregnancy discrimination was a kind of sex discrimination, as it distinctly impacted women and perpetuated gender inequality in the workplace. Testimonies from affected women, feminist activists, and legal experts highlighted the real-world influence of pregnancy discrimination, such as job loss, denial of promotions, and lack of reasonable accommodations. These testimonies highlighted the requirement for specific lawful protection to make certain that pregnant women were treated rather and equitably in the workplace. The legislative records show that the feminist movement efficiently framed pregnancy discrimination as a critical problem of gender equal rights. This framing was crucial in amassing support for the PDA, as it linked the concern to the wider fight against sex discrimination and emphasized the economic and social consequences of enabling such discrimination to persist. This evaluation shows the expanding importance of pregnancy discrimination within the feminist movement.

5.3. Articles by Ruth Bader Ginsburg and Susan Deller Ross

Ruth Bader Ginsburg and Susan Deller Ross, both famous legal scholars and feminist advocates, played crucial roles fit the legal arguments for the Maternity Discrimination Act. In her article "Sex Prejudice in the U.S. Code," Ginsburg critiqued the existing legal framework for its failure to attend to the special challenges dealt with by women, including pregnancy discrimination. She said that real sex equality might not be attained without identifying and resolving the particular types of discrimination that ladies come across in their individual and professional lives [2]. Ginsburg's analysis demonstrates that while very early feminist initiatives might not have initially focused on pregnancy discrimination, the developing legal focus on gender equal rights resulted in greater recognition of its value. Her work shows how legal scholars contributed to the developing feminist program by highlighting certain areas of discrimination that required remedy. This suggests that the feminist movement's priorities were not static but adjusted in response to emerging challenges and opportunities for legal reform.

Susan Deller Ross, in her article "Pregnancy and Discrimination," further elaborated on the lawful rationale for banning pregnancy discrimination. She emphasized that such discrimination was inherently gender-based, as only women could become pregnant, and thus, denying them equal treatment based upon pregnancy was a direct violation of sex equality principles. Ross's analysis provided a robust legal foundation for the PDA, showing just how existing anti-discrimination laws could be broadened to include protections for pregnant women [8]. These articles illustrate the

intellectual and strategic efforts of feminist legal scholars to integrate pregnancy discrimination into the more comprehensive framework of sex discrimination law. By doing so, they helped to elevate the issue within the feminist movement and influenced the legislative process that led to the passage of the PDA. This evaluation demonstrates how feminist advocacy progressed to focus on pregnancy discrimination.

These sources demonstrate the advancement of feminist priorities associating with pregnancy discrimination in the 1970s. While early feminist documents like the Redstockings Manifesto focused on broader concerns of reproductive rights, the legislative hearing records and posts by key feminist figures reveal a strategic change towards attending to certain types of workplace discrimination. This shift was crucial in framing pregnancy discrimination as a main issue of gender equality, eventually resulting in the effective passage of the Pregnancy Discrimination Act of 1978. Through these sources, it becomes noticeable that the feminist movement's flexibility and responsiveness to the multifaceted challenges encountered by women were essential to its lawful success and the innovation of gender equality in the work environment.

6. Conclusion

In conclusion, the feminist movement of the 1970s, while initially focused on broader issues of reproductive rights and gender equality, gradually recognized the critical importance of addressing pregnancy discrimination. This shift in priorities was instrumental in the passage of the Pregnancy Discrimination Act of 1978, marking a significant victory for women's rights in the workplace. Through a detailed analysis of primary sources, including the Redstockings Manifesto, legislative hearing records, and writings by Ruth Bader Ginsburg and Susan Deller Ross, it is clear that feminist advocacy evolved to address specific forms of discrimination that uniquely affected women. Understanding the historical context and evolution of feminist priorities underscores the importance of adaptability and responsiveness in social movements. Today, this historical insight informs ongoing efforts to combat gender discrimination and advocate for comprehensive workplace policies that support all employees. The PDA's legacy highlights the broader impact of legislative protections on human rights, emphasizing the enduring relevance of these issues.

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