

MOBILIZING EMOTIONS TO ELECT WOMEN: THE SYMBOLIC MEANING OF MINNESOTA'S FIRST WOMAN SUPREME COURT JUSTICE*

Sally J. Kenney[†]

Rosalie Wahl's appointment to the Minnesota Supreme Court and her subsequent election reveals how emotions make events historical, how they signal symbolic meanings, and how they mobilize social movements. The treatment of political women in the 1970s engendered the emotions that Wahl's appointment and campaign surfaced. Relegating women party activists to the role of chore doers rather than decision makers humiliated them. Homemakers felt discarded and downwardly mobile after divorce. Exclusion and discrimination stung women lawyers. Feminism surfaced the powerful emotions of anger, exhilaration, solidarity, and hope that women would break down barriers. By deconstructing the rhetorical arguments of Wahl's speeches, interviewing participants in the campaigns, reading the letters that Minnesotans sent to Wahl, and examining my own emotional reactions, I uncover the emotional dimensions of these events. Understanding what catalyzed intense emotional identifications and what this historical event symbolized to participants facilitates theorizing gender as a social process and understanding why other women first to hold public office or first women candidacies generally do not become historical events.

Why are some events turning points? Why did it seem to me, a seventh grader, that the pride and dignity of all women and girls hung in the balance of whether Billie Jean King defeated Bobby Riggs at tennis? Why did Geraldine Ferraro's candidacy for the vice presidency lead women to hoist their daughters on their shoulders to see her? Why did Anita Hill's testimony stop daily life and mesmerize the entire country? Public policy scholars use the term "focusing event" to explain why issues such as homeland security after 9/11, disaster management after Hurricane Katrina, or bridge inspection after the collapse of a bridge in Minneapolis, Minnesota, rose to the top of the government's agenda. Social movement scholars define a critical event as one that makes the targets of social movement activity more vulnerable, makes resources more available to the movement, and encourages individuals and groups to set aside their differences and work together, thereby making coalitions possible (Staggenborg 1993: 321).¹ Unlike public policy scholars, social movement scholars are beginning to theorize the role emotions play in this process (see articles in *Mobilization* 7(2) and chapters in Flam and King 2005). William H. Sewell recognized the importance of emotions in creating historical events—"sequences of occurrences that result in durable transformations of structures" (1996: 87)—and explained how subsequent events determined what the taking of the Bastille meant. Emotions shape the cognitive assessment of a situation, thereby transforming the possibilities for mobilization. Anger and solidarity dampen fear (Aminzade and McAdam 1995: 33; Yang 2005: 80); hope makes trying seem worthwhile.

* I would like to thank Ron Aminzade, Susan Bandes, Karlyn Kohrs Campbell, Harriet Lansing, Kathleen Laughlin, Mary Lay Schuster, Patricia Yancey Martin, David Meyer, Mary Jane Mossman, Joe Soss, and Judith Taylor for their helpful comments on the many drafts of this paper. Thanks, too, to Lura Barber, Rachel Estroff, Rebecca Moskow, Amber Shipley, and Jaqueline Waddell-Boie for their research assistance. I benefited enormously from the opportunity to present early versions of this paper at Washington University, New York University, the Law & Society Association, and to our case writing seminar.

[†] Sally J. Kenney is the Newcomb College Endowed Professor at Tulane University. She completed this work while Professor of Public Affairs and Law in the Hubert H. Humphrey Institute of Public Affairs at the University of Minnesota. Please direct all correspondence to the author at skenney@tulane.edu.

Rosalie Wahl's appointment to the Minnesota State Supreme Court in 1977 was a critical emotional event for Minnesota feminists, and in this study, I pay close attention to emotions. I consider those of Justice Wahl as she spoke publicly about these events. I consider my own as I came to know Wahl, learned her story after the fact, and studied the emotional appeals of her speeches.² And I consider the emotions of those activists I interviewed who worked on her appointment and campaign, and those of hundreds of women who wrote her letters of congratulations. Doing so aids our understanding of these historical events. In the 1970s, women active in party politics felt the pain and humiliation of their relegation to doing chores rather than making decisions. Divorce reform left hordes of displaced homemakers who felt discarded and devalued and whose standard of living plummeted. The surge of new women lawyers felt the sting of exclusion and discrimination. The feminist movement surfaced powerful emotions of anger, exhilaration, and solidarity. And changes in women's status led women to hope that they would break through the barriers of the past. This article explores why Justice Wahl's appointment was so emotionally intense, how that emotional intensity shaped the meaning of her appointment, and what about her case applies to other similar cases.

To Sewell, Aminzade, McAdam, and Yang's theories of emotions, meaning construction, and mobilization, I add an understanding of gender as a social process. All women's candidacies or even all women firsts do not mean the same thing, generate the same powerful emotional connections, or trigger the same emotional responses. By carefully tracing the construction of symbolic meaning and the emotional components in one case and noting its absence in others, I reinforce the concept of gender as a social construction—a process—rather than sex as merely a variable. Moreover, Wahl's case offers practical lessons for those who want to increase the number of women judges at all levels, as well as those who want to increase the number of women in political decision making. If what a woman candidate symbolizes to voters or activists—the recognition of women's capacity, the ending of gender-based exclusions from power, the changing status of women, or even the possibilities of life after divorce—matters more than their desire to transform institutions and secure policy objectives, then feminists who advocate such policy changes should pay special attention to the elements that trigger this emotional response and how activists attach meaning to such events.

THE POLITICS AND SOCIOLOGY OF EMOTIONS

Emotion is an important component of meaning making: the cognitive does not operate independently of the affective. Feminists have led the way in calling on social movement scholars and political scientists to take seriously emotions such as anger, pain, and joy in solidarity in understanding mass mobilization and policy change and to not bifurcate reason from emotion (Aminzade and McAdam 2001: 18; Bandes 1999; Elder and Cobb 1983: 147; Etzione 1988: 89-113; Gould 2002; Goodwin, Jasper, and Polletta 2000: 74, 2001: 9; Nussbaum 2001). The dichotomy of reason and emotion contains a gendered hierarchy where reason, not emotion, should guide action. The inferior—women, the working class (Barbalet 2002), or the nonlegally trained (Schuster and Proppen 2010)—act on emotion. Those who study symbolic politics recognize that symbols are both cognitive and emotional (Barbalet 2002; Jasper 1997: 109; Sapiro 1993: 147)—“meaning is invested with emotion” (Leege and Wald 2007: 297).

Social movement scholars have too often neglected emotions, even though social movements do emotional labor and emotions are a key component of mobilization. Because social movement scholars have sought to demonstrate the rationality of social protest to counter a social breakdown model in sociology (Goodwin et al. 2000), they have more often sought to characterize social protest as rational rather than challenge the dichotomy between reason and emotion (Taylor and Whittier 1995: 179).³ Sociologists and mainstream culture stigmatize the protestor as irrational—part of a mob—but the same thinking stigmatizes the angry. Feminists and AIDS activists had to both convert despair into righteous anger by framing experience as

an injustice and then confront the social stigma of the angry person as lacking control, maturity, or rationality (Gould 2002: 178; Schuster and Proppen 2010). The angry woman is a particularly stigmatized figure, doubly irrational (Frye 1983: 84-94). Deborah Gould's research on ACT UP demonstrated how social movements not only harness feelings and legitimize them, but convert feelings from one kind to another: grief, resignation, and despair to anger; shame to pride; a desire for respectability to a hunger for confrontation and justice.⁴ For Gould, as for others who take emotions seriously, social movements do emotional work (Morgen 1995). They do not merely harness and mobilize—they frame and transform, although not always consciously.

Both social movement scholars and careful scholars of agenda setting recognize that context and meaning construction, rather than the objective magnitude of grievances or social movement preparedness, determine whether focusing (or critical) events function as a catalyst or pass unnoticed (Armstrong and Cragge 2006; Kenney 2003; Rochon 1998; Sewell 1996; Staggenborg 1993). As scholars study the role of social movement entrepreneurs, and feminists reexamine periods of assumed quiescence or doldrums, it is clear that activists have been present, strategic, and engaged at times when their efforts showed little effect. Because we often tell the policy story backwards after passage of legislation and link agents to success, we fail to recognize that agents are often active without effect. Explaining ignition, then, cannot consist merely of documenting the activities of strategic actors. Instead, we must understand such events as resulting from the collective meaning making that generates intense emotions (Aminzade and McAdam 2002: 109), although describing events as if they were sequential does not do justice to the fact that emotions and meaning making are intertwined. To understand such events, we need to look further than grievances and resources to investigate discursive politics, symbols, framing, and meaning making. Sewell (1996) dissected the elements that transformed the taking of the Bastille into an historical event, and I seek to do the same for the appointment of Rosalie Wahl. By doing so, I further illuminate how gender functions as a social process and why emotional intensity is not equally present in the case of every woman "first," or every woman candidate.

Emotions do more than mobilize people to act.⁵ They create possibilities for collective action and maintenance during difficult times or doldrums by producing solidarity (Gould 2002; Katzenstein 1998; Taylor 1995; Taylor and Whittier 1995). According to Verta Taylor and Leila Rupp, "social movements develop out of preexisting social networks built on interpersonal trust, reciprocity, and shared cultural meanings," and each has its own feeling rules, constituting an emotional culture that is created and nourished (2002: 141). As James Jasper argued, "a collective identity is not simply the drawing of a cognitive boundary; most of all, it is an emotion, a positive affect toward other group members on the grounds of that common group membership" (1998: 415). And with women, as with all groups, creating those emotional bonds is work, emotion work—the bonds constitute a social-movement work product. Verta Taylor and Nancy Whittier noted: "we became convinced by this that collective action, is central to the forms that mobilization takes" (1995: 165). The joy of working together, as Aminzade and McAdam put it, "the palpable sense of 'weness' that defines peak movements of collective action is among the most emotionally intoxicating and socially connective experiences one can have" (1995: 43). Robnett demonstrates how male civil rights workers may have mobilized audiences, but women's emotion work built the emotional intimacy necessary for persuading people to act in dangerous circumstances (2004: 70; Goodwin et. al. 2000: 75). For some, movements are their families, and women in the nineteenth century deliberately used family metaphors and the concept of mother love to describe movement leaders (Taylor and Rupp 2002). As Taylor noted, "a willingness to shape personal relationships around the cause was, in large measure, what made possible the intense commitment of members" (1989: 769). Causing individuals to put aside differences and work together is one element of Suzanne Staggenborg's (1993) definition of a critical event. Women do not cohere as a group naturally; instead, the formation of women as a social movement is an

accomplishment, and the activation of emotions is an important component of the recognition of shared interest. Rather than fracture into splinter groups, as was more the norm at the time (Pruitt 1987; Remington 1991), the Wahl campaign united feminists and progressives.

SYMBOLIC POLITICS

The symbolic politics literature also invites us to examine the meaning activists attach to policy goals and why they care so deeply about certain issues that seem to offer little material redistribution (Bandes 2007). Joseph R. Gusfield (1986) and Murray Edelman (1967) argued that certain policy objectives become symbols of the status of particular groups (Burnier 1994). Although neither Gusfield nor Edelman used gender as an analytical category, we can expand their ideas to Rosalie Wahl's case. In *The Symbolic Use of Politics*, Edelman (1967) observed that politicians may induce a sense of feeling of threat and offer legislation and policies as reassurance that the government has dealt with the threat as a way of generating quiescence without actually changing material conditions. In later works, Edelman (1971, 1988) made clear that symbolic politics is more than the process by which politicians trick the masses into thinking the government has solved their problems—what Rebecca E. Klatch (1988) called the masters approach. In fact, much as they may try, politicians cannot effectively control the symbolic meanings of political events, which are fluid and multiple. Virginia Sapiro and Joe Soss (1999) documented that the meaning of a singular critical event, such as the Hill-Thomas hearings, may be very different for different groups (Harris-Lacewell 2007; Polletta 1998, 2006). Klatch (1998: 140) argued that symbols are essential to political mobilization, both as badges of identity and as tools to maintain feelings of community. Derrick Bell (1992), like Klatch, recognized the duality of symbols as both tools of manipulation by the powerful, and as appeals to irrationality, as well as sources of inspiration and mobilization of the oppressed.

Symbolic politics are often at work in high-level judicial appointments, as evident in the rare glimpse the Nixon tapes provided of the deliberative process (Dean 2001) and the intermingling of policy and symbolic goals. As Richard Nixon considered appointing Mildred Lillie to the U.S. Supreme Court, his paramount concern was appealing to women voters, but he also enjoyed the chance to “stick it to the Senate,” which had rejected two of his nominees, and to torment Chief Justice Burger, who opposed having a woman on the Court. Nixon was determined to appoint what he called strict constructionists to the Court who would further his policy goal of reversing the Warren Court's rulings on civil rights and criminal justice (Scherer 2005). He also had gender-specific policy goals—narrowing the interpretation of the equal protection clause and narrowing the right to privacy. But his discussion of a woman on the Court did not reflect either concern; rather, he cared about what the appointment of a woman would signal to voters, women voters in particular, about his respect for women. Ronald Reagan, too, sought electoral advantage when facing an emerging gender gap among voters and wanting to counter the record of Jimmy Carter in appointing women to public office, including the judiciary. He outmaneuvered Carter by promising to appoint a woman to the Supreme Court, something Carter would not do (Clark 2002; Martin 2004). President Bush (41) appointed nearly all of his women appointees to the bench after he had nominated Clarence Thomas, ostensibly to show women he was not indifferent to their concerns. Laura Flanders's (2004) analysis of Bush's (43) women appointments, *BushWomen*, employed an even more cynical gender analysis consistent with the narrow, negative sense of symbolic politics as obfuscation. She argued that Bush strategically appointed pro-choice and moderate women to paralyze liberals, thereby insulating the appointees from media criticism of their conservative policies on other issues.

Symbolic politics are not just an exercise in tricking the masses. Gusfield looked beyond the disjuncture between rhetoric and reality and examined the meaning social movement actors themselves attached to events. Unless they were stupid, we would expect social movement actors to have been the harshest critics of symbolic politics in the negative sense, decrying the

appointment of women as mere tokenism and urging supporters not to be fooled. Gusfield argued, however, that the advocates of temperance valued the symbolic statement of a societal norm against drinking even if they recognized that not only would the policy be imperfectly implemented, but that, in some cases, the government would not even try. Both immigrants and elites threatened the status of the social group of rural, Protestant, abstemious, and hardworking temperance advocates. Gusfield recognized that prohibition offered more than a pretense of reassurance; the threat had a material dimension—status was symbolic as well as material (Lang 1964: 768; Levine 2000; Zald 1964). To supporters, prohibition meant an affirmation of their groups' superior social status even if it did not end drinking. Gusfield's approach offers important insights into the current debate over gay marriage. Gay, lesbian, bisexual, and transgendered (GLBT) activists want domestic partnership benefits, access to loved ones in hospitals, and the ability to bring noncitizen partners into the country to be sure, but they also want status: they want societal affirmation of their belongingness and the sanctity of their relationships, which some still regard as immoral if not criminal (Lewin 1998).

The case of Rosalie Wahl's appointment to the Minnesota Supreme Court invites us to extend Gusfield's analysis further. Whereas temperance supporters may have grudgingly accepted the inadequate enforcement of prohibition and settled for status reassurance, Wahl's supporters did not see her appointment as a mere symbol for inaction nor an imperfect implementation of a norm; rather, they valued the symbolic meaning of her appointment in and of itself. Unlike Nixon or Reagan or even Bush, who wanted to hide their lack of commitment to women's issues behind an appointment of a woman, Governor Perpich valued the appointment of women for both symbolic and instrumental reasons. He wanted to appoint Wahl, and, in a dramatic way, to signal his support both for women's full inclusion in public life and as a way of seeking electoral support. As Sapiro and Soss (1998) and Francesca Polletta (1998, 2006) would lead us to expect, interviews with activists and congratulatory letters to Wahl demonstrated that her appointment and election meant very different things to different people. Perpich alone did not control the symbolic meaning of Wahl's appointment. Instead, Wahl, her supporters, and the women of Minnesota determined its multiple meanings.

To develop these arguments about emotions, social movements, and symbolic politics, I identify the convergence of four developments in the emotional landscape. First, we must understand the rage and humiliation women's exclusion from political decision making engendered. Second, we should note women's exclusion from the legal profession and acknowledge the hazing they experienced as they entered law school and legal practice. Third, the revolution in marriage laws left large numbers of "displaced homemakers" after divorce, shattering many lives. And finally, from small consciousness-raising groups to mass movements, the feminist movement unleashed a broad range of women's passions. These four historical trends converged to create a distinctive emotional climate. As so often is the case in history, many serendipitous matters of luck and fortuitous timing made the context especially emotionally charged. The way Perpich searched for a nominee increased the nomination's salience and mobilized stakeholders. The timing of his announcement facilitated the symbolic construction of the meaning of her appointment (and future success) as evidence of a changed status of women and the power of the women's movement. Rosalie Wahl's unique biography brought forth particular emotional responses and the rhetoric of her speeches promoted the feeling that she was a symbol of all women and of the women's movement. Lastly, the campaign against her reinforced women's sense that the value of their own individual worth was on the line, as well as the reputation of the strength of the women's movement.

GOVERNOR PERPICH PROMISES TO APPOINT A WOMAN

The little-known lieutenant governor, Rudolph Perpich, became governor of Minnesota when Governor Wendall Anderson ascended to Vice President Walter Mondale's vacated senate seat (Elazar, Gray, and Spano 1999: 127). Perpich opposed the Vietnam War and was flamboyant

and unpredictable (Wilson 2005). The first governor from the Iron Range (Auerbach 1984: 60), he held little fondness for the Democratic Farmer Labor (DFL) Party machine (Wilson 2005: 38).⁶ Political parties relied on the labor of skilled political operatives—women who were not employed outside the home but served as committee women, volunteers, fundraisers, and organizers. Men party leaders treated women patronizingly and never considered them for leadership, paid positions, or political offices (Auerbach 1984: 67; Boneparth 1977; Freeman 2000; Rymph 2006). As New Orleans Mayor Moon Landrieu described, “women do the lickin’ and stickin’, while men plan the strategy” (Tolchin and Tolchin 1973: 13). Happily, his daughter Mary proved him wrong and became a US Senator. State parties would have men and women co-chairs, but the men would be paid and the women unpaid (Fraser 2007; Sanbanmatsu 2004; Young 2000).

The title of Wattenberg’s (1971) report for the DFL Feminist Caucus said it all—women were *Present but Powerless*. In the 1970s, women began to demand not just a voice, but seats at the table commensurate with their numbers and the party work they did. They rejected their permanent relegation to mere volunteers. A button at the time expressed the sentiment: “If we can’t make policy, we won’t make coffee!” The DFL Feminist Caucus pressured the party for more women candidates and to ensure that DFL candidates were pro-choice. Perpich addressed the DFL Feminist Caucus and promised to fill the next vacancy on the supreme court with a woman. *Minneapolis Star* reporters were present and reported with banner newspaper headlines the next day (Lacey 1977: A1). When the next vacancy occurred, they immediately wrote a front-page column reminding the governor and all readers of his promise.

Although women were gaining entry into law schools and their numbers inched upwards in the legal profession, few made it to the bench. In 1977, no woman had served on the US Supreme Court, only one woman sat on a federal appellate court, and only five women served on state supreme courts (Cooper 1994: 45; Martin 2004; Schafran 2005). Rahn Westby, a 25-year-old lawyer who later co-chaired the Ramsey County Women’s Political Caucus, had been one of four women in her class at William Mitchell College of Law and had endured patronizing remarks by men faculty, an experience shared by many women at the time (Ginsburg 1994; Guinier 2003).⁷ She recalls feeling that women lawyers were not getting anywhere professionally and needed to “pole-vault” someone onto the high court to break the gridlock of women in the legal profession (Connolly 1994: 20).

Minnesota’s system for choosing justices on the Supreme Court is nonpartisan election (Kronebusch 1998). Formally, Supreme Court justices run for office, but in practice, sitting justices inform the governor when they are going to step down, and the governor nominates a replacement when the retirement is announced, allowing the nominee to run with the ballot designation of incumbent. If a justice were appointed more than a year before the next election, he or she had to stand in the next one, and then again every six years. As of 1977, only one member of the Minnesota Supreme Court had obtained his seat by election rather than appointment. The last incumbent unseated in an election was in 1900. Serious challenges to sitting justices were rare (Klaphake 1993; Larson and McKnight 1988; Yetka and Yetka 1994). Rather than follow the usual practice of naming the new justice with the announcement of the retirement, Perpich announced he would appoint a yet-to-be identified woman. Had Perpich announced his choice of Wahl in the usual way, his appointment would have garnered some publicity because Wahl would have been the first woman. But announcing merely that he was searching for a woman to appoint heightened public and media interest beyond the interest shown to any previous judicial appointment in Minnesota’s history.

ROSALIE WAHL

Women connected with Rosalie Wahl because she was sincere. Although she had survived many tragedies—losing her mother at age three, watching her grandfather and younger brother killed by a train before her eyes at age seven, and losing her fiancé during the war—she never-

theless maintained a joyful spirit. She participated actively in the feminist movement, worked hard for women's equality, and lent a helping hand to many individual women. Never stuffy or sanctimonious, she led an exemplary Quaker life of devotion to social justice. She worked to fight racism through the YWCA and lived in a racially integrated communal home at the University of Kansas. She and her husband moved to Minnesota to live with friends in an intentional community. When that failed, Wahl, armed with a sixteen-year-old undergraduate degree in sociology and the mother of four children, at age 37, enrolled in night school at the William Mitchell College of Law. Wahl gravitated to law because she wanted to be inside the room making decisions rather than hovering outside as she had as a community activist in the past (Cooper 1994: 22; Watkins and Rothchild 1996: 176-179). The path she chose had few women fellow travelers and few accommodations for women: one other woman was in her law school class, the law librarian was the only woman on the faculty, and the birth of her fifth child caused her to miss a week of classes during her second year.

Women lawyers enjoyed few opportunities in the 1960s, when law firms would blatantly announce they were not hiring women. The head of the state public defender's office hired Wahl when she graduated in 1967. He was one of the first legal employers willing to take women on a part-time basis—an important consideration for mothers of small children (Wahl divorced in 1972). The happenstance of this oasis of nondiscrimination and flexibility meant that many prominent women attorneys in Minnesota had experience defending the indigent—an experience that profoundly shaped Wahl's outlook on law and justice. William Mitchell College of Law hired her to help establish the criminal and civil law clinic in 1973. Wahl engendered deep affection, admiration, and loyalty in almost everyone with whom she worked. Not only did she live her commitments, but she also believed in nurturing and mentoring those around her. Her former students, members of her group therapy and consciousness-raising groups, and neighbors formed the nucleus of those dedicated to her appointment and subsequent election, the pre-existing social network that Taylor and Rupp identified as a necessary prerequisite for mobilization and collective action (2002: 141).

GOVERNOR PERPICH CHOOSES WAHL

The mid-1970s were the heyday of organized feminism (Evans 2003; Remington 1991). Feminists in Minnesota were a highly visible group that came to be perceived as having more power, resources, and troops than they actually commanded. Rahn Westby and her co-chair, Carol Connolly of the Ramsey County Women's Political Caucus, made increasing the numbers of women in the judiciary a top priority early on. They wanted a high profile appointment to break the gender barrier and began winnowing the pool. Realistically, there were few women with enough legal experience to consider.

Minnesota Women Lawyers (MWL) was determined to overcome the problem of elected officials who said they would appoint qualified women if only they could find them. MWL formed a committee to put forward names of women qualified to serve on the bench. Wahl served on the committee that sent a questionnaire to all women lawyers asking if they would be willing to be considered for a judgeship. Wahl finally sent her questionnaire back after two years.

Minnesota Women Lawyers' endorsement committee winnowed the list of eighteen names to seven, including Wahl's. Wahl was also on lists that the Minnesota Women's Political Caucus and DFL Feminist Caucus submitted to Perpich (Cooper 1994: 47). Perpich's inner circle used three criteria to decide between the possibilities: DFL, lawyer, and humaneness. Press reports featured pictures and biographical descriptions, reminiscent of speculation on vice presidential choices. Such open discussion of possible appointments was unprecedented in the history of judicial selection in Minnesota and more akin to current speculations about the U.S. Supreme Court.

Feminists in Minnesota wanted qualified women on the bench—but they also wanted feminists, and they unified behind Wahl. Wahl's outsider status as a William Mitchell graduate, a late entry into the profession, and a defender of indigent criminal defendants appealed to Perpich. Carol Connolly described the organization behind the scenes:

Lawyer Westby's part in the campaign is symbolic of the time and commitment expended by countless women. Westby had little furniture in her townhouse, and she filled the empty space with index cards of names of possible supporters. She took an unpaid leave from the then law firm of Thomson Wylde to organize the assault-style method of endless telegrams, letters and phone calls to the governor. (1994: 21)

Although Wahl did not know what was in her file, she was told that it was fat. Her former students (now lawyers throughout the state) wrote letters praising her. Insiders knew that Perpich would often be persuaded by the person he talked to last. A male staffer who supported Wahl loitered outside the governor's door. Two women from the DFL Feminist Caucus remained at the governor's residence late into the evening right before he was to decide, determined to be the last people with whom he spoke.

Although Wahl had been active in her local community, she was not a DFL insider. She was, however, a member of the DFL Feminist Caucus and the Minnesota National Organization for Women, a founding member of both the Minnesota Women's Political Caucus (MWPC) and Minnesota Women Lawyers, and she was present at the DFL Feminist Caucus meeting where Perpich made his promise. Wahl was later a pivotal member of feminist groups such as the National Association of Women Judges. Her path to the bench was very different from a man's—the old adage is “a judge is a lawyer who knows a Senator.” She met Perpich for the first time when he interviewed her. Nor was she the darling of the Minnesota State Bar Association, which prior to Perpich's administration had recommended names to the governor, who largely rubber-stamped its choice.

Partisanship, legal ability, and humaneness were not the only factors. Perpich had to ensure that whomever he chose would be able to hold the seat. Aspiring judges would likely challenge any sitting judges perceived to be vulnerable. Perpich knew that the first woman appointed would have many challengers who wanted a seat on the Supreme Court. If she lost, he would then have squandered the power to shape the bench. Speaking from a pay phone at a bar in St. Paul, Carol Connolly assured the Governor that she could put her life on hold to manage Wahl's campaign. If Wahl lost, it would be a long time before any Governor could be persuaded to appoint another woman, nor would any woman be a credible candidate for challenging an incumbent. Among the candidates, Wahl would perform best in a state-wide campaign.

Context matters. Perhaps no aspect of the story of Wahl's appointment more completely reveals the deep emotional meaning of this event than the way Governor Perpich announced his choice. Perpich made the announcement at his son's high school graduation in Hibbing—with typical Perpich flair for the dramatic and preference for holding events and making announcements outside of the Twin Cities. On the same day, nearly 4,500 women were meeting in St. Cloud to hammer out a platform and choose delegates to the upcoming White House Conference on Women in Houston. The conference chair, Minnesota Secretary of State Joan Grove, announced that Governor Perpich would appoint Wahl to the state supreme court—the first woman and its 72nd justice. The crowd erupted as Wahl came to the microphone. She promised to “not cease to be an advocate for those whose rights have been denied or infringed,” and remembered all the women who came before her, from Elizabeth Cady Stanton onward, who “gave so much that we might have the freedom and opportunity that is ours.” In 1978, the chair of the Minnesota Women Lawyers endorsement committee, Judith Oakes, would reflect that “no other government appointment has stirred as much emotion as Wahl.”

THE ELECTION CAMPAIGN

The campaign was gendered from the start since it was extremely unlikely that any man Perpich appointed would have had a challenger. Even before the governor decided which woman he would appoint, ambitious men who coveted a seat on the Supreme Court had readied themselves. Three men immediately targeted Wahl as the most vulnerable sitting justice. For the first time in two decades, a seated Supreme Court Justice had a serious opponent, or rather in Wahl's case, three, meaning she would face a primary. Ramsey County District Court Judge Jerome J. Plunkett, Rochester District Court Judge Daniel Foley, and former Attorney General Robert W. Mattson filed. Supreme Court Justice C. Donald Peterson was also up for reelection and he, too, had a challenger (Cooper 1994: 63).

Wahl's opponents immediately challenged her fitness to serve. They did not say directly that a woman should not serve on the bench, but their attacks on her competency were clearly gendered. Mattson not only criticized Wahl's credentials and legal record, but sought to discredit her as a mother. Connolly always suspected that men had conspired to defeat Wahl. Marcia Fleur from TV station KSTP called Wahl to say she had received the confidential police file of Wahl's son, who had had a brush with the law. Mattson had delivered the papers to the station himself, alleging Wahl had pulled strings on her son's behalf. Connolly went to pick up the file and that was the end of the matter, but Wahl thought, "I have to win, I cannot let Mattson become a Supreme Court justice."⁸

Voters cast 231,000 votes for Wahl, 130,000 for Mattson, 93,319 votes for Plunkett, and 104,610 for Foley. If all those who voted for Plunkett and Foley voted for Mattson, Wahl would lose. Mattson escalated his negative campaign, running a series of ads giving reasons to vote against Wahl. He claimed she had a poor win/loss record before the Supreme Court, as one might expect of someone whose practice consisted of appeals of poor people convicted of crimes, but was a thinly veiled gendered attack on her competency to serve. Another ad charged that "Ms. [sic] Wahl lets rapists loose." (She was the sole dissenter in *State v. Willis*, (269 N.W.2d [Minn. 1978]) a case of a rapist who had held his victim at knifepoint. Wahl had dissented because a trial court had suppressed evidence and the police had unlawfully searched the defendant's house.) Another ad charged she let drug dealers loose. (Voters tend to assume women are more liberal than men and attacking women candidates as soft on crime has become a staple gendered attack on women running for office.) Mattson's negative campaign went beyond criticizing Wahl and dirty tricks—he misrepresented the facts. At a debate sponsored by the American Association of University Women (AAUW), Mattson said things that were blatantly untrue, while the outraged, well-informed women in the audience gasped in dismay.

Mattson's negative campaign was out of step with campaigns in Minnesota, but struck voters as particularly unseemly in a judicial race. It is important to remember that voters had almost no experience with judicial races at that time, let alone negative ones. Rosalie Wahl won despite Mattson's campaign and perhaps, in part, because of it. She became the tenth woman serving on a state supreme court in 1977 (Cook 1978: 102-103). Wahl easily retained her seat in the following election (1984). Perpich went on to appoint more women to judicial office than had been appointed by all of the previous governors of Minnesota combined. Justice Esther Tomljanovich recounted, "He appointed a lot of women without real big track records, and that was a real big risk, but it made a revolution" (Krueger 1994: 13). Until Wahl retired in 1994, the Minnesota Supreme Court was the first state in history to have a majority (4 of 7) of women justices (Molette-Ogden 1998). Kathleen Blatz, a Republican, became Minnesota's first woman chief justice in 1998. As noted by Connolly, "what once seemed unthinkable has become a yawn" (1994: 21).

Wahl had an enormous impact on the law, women's equality, the legal system, and legal education. She wrote 549 opinions over seventeen years. She looked at the judicial system from the bottom up, championing the underdog, the marginalized, and the outcast, such as

criminal defendants, the mentally ill, racial minorities, displaced homemakers, and rural residents. She believed Minnesota's constitution held the state government to a higher standard of rationality than the federal constitution held the national government and argued for a more expansive interpretation of individual rights than under the U.S. Constitution (Larson 2000). She wrote for the majority in holding that different penalties for crack and powder cocaine were unconstitutional in *State v. Russell* (477 N.W.2d 886 [Minn.1993]). Her opinions on race and sex discrimination were especially eloquent. She had what her former clerk, Jane Larson, called "her longest running struggle with other members of the supreme court" (2000; 2009) over how to interpret statutes allowing for the availability of permanent rather than rehabilitative maintenance for long-term homemaker spouses. Wahl would often say she thought men had trouble understanding the experience of a midlife woman whose husband is divorcing her (Watkins and Rothchild 1996: 178). As Court of Appeals Judge Harriet Lansing wrote:

Rosalie's law school education (and mine) was obtained during the years of the highly vaunted "reasonable man standard." As far as we could tell, the words meant what they said and extended some distance beyond tort liability. We noted right off the absence of reasonable women from the equation.... *Rosalie's opinions, in both her use of language and her analyses, often demonstrate a wider definition of reason that does not artificially omit or ostracize the effect of human emotions on perception and thought. She brings in the emotions to better focus the picture and, when relevant, incorporates them into the decision.* (Lansing 1995: 11, emphasis added)

Wahl mentored women clerks. She was a pivotal member of the National Association of Women Judges, which gave her its lifetime achievement award in 2004. She spearheaded and chaired the state taskforce on gender fairness and the courts; Minnesota was the sixth state to conduct such a study. She then went on to chair the racial bias taskforce. She was a longtime champion of the rights of the mentally ill. Wahl was the first woman to chair the American Bar Association's Accreditation Committee as well as the Section of Legal Education and Admissions to the Bar, where she shrewdly and skillfully put together the strategy for expanding clinical legal education (Juergens 2003). Minnesota Women Lawyers named its annual lecture in her honor.

WAHL AS A SYMBOL

Wahl touched a chord with women across the political spectrum and generated a grassroots mobilization to hold her seat, sparking an emotional response that energized heretofore politically inactive women. Announcements of appointments to the Minnesota Supreme Court generally garner little attention outside the legal community. Most people cannot name the justices on the court, and many citizens who vote do not vote on judicial elections, or simply follow the cue of the ballot designation of "incumbent" (Kritzer 2007). Usually, the announcement of an appointment is one day's news but Perpich, by announcing that he would appoint a woman but not identifying which woman, heightened the newsworthiness of the event. Moreover, the extended speculation over who Perpich would pick captured the attention of a wider community. The announcement of the appointment to thousands of women in St. Cloud who were gathered to debate the women's policy agenda guaranteed extraordinary attention to the appointment. In addition, although Wahl was not a DFL insider, she was well known in the wider feminist community. By enlisting the DFL Feminist Caucus and the Minnesota Women's Political Caucus, and not just Minnesota Women Lawyers, in the selection process, Perpich ensured that those groups would have a stake in Wahl's election.

Wahl's campaign not only organized through the League of Women Voters and AAUW and other women's groups for their \$10 per person events, but Wahl's speeches, beginning

with her speech to the Women's Convention in St. Cloud, made the connection between herself and all women, whether they struggled to win the vote or maintain their dignity after divorce. Immersed as she was in women's history and literature, and possessed of great poetic flair, Wahl's oratory broadened the meaning her appointment beyond the narrowly legal. Election night revelers sang, with feeling, their own version of the hymn, "SHE who would valiant be." Wahl always tied her appointment to the wider cause of women, and not just women's success in the legal profession, but also to women's wider aspirations for dignity and recognition. Her gendered appeals were to shared feminist ideals, rather than to her experience as a wife and mother, or a trailblazer in the legal profession.

Wahl was not just an individual or a woman. She was also an important symbol that drew women into the campaign, not just because of their personal connection to Wahl, but also because of what her position meant to them, and that meaning was complex. As I investigated Wahl's appointment, I conducted interviews with those who worked on the campaign, and I examined the historical materials in the Minnesota Historical Society collection. In the interviews, I expected activists to identify instrumental goals: that their policy achievements (rape shield laws, custody determined by the best interest of the child, equal pay, allowing the introduction of expert testimony on battered women's syndrome) were meaningless if men judges applied and interpreted laws indifferent to feminist arguments. But the interviews with activists did not mention these policy-implementation goals. Instead, those who devoted the most hours to the campaign, such as Rahn Westby, talked about their humiliations as women in law school and in the legal profession, and the visibility of the supreme court. Wahl, as one of seven justices, was not valued so much for bringing a feminist voice to the table, or engineering feminist outcomes, but for the visibility of the position. Like sending Sally Ride into space, Wahl's appointment would symbolize many things: that women's exclusion had dramatically ended, that women were smart and able to assume leadership positions, and that the feminist movement had arrived and had clout. Narrower legal goals took a back seat in activists' accounts.

Is the symbolic meaning of Wahl's appointment due solely to the fact that she was first? Would any woman in her position have generated this reaction, regardless of her personal qualities? Being first was important in Wahl's case, but not all firsts have the same symbolic meaning or emotional resonance to wider publics (Mossman 2006: 277-89; Sanger 1994; Salokar and Volcansek 1996: 12). Being first is a conventional media frame (Norris 1997: 161). This frame is a mixed blessing as it makes women's accomplishments newsworthy at the same time that it marks them as exceptional, coding the domain as appropriately male. Karlyn Kohrs Campbell once suggested to me that what matters is how the women who are firsts see themselves, whether they have a track record that makes them representative of women, and/or whether they are treated by men in such a way that they become representative of women in similar circumstances (personal communication, 11/30/2006). Wahl was all three. Many women recognized a historic breakthrough when Ronald Reagan appointed Sandra Day O'Connor to the Supreme Court. For those of us working in the field of women and the law, it was exciting, even if we had some ambivalence about O'Connor's legal philosophy and policy views (Cook 1982, 1991). The appointment of O'Connor, however, did not reach Sewell's threshold of "raising the emotional intensity of life" (1996: 845, 865).

The interviews with activists on Wahl's campaign, however, reveal an emotional intensity of a much higher magnitude. Twenty-five years later, women can describe the events like they were yesterday. For a few, the Wahl campaign was a highlight of their lives. And others can tell you where they were and what they were doing when they heard Perpich had named Wahl, suggesting an emotional intensity comparable to the Kennedy assassination or the Wellstone plane crash. This special emotional resonance is due more to the idiosyncratic personal qualities of Wahl and the historical timing of the feminist movement in 1977, and less to the fact that she was first. Her being first was important, but other firsts in other states or countries did not generate the outpouring of emotions one sees in the Wahl case. I moved

back to Iowa shortly after Linda Neuman was appointed to be the first woman on the Iowa Supreme Court in 1986, and few feminists could have even told you her name or when she had been appointed. Governor Brown's appointment of Rose Bird to serve not only as the first woman on the California Supreme Court, but as chief justice, ruffled a lot of feathers inside the court. Her positions, most importantly on the death penalty, generated several recall campaigns (Cook 2001; Medsger 1983; Stolz 1981). Wahl's appointment, however, unlike Bird's, had mobilized a community before the attacks came. And more importantly, Wahl had personally connected with constituents, something California judges did not routinely do since retention elections were rare. From the beginning, Wahl expected to have to win mass public support, and she campaigned accordingly. The idiosyncratic way Perpich selected and announced Wahl, and the campaign she had to immediately mount, may well have not only garnered the support she needed to hold her seat, but also deterred future campaigns against her. Bird did not have to mount such a campaign to ascend to the bench and perhaps she failed to mobilize supporters to retain her seat as a result? Wahl's case shows that women may share the same emotions of the time but those emotions remain latent unless exceptional circumstances conspire to activate them. And the circumstances require much more than the appointment of the first woman. I hypothesize that the Minnesota case differs so starkly from Iowa and California because of the circumstances of Wahl's selection and appointment, the rhetoric and campaign of Wahl herself, and the mobilization effect of the campaign to retain her seat.

No fixed meaning attaches to the mere fact of being the first woman. The meaning of such events must be constructed. Rosa Parks was the sixth person arrested in Montgomery for violating segregation laws, yet she became the symbol of the boycott. Sally Ride became a symbol not because she was the first woman in space but because she was an evangelist for women in science. The Stonewall riots were not the first; activists self-consciously constructed the riots' historical significance (Armstrong and Crago 2006). We can draw similar comparisons in the world of sports. Mia Hamm and Julie Foudy became not just heroes and spokespeople but also symbols, not because they were successful athletes, but because they constructed identities for themselves as missionaries for women and girls in sport. Other great athletes see themselves as individuals rather than role models or champions who build the sport or athletics more generally.

One should not overlook Wahl's agency in the creation of the symbolic meaning of her appointment and election. She deployed a keen emotional intelligence in her passion for social justice, her commitment to collective feminist action, and her rhetorical ability to call women to collective action through the use of women's history and poetry. As Aminzade and McAdam explain:

Although charismatic leaders often act in noninstrumental ways, the power and status enjoyed by leaders within movements is often connected to their ability to deploy emotional knowledge and define or manipulate emotion rules. The skills of effective leaders include an ability to assess emotional climates, induce mobilizing emotions that motivate followers by altering definitions of the situation, create/reconfigure emotion vocabularies, and transform emotion beliefs and feeling rules into moral obligations. Such leaders can accurately appraise the mood of bystander publics and authorities, seizing the appropriate time to act. (1995: 34-35)

By deliberately triggering such emotions in her constituents, Wahl as a political leader generated the enthusiasm that stimulated political involvement (Marcus and Mackuen 1993: 672). Yet, while we should credit Wahl's agency, we should also recognize the contingency of critical emotional events. As Goubin Yang explained for the Chinese student movement, "the dynamics of action do not follow such predetermined trajectories as may be predicted from underlying structural conditions" (2005: 94).

CREATING HISTORICAL MEANING: WOMEN WRITE TO WAHL

Wahl's papers at the Minnesota Historical Society include hundreds of congratulatory letters. The volume of these letters is astonishing for a judicial appointment.⁹ What did the appointment mean to these many writers? Women did not write that they now hoped for different judicial outcomes. Rather, they talked about the intensity of their emotional reaction. Most judicial appointments are one day's news, noticed only by the legal community. They do not produce hundreds of letters, such as the one below, recounting how the readers wept:

I've delayed this letter because I've had difficulty finding words to express the feelings of joy and inspiration I've felt since your appearance at the Women's Meeting. Even now, in recollection, my eyes mist over with tears—then my tears fell for nearly ten minutes. Whenever I'd begin to get hold of myself I'd glance up at Mary Peek, wiping her eyes, and begin anew. But such tears of total happiness are pleasant. (Judy, June 12, 1977)

This writer, however, went on to describe the significance of this event to her—not just as a woman and as a feminist who attended the St. Cloud meeting, but as a practicing lawyer who daily experienced judges who treated women badly and failed to grasp the harm in sex discrimination:

The reality of the appointments didn't strike me fully until last week. I was in trial before Judge Johnson in Stillwater and was constantly aware of the positive benefits of having women on the bench—the case, sex discrimination, has required a constant educational process for the bench.... Governor Perpich made a wise and brave choice appointing you, the most likely to speak for those of us who have so long been unheard—not only women, not only defendants—but all of us who fall into categories other than middle and upper-class white heterosexual males. (Judy, June 12, 1977)

Another writer commented in the same vein, noting that Wahl's appointment was a “tremendous breakthrough for all of us women in the legal profession” (Eleni Stevas, June 8, 1977). A different writer spoke yet again of an intense emotional response, but defined the meaning of the event somewhat differently, stating that Wahl's appointment reduced the social stigma of divorced women:

I do not have anything unique to add to the many expressions of joy heard over Minnesota Public Radio last evening at Joan's [Grove in St. Cloud] announcement. But I do want to say that many women in Minnesota are elated for a very special reason, and I think you should know that. We are the divorced, many of us not by choice, and we are coping as best we can in a society which is still confused about our status. (Funny, no one seems confused about the status of divorced men!) You have no doubt been a role model to generations of law students, and to many young feminists. But now you are giving us even one more reason to throw up our banners and rejoice. (Elin Malmquist Skinner, MWPC, June 4, 1977)

Another woman saw the meaning of Wahl's appointment as valuing older women more generally: “Reading about your career in the paper has given me hope for myself in later careers as well” (Linda Thirkelsen). To young women of ambition, Wahl's appointment meant hope for the future, as noted in the following letter:

We want to wish you a hearty *Congratulations!* on your appointment to the state Supreme Court.... I graduate from High School June 3rd. For it, my class voted me in to do a graduation speech.... I used you as an example in part of my speech about caring and involvement in what you are doing. After I got home, the McCuthehans were there for a reception I was having, and they had heard of your appointment on the radio. We did a lot of cheering and carrying on in the kitchen! (Rachel Tooker, Route 2, Cannon Falls, emphasis in original)

Many letter writers saw the appointment as a great sign of hope for all women, stating that “[you are an] example to women that they have a vital place in our society” (Ella in AAUW), and “tears of joy filled my eyes . . . as you said, the men don’t know everything.” Others more subtly expressed their satisfaction that the governor had not just appointed a woman, but a feminist and a woman devoted to the advancement of other women, such as Mary Ann Mattoon, who stated, “The woman’s movement feels you are sharing the honor with them” (June 22, 1977); and Marily Vogel, who wrote:

Such beautiful news. I cried when I read it in the newspaper. Truthfully, I did not dare hope that any mere male governor would have such supreme good wisdom and judgment. “Congratulations” is not the right word at all. Rather, it is a deeper joy—a selfish one on my part—that I want to express. . . . This historical appointment fell on the right woman, with the right philosophy. It’s almost too good to be true. (June 7, 1977)

Finally, other women wrote about how they felt inspired to press on and to refuse to accept gender-based restrictions in their lives, such as one who wrote, “[I] can’t imagine a greater boost for the women in Minnesota.” Another, referencing Wahl’s speech to the AAUW, noted that “it makes me want to go out and do something with my life,” while another penned, “It’s an exciting time to be a woman, isn’t it? Also at times discouraging, frustrating, and anger producing. Your appointment was one of the highlights and bright spots” (Arvonne Fraser).

The Minnesota Historical Society archives have four bulging folders of handwritten letters and telegrams of congratulations. In addition to the ones that express their deep emotion, and the one from the high school valedictorian I quoted above, I have two other favorites. One is from a high school girl who wrote saying:

I remember when you took the time to come to my house as I was writing a report for a class about women in the legal profession. I am thrilled with your appointment and you have made me see that I can do anything.

This letter is instructive for two reasons. Firstly, it shows the symbolic meaning women and girls attached to Wahl’s appointment and its emotional resonance for them. Secondly, it illustrates the sort of person Wahl was: a single mother of five, working as a lawyer, who took time to help a girl with a high school report. My second favorite letter is from a former student at William Mitchell who had failed the bar exam. He wrote that he knew Wahl was busy but asked if he could send her a question and answer and then discuss it with her so that he could try to pass in July. He reassured her that he was not “all work and no play” in studying to take the exam, finding plenty of time to go fishing. When I asked Wahl about this letter at an Historical Society event, hoping to share a teacher-to-teacher chuckle about the unreasonable demands of students, Wahl responded that she did not remember the student but that she was terribly worried about students who failed the bar exam, particularly students of color. She had thought hard about how the legal profession discards them after they have often incurred substantial debt for law school and she wanted to think systemically about the possible racial impacts of the bar exam. This concern for those who struggle, for minorities, and for new entrants to law was typical of Wahl.

In her work on narratives in social movement protests, Francesca Polletta argued that narratives work to create powerful incentives to participate in social movements because of the ambiguity rather than clarity of their frames (1998: 139; 2006). She showed how participants created a narrative of spontaneity for the lunch counter sit-ins of the civil rights movement that served important functions, much as it distorted how things actually happened.¹⁰ If Wahl was a symbol, then, to Minnesotans, what she symbolized was different for different people, allowing her to mobilize and connect with a broad and diverse group of women. As

well as being an historical event, a focusing event, a critical event, a critical emotional event, or even a transforming event, Wahl's election may have been what Aristide R. Zolberg (2002) called "a moment of madness," a time when new things are possible and politics moves from the instrumental to the expressive and the world stands still for a moment, a liminal moment (Yang 2005: 81). Sewell referred to these moments as "collective effervescence" (1996: 866). Clearly, the letter writers joined those I interviewed in expressing that level of exhilaration. Zolberg (2002) argued that such moments of madness are when big shifts happen that become irreversible. Rosalie Wahl's appointment meant that it was no longer possible to contemplate an all-male Supreme Court in Minnesota.

In her study of *Ms. Magazine*, Amy Farrell (1998) argued that readers expressed feminist identity and ownership through their letters and that *Ms.* surreptitiously subverted its restrictive dependence on sexist advertising by publishing extensive readers' critiques of its own ads. Those who wrote letters to Wahl were not writing letters to publish. But, like the letters to Wahl, Farrell found that many of the letters were deeply personal, asking not for publication but for what she calls an "understanding reading" (1998: 159).¹¹ The content was more appropriate for consciousness raising. What readers writing to *Ms.* and those writing to Wahl shared, however, was a sense that they shared an intense identification as part of the movement. That shared identity created an expectation that the reader, although perhaps a stranger, was simpatico, a kindred spirit, another feminist. Strangers wrote to Wahl *knowing* she would understand. Farrell argued that through their letters, even critical ones vehement with anger and betrayal, readers expressed a collective ownership of *Ms.* and an aspiration that it be the voice of the movement—their voice. The letters to Wahl were not merely the perfunctory congratulations of other luminaries or the happy outpourings of loved ones. Like the letters to *Ms.*, many letters to Wahl were from strangers or acquaintances, yet they shared the confidences of intimates. Jane Mansbridge defined feminism not as an organization, or aggregation of people, but as a discourse: "It is a set of changing, contested aspirations and understandings that provide conscious goals, cognitive backing, and emotional support for each individual's evolving feminist identity" (1995: 27). Wahl was a leading feminist, a fellow traveler in the movement. The emotion expressed in the letters grew out of more than admiration for an individual's success or hope to see one's name in print. It reflected a particular historical moment, where personal reflection was feminist theorizing, and where participants recognized each other and saw connections even if they were strangers. Wahl, like *Ms. Magazine*, actively encouraged such identification, by being an active and visible presence in many second wave feminist organizations in Minnesota and by the rhetoric in her speeches, writings, and even individual notes. She framed the significance of her appointment to connect it with the trajectory of women's rights, and she explicitly framed it also as an emotional appeal (Goodwin, Jasper, and Polletta 2001: 7).

These elements did not exist as uniformly in 2008 for either Hillary Clinton or Sarah Palin. Although many women empathized with Palin's struggles as a new mother, recognized a clear double standard between questions about her parenting and Barack Obama's, and worried that the media's close scrutiny of her family might deter women from seeking public office, they did not see her as part of the women's movement, nor did they feel that she understood and could speak for them. She energized the Republican base, but failed to attract women moderates and Democrats. Although Hillary Clinton identified as a feminist, had a long track record of working for the policies of the women's movement, and had survived deeply misogynistic attacks from the media and voters, many leading feminists supported Obama, and others expressed profound ambivalence about her (see *Politics & Gender* 5(1); Morrison 2008). Women candidates have often benefited from public perceptions that they are more moral, less corrupt, and bring to office different modes of doing politics than men. People who met Rosalie Wahl felt deeply that she was sincere, not just another politician telling them what she thought they wanted to hear. One letter writer declaimed, "She's just so *human*" (emphasis added). Some supporters had that same experience with Clinton, and to a lesser

degree Palin. But many felt a sense of unease that the candidates were using gender to manipulate them, as the kind of symbolic politics Edelman (1967) and Flanders (2004) warned about. They feared that neither of these women would really change things for women and politics as usual would continue. Wahl's tragic life story, her commitment to social justice, her devotion to the advancement of all women rather than merely to her own ambition, and the rhetoric of her speeches combined with the idiosyncratic elements of her appointment—the extended search for “the” woman, the announcement at St. Cloud, and the gendered campaign against her—all contributed to making her case a critical emotional event.

RETHINKING SYMBOLS, EMOTIONS, AND SOCIAL MOVEMENTS

Conceptualizing politics in conventional distributive terms as “who gets what how” helps explain Perpich's decision to appoint a woman, his selection of Wahl, and Wahl's electoral success. Perpich recognized women as an important constituency within the DFL and their political power was rising, as yet largely unchecked by the radical right. As resource mobilization theory would encourage us to recognize, women, as an interest group or social movement, drew on Wahl's connections through Quaker circles, the William Mitchell College of Law, the public defenders' office, progressive politics, and feminism and mobilized grassroots support, capturing the support of political elites once Wahl had ascended to the bench. Moreover, the challengers' negative campaigns backfired. Also, research on women and electoral politics, which focuses on barriers to office for women candidates (money, the lack of party leaders' support, the gender gap in political ambition, etc.) are relevant to this case. Many of the documented stereotypes and double binds facing women candidates were present. Wahl's opponents cast her as “soft on crime,” and tried to devalue her credentials and experience—even casting her as a bad mother.

But such a narrow view of politics would miss many of the important discursive dimensions of this historical event and, perhaps more importantly, miss the key ingredients that are necessary if one wants to replicate this success elsewhere, either in other states or in other countries. Perpich wanted to appoint women to the executive branch, but had not specifically formulated his goals for the judiciary. He did, however, want to promote outsiders. Strategic feminist activists helped him to connect those dots and orchestrated a commitment from him—one that they, supported by women journalists, held him to. Women felt overworked, undervalued, and excluded within the DFL. Those entering the legal profession felt humiliated, abused, and thwarted in their ambitions. Women felt strongly that their talents were not recognized nor that they could reach their dreams and the Wahl appointment and campaign drew on these powerful emotions. It would also be a mistake not to take seriously what those who participated as activists and voters said about the meaning of this election to them. The election was not about merely supporting an individual one felt connected to, although that was a key part of the mobilization; this election was about all women. The election had a symbolic meaning and a deep emotional resonance.

Social movement scholars who seek to bring emotion into the study of social movements focus on anger, moral outrage, or shock (Hercus 1999). As Jasper notes:

The women's movement of the late 1960s had, as part of its central mission, to create, legitimate, and name women's anger. In thousands of consciousness-raising groups women learned to feel less guilty about their resentment toward husbands, fathers, employers, and others.... As Arlie Hochschild wrote of this process, “Social movements for change make ‘bad’ feelings okay, and they make them useful. Depending on one's point of view, they make bad feelings ‘rational.’ They also make them visible.” According to Verta Taylor and Nancy Whittier, women's groups regularly try to transform negative feelings that many women have due to their structural positions, including depression, fear, and guilt. (1997: 186)

The emotions at play in Wahl's case were slightly different. Women were angry and felt a sense of injustice, to be sure. They had grievances large and small of slights and discrimination and exclusion. Other emotions were also at work—ones that social movement scholars should pay more attention to. First was the sense of hope and opening—of the kind that McCann (1994) recognized in comparable worth activists, Jasper (1997: 36-37) sees in Russian revolutionaries, and Meyer and Boutcher (2007) identified in activists after *Brown v. Board of Education*. The impossible is within reach, not merely utopian. Aminzade and McAdam argued that “it is only when anger gets joined with hope that the forms of action we normally associate with social movements and revolutions are apt to take place” (1995: 32). The symbol of the pinnacle of an all-male domain—the elite practice of law and the corridors of political power—being open to women, or at least to one woman, inspired the women of Minnesota. In this case, the fact of being first is relevant, if not decisive, for creating that sense of hope and opening. In the electoral context, hope makes people more attentive to information and more likely to follow a race (Just, Crigler, and Belt 2007: 247).

The second emotion is more difficult to articulate. Many women had a strong sense that disappointment was our lot, that we would always stand behind doors that were closed, and that we dare not even acknowledge the disappointments of unmet ambition or the fury at humiliations because to do so would be to rage against the laws of the universe. But suddenly, the laws of that universe appeared to be not so rigid after all. The oft-repeated statement that before second wave feminists created the term “sexual harassment” (or stalking, or domestic violence, or date-rape), we just called it “life,” captures this phenomenon. This reframing is not just cognitive but emotional as well. When women say they wept, it was because Wahl's success was not just an inspiration to hope and joy for the possibilities of the future, but it tapped into the connections between the pain of leading the gendered life as an individual and the pain of our collective suffering. These two linked emotions are at work in this case, and only by recognizing them can we make sense of the depth of women's emotional response and its seemingly diffuse focus—different writers said “girls can do anything,” “there's life after divorce,” “women who take up careers in mid-life are not losers,” and “women now have a shot, if a long-one, at the top positions in law and politics.”

According to Benedict Carey (2008), “short, emotionally charged narratives—story fragments, or a certain kind—can travel through a population faster than any virus and alter behavior on a dime.” We have examples of how emotional reactions to events turned the tides in two different campaigns Hillary Clinton waged. In a debate during her first run for the U.S. Senate, her opponent, Representative Rick Lazio, pressed himself into her space, demanding that she sign a pledge. Lazio's boorishness drew support for her from many women who were leery of the first lady up to that point. During her presidential campaign, the night before the New Hampshire primary, when Senator Clinton's voice quavered in response to a question about where she finds strength to carry on, “her display of emotion brought her gender front and center. That led more women to identify with Clinton” (Begley 2008: 36). As political pollster John Zogby said, “When she showed emotion, they said, ‘Her struggle is mine.’ They related to her” (Begley 2008: 36).

Many parallels exist between the emotions relevant to the women's movement and gay rights. Armstrong and Crage (2005) document routine police brutality; police beat gays with impunity. The magnitude of gays' grievances cannot explain the timing of the Stonewall riots in 1969. Nor were the Stonewall riots the first—rioting had broken out before following police raids, but activists in Los Angeles and San Francisco were ambivalent about allying with prostitutes and drag queens and appearing to endorse lawlessness. By the time of Stonewall, however, the movement had developed greater organizational capacity and had been inspired by the more confrontational politics of the civil rights movement, student movement, and antiwar movement. Being a woman is not against the law as homosexual conduct was, yet women, like gays, also had grievances with the police's treatment of them as victims of rape and domestic violence. Armstrong and Crage's account of the emotions of the first march

commemorating Stonewall has parallels with the thousands of Minnesota women who met in St. Cloud and then Houston to call for a new agenda of women's rights:

Activists discovered that bringing homosexuals together in public had a magical emotional impact—the ritual created collective effervescence by visually and experientially counteracting the view that homosexuality is private and shameful. . . . The most emotional moment the first year in New York occurred when marchers entered the Sheep Meadow in Central Park and turned to look at the oncoming parade. “Wave on wave of gay brothers and sisters were advancing into the meadow and spontaneous applause seized the early marchers. . . . For all of us who have been slowly climbing for years toward our freedom, this one last hill which let us look across our dear brothers and sisters was a cup running over.” A parade proved to be ideal for the affirmation of gay collective identity and for the production of feelings of pride central to the emotional culture of the movement. (Armstrong and Crago 2005: 742)

Wahl's appointment and election induced pride in women supporters—pride in the success of a woman after so much exclusion, and pride in being a woman and in being part of a collective movement.

The second parallel to the emotions of the gay rights movement is the conversion of shame, despair, and anger into a politically mobilizing anger. Obviously, women's experience of oppression is different than gay men's suffering with AIDS. Nonetheless, both groups have suffered life-threatening governmental neglect. Similarly, the grief women experienced over deaths from domestic violence, for example, would not be translated into political theater with events such as the Clothesline Project until much later. Still, the transformation of paralyzing grief and shame into a mobilizing anger for policy change has parallels in the women's movement's demand for women's inclusion in politics, public life, and the workplace. The point is not that the grievances are the same, but that the relevance of the emotional dimension to both is important.

Political reality is constituted symbolically through language (Burnier 1994: 241; Edelman 1967, 1971, 1988). As Gusfield pointed out, if one shrinks the realm of the political to merely the distribution of material resources, then issues such as temperance, fluoridation, and domestic communism (and more recently abortion, gun control, and gay marriage) appear as “irrational” deviations from “real” politics (the opposite of symbolic being real). But if one, as Gusfield did, takes seriously status politics, viewing the fight over temperance as one of tradition against modernity, of the native countryside against the immigrant city, or of the Protestant against the Catholic, then emotional clashes over status are central to politics rather than irrational deviations from it (Gusfield 1986: 11). As he wrote, “since governmental actions symbolize the position of groups in the status structure, seemingly ceremonial or ritual acts of government are often of great importance to many social groups” (Gusfield 1986: 11). He describes the emotions generated when groups make greater claims to prestige than they have in the past and the prestige givers do not recognize the new claims (Gusfield 1986: 18). Sewell adds to this argument that a structural rearticulation can only be definitive when it has the sanction of the pinnacle of state authority (1996: 874). Perpich's choice of Wahl sanctioned the importance of the women's movement and women in public life.

When thousands of Minnesota women gathered to advance their claims for greater status in preparation for the Houston conference, what better indicator of their rising status than an appointment of the first woman to the Minnesota Supreme Court? Wahl's was not a routine appointment, given to notice only within the legal community. It was a signal of a significant change in status, not just for women lawyers or women switching courses at mid-life, but all women in Minnesota. This unique sequence of events would not have been true of any first, or even of a first at a different historical moment, although the breakthrough quality of the first is clearly relevant. The symbolic meaning of a woman appointed to high judicial office is highly variable, depending on the individual involved, the timing, and many other factors. Even those knowledgeable about European Community law probably could not name the first

women judges of the European Court of Justice. And only a handful of feminists in the legal community celebrated the hard-fought appointment of Brenda Hale to the House of Lords (Kenney 2004). Rose Bird, the first woman to serve on the California Supreme Court, for example, appears to not have generated a comparable mobilization of support and could not hold her seat when challenged by powerful forces. If we want to replicate and diffuse the success—make the exclusion of women from high judicial office unacceptable—scholars and activists would be well advised to go beyond studying the judicial selection process and even the women’s movement, but pay special attention to the activation of the symbolic meaning of the appointment which, in some circumstances, creates such a powerful emotional response that it galvanizes a grassroots movement. Women running for elective office, too, should learn how they can successfully trigger this far-from-automatic response among women voters. The case of Rosalie Wahl, then, points the way to thinking about the importance of symbols and emotions in understanding politics and social change.

The case also has some lessons for thinking about gender and women and electoral politics more generally. Too often, political scientists use gender as synonymous with sex and look for generalizable patterns of women running for office (Sapiro 1993). The Wahl case shows, however, that while opponents use the gender of women against candidates in predictable ways, and voters may share certain stereotypes, gender shapes each woman’s (and man’s) candidacy in unique ways. As Sapiro shows, gender shaped how Margaret Thatcher was constructed as a leader by cabinet colleagues, voters, and the media, but it is not the same as how Nancy Pelosi’s leadership is gendered or Benazir Bhutto’s. Fidelma Macken, the first woman judge on the European Court of Justice, refused my request for an interview about her role as first. Her staff relayed that she wanted to frame her appointment as being just the next Irish judge and downplay the meaning attached to her being the first woman. Not only do not all women candidates “run as a woman,” but not all women candidates are the women’s candidate. Rosalie Wahl was a divorced mother of five who went to law school later in life. She had been active in traditional women’s political issues, such as libraries and PTA, but also was active in women’s legal and professional association, and newly emergent radical feminist groups. No one doubted her commitment to feminism or women’s collective fate. Moreover, in her speeches, she repeatedly reached out to women, making references to Elizabeth Cady Stanton and struggles for suffrage. But her winning coalition also included progressives and those devoted to social justice, outsiders and reformers, public defenders, civil libertarians, and those in the peace movement. This case, then, not only provides a window into how gender emerged in a judicial race, but it shows how one woman constructed her gendered identity to not just appeal to women voters but to mobilize women as active supporters. She did so not by promising symbolic or substantive representation, but by shaping the meaning of the event to be about all women. As a symbol, her election operated both cognitively and more importantly, emotionally.

NOTES

¹ Our theories would benefit from more cross-fertilization between social movement scholars who study the significance of emotions and political scientists who study the role of emotions in campaigns and elections. Suzanne Staggenborg, while recognizing the importance of Reagan’s election in 1980, for example, does not treat elections as critical events. This case demonstrates that elections can be critical events, although they are not necessarily so.

² When I began work on this project, I conceptualized it as a straightforward exercise in policy implementation. Feminists knew it was pointless to pass legislation on domestic violence, for example, if the judges interpreting and applying the law thought it was okay for men to beat their wives. To make progress, feminists needed to ensure to open the judiciary to women. The letters, however, took me by surprise, even despite what I had learned from the interviews. As a political scientist, I was determined to frame this issue as one of building an electoral coalition of interested parties. But in retrospect, I realized that what drove me to the material was my own emotional reaction to and emotional connection with Justice Wahl. In 1996, Rosalie Wahl spoke at a breakfast series I organized entitled “Women Leading Change.” (I was new to Minnesota and had been hired to co-direct the Center on Women and Public Policy in 1995.) Wahl’s eyes welled up with tears as she relayed how Koryne Horbal had grabbed her hand at the St. Paul reception just after Governor Perpich appointed her to the Minnesota Supreme Court and said, “Thank

you for being ready.” Her story made me think of all the women in history who have prepared in anticipation of greater equality for women whose hopes and dreams were never realized—because they could not be admitted to law school or the practice of law, because they could earn a Ph.D. but never secure an academic appointment (Kerr Conway 1994), or because they would train as a professional athlete but never have a team to play on. Like so many before me, I immediately developed a deep affection and admiration for Justice Wahl. Driving in from Lake Elmo, a distant suburb, to talk to public policy students at the crack of dawn, gratis, was just the sort of thing she did all the time—going the extra mile to mentor, encourage, and support women. I attended an annual meeting of the Minnesota Women’s Consortium where the comedian who entertained us quipped that she was glad to see Justice Wahl there because she knows “she doesn’t get out much.” Everyone laughed because even in retirement, it seemed like she was everywhere—still often out in every kind of weather protesting the war in Iraq or speaking to college students at an organization she helped found called Leaders of Today and Tomorrow.

When I first heard Wahl speak, and observed her own emotional reaction to recounting the woman’s emotionally charged remark, “thank you for being ready,” I was deeply moved. I am moved each time I reread her story. The second emotional trigger for me has been my own relationship with Justice Wahl. After I wrote to her sending her an article I had written about women in political science she wrote back a personal note saying,

Already a deep sentence has caught my eye! “It is vital for the survival of feminists and feminist theory that each of us find or create a context in which our work is valued, where we can participate in the production of knowledge, and where we are treated and respected as colleagues with particular expertise rather than eccentrics (or madwomen).” Please consider me a part of your context. I would be honored.

Wahl possessed an amazing capacity to meaningfully connect with others from law clerks, to law students, to clients, to fellow activists, to her colleagues on the bench. She believed in collective action and working together as a movement. Choosing to support Wahl for supreme court justice, voters could be assured that she would not pull the ladder up behind her but use her position to not just work for change within the institution and the legal community, but use her status to promote and inspire others. This quality of generous engagement in others’ lives, without thought to their status, importance, or utility to her, was a powerful resource as activists created a grassroots campaign. All those who had contact with her wanted to answer her call.

In her letter to me, the first editor who rejected this piece noted the repulsion reviewers felt for my inclusion of my own emotional response to Wahl as evidence of any sort, finding it “a bit too personal.” She continued, “While it is clear that you were deeply affected by her appointment, it is equally important, as a scholar, to stand back from that experience to evaluate the events somewhat more dispassionately.” Another review wrote, “I am not convinced that relying on the author’s own emotional response to understanding the problem is defensible.” I was not a participant in the events I studied, rather, my emotional reaction was to learning about the event after: interviewing the participants, reading the historical files, and reading the letters. Yet I believe the editor’s reaction to be a typical of our intuition that emotions are illegitimate and unimportant and, whether they appear on behalf of social movement actors or scholars, cloud judgment.

³ Social movement scholars recognize the dark side of emotion work as conscious manipulation, for example, in the case of the Cultural Revolution in China (Perry 2002) or recognize scapegoating in stressful settings (Morgan 1995). Judges and legal scholars worry that victim impact statements will import emotions into sentencing decisions (Schuster and Proppen 2010).

⁴ Ron Aminzade and Doug McAdam (2001: 28-29) argue that the shift in the 1960s from civil rights to Black Power was as much a shift in emotional tone as ideological orientation. See also Goodwin, Jasper, and Polletta 2000: 73.

⁵ Political scientists who study emotions in electoral politics recognize that campaigns call forth different emotional responses and appeal to different emotions (Marcus and Mackuen 1993). Mary Law Schuster and Amy Proppen (2010) document how judges respond differently to different emotional appeals in victim impact statements: grief, anger, or compassion, and show how the emotions of battered women are suspect while those of sexual assault victims more readily accepted. See also Martin, Schrock, Leaf, and Von Rohr 2007.

⁶ The Wahl appointment and the promotion of women within his administration was not just responding to a constituency for Perpich, or comporting with an ideological commitment to women’s equality. Perpich felt this issue deeply. As a grocery delivery boy on the range, he had come to many back doors to deliver to housewives with black eyes and he felt passionately about equal pay.

⁷ For an example of speaking bitterness, three women judges discuss the sexism they experiences in law school, including Justice Ruth Bader Ginsburg (2009).

⁸ I interviewed Justice Wahl many times formally and informally for this article. She made this remark in an interview in July, 2006.

⁹ I hypothesize that the number of letters women firsts receive varies enormously. It would be interesting to compare the letters the first women state supreme court judges received as well as to compare congratulatory letters to Francis Perkins, Janet Reno, and Madeleine Albright with those their predecessors received. News coverage of judicial appointments varies enormously crossculturally. In the U.K., for example, judicial appointments, even the appointment of the first woman to the House of Lords, generate far less coverage than in the U.S. (Kenney 2008).

¹⁰ Elizabeth A. Armstrong and Suzanna M. Cragge make a similar claim about the Stonewall story, noting that “the Stonewall story is thus an achievement of gay liberation rather than an account of its origins” (2006: 724).

¹¹ The emotional outpourings Kim analyzes from the graveside journals following a suicide incited readers to recommit to social protest. They asked not for an understanding reading, but more like a promise to the universe (2002).

REFERENCES

- Aminzade, Ron, and Doug McAdam. 2001. "Emotions and Contentious Politics." Pp. 14-50 in *Silence and Voice in the Study of Contentious Politics*, edited by Ron Aminzade, Jack A. Goldstone, Doug McAdam, Elizabeth J. Perry, William H. Sewell, Jr., Sidney Tarrow, and Charles Tilly. New York: Cambridge University Press.
- . 2002. "Emotions and Contentious Politics." *Mobilization* 7(2): 107-109.
- Armstrong, Elizabeth A., and Suzanna M. Crage. 2005. "Movements and Memory: The Making of the Stonewall Myth." *American Sociological Review* 71(October): 724-51.
- Auerbach, Laura K. 1984. *Worthy to Be Remembered: A Political History of the Minnesota Democratic-Farmer-Labor Party—1994-1984*. Minneapolis, MN: Democratic-Farmer-Labor Party of Minnesota.
- Bandes, Susan A. 1999. "Introduction." Pp. 1-15 in *The Passions of Law*, edited by Susan A. Bandes. New York: New York University Press.
- . 2008. "The Heart Has its Reasons: Examining the Strange Persistence of the American Death Penalty." *Studies in Law, Politics, and Society* 42(1): 21-52.
- Barbalet, J.M. 2002. "Secret Voting and Political Emotions." *Mobilization* 7(2): 129-140.
- Begley, Sharon. 2008. "When It's Head versus Heart, the Heart Wins." *Newsweek*. February 11.
- Bell, Derrick. 1992. *Faces at the Bottom of the Well: The Permanence of Racism*. New York: Basic Books.
- Boneparth, Ellen. 1977. "From Lickin and Stickin to Strategy." *American Politics Quarterly* 5(3): 289-300.
- Burnier, DeLysa. 1994. "Constructing Political Reality: Language, Symbols, and Meaning in Politics." *Political Research Quarterly* 47(1): 239-53.
- Carey, Benedict. 2008. "The Crying Game and the Political Herd." *New York Times*. January 13.
- Clark, Mary L. 2002. "Changing the Face of the Law: How Women's Advocacy Groups Put Women on the Federal Judicial Appointments Agenda." *Yale Journal of Law and Feminism* 14(2): 243-54.
- Connolly, Carol. 1994. "How Rosalie Wahl got to be Queen." *Law and Politics* 2: 20-21.
- Conway, Jill Kerr. 1994. *True North: A Memoir*. New York: Vintage Books.
- Cook, Beverly Blair. 1978. "Women Judges: The End of Tokenism." Pp. 84-105 in *Women in the Courts*, edited by Winifred L. Hepperle and Laura Crites. Williamsburg: National Center for State Courts.
- . 1982. "Women as Supreme Court Candidates: From Florence Allen to Sandra O'Connor." *Judicature* 65(6): 314-26.
- . 1991. "Justice Sandra Day O'Connor: Transition to a Republican Court Agenda." Pp. 238-75 in *The Burger Court: Political and Judicial Profiles*, edited by Charles M. Lamb and Stephen C. Halpern. Buffalo, NY: SUNY Press.
- . 2001. "Rose Bird." American Biography Online. Retrieved July 1, 2009 (<http://www.amb.org.floyd.lib.umn.edu/articles/11/11-01013-print.html>).
- Cooper, Laura. 1994. "Oral History of Rosalie E. Wahl Associate Justice Minnesota Supreme Court." Interviewed August 17, 1994 by Laura Cooper, Professor of Law, University of Minnesota Law School. Transcript edited and annotated by Laura J. Cooper and Stacy Doepner-Hove, Executive Director, Minnesota Women Lawyers 1999.
- Dean, John W. 2001. *The Rehnquist Choice: The Untold Story of the Nixon Appointment that Redefined the Supreme Court*. New York: Free Press.
- Edelman, Murray. 1967. *The Symbolic Uses of Politics*. Urbana: University of Illinois Press.
- . 1971. *Politics as Symbolic Action: Mass Arousal and Quiescence*. Madison, WI: Institute for Research on Poverty.
- . 1988. *Constructing the Political Spectacle*. Chicago: University of Chicago Press.
- Elazar, Daniel, Virginia Gray, and Wy Spano. 1999. *Minnesota Politics*. Lincoln: University of Nebraska Press.
- Elder, Charles D., and Roger W. Cobb. 1983. *The Political Uses of Symbols*. New York: Longman.
- Etzioni, Amitai. 1988. *The Moral Dimension: Toward a New Economics*. New York: Free Press.
- Evans, Sara. 2003. *Tidal Wave*. New York: The Free Press.
- Farrell, Amy. 1998. *Yours in Sisterhood: Ms. Magazine and the Promise of Popular Feminism*. Chapel Hill: University of North Carolina Press.
- Flam, Helena, and Debra King (eds). 2005. *Emotions and Social Movements*. New York: Routledge.
- Flanders, Laura. 2004. *BushWomen: Tales of a Cynical Species*. New York: Verso.
- Fraser, Arvonne. 2007. *She's No Lady: Politics, Family, and International Feminism*. Minneapolis: Nodin Press.

- Freeman, Jo. 2000. *A Room at a Time: How Women Entered Party Politics*. New York: Rowman and Littlefield.
- Frye, Marilyn. 1983. *The Politics of Reality: Essays in Feminist Theory*. Trumansburg, NY: The Crossing Press.
- Ginsburg, Ruth Bader. 1994. "The Progression of Women in the Law." *Valparaiso University Law Review* 28: 1161-82.
- . 2009. Interview by Linda Greenhouse. Retrieved August 19, 2009 (http://www.radcliffe.edu/events/calendar_2009law.aspx).
- Goodwin, Jeff, James M. Jasper, and Francesca Polletta. 2000. "The Return of the Repressed: the Fall and Rise of Emotions in Social Movement Theory." *Mobilization* 5(1): 65-84.
- Goodwin, Jeff, James M. Jasper, and Francesca Polletta (eds). 2001. *Passionate Politics: Emotions and Social Movements*. Chicago: University of Chicago Press.
- Gould, Deborah B. 2002. "Life During Wartime: Emotions and the Development of Act Up." *Mobilization* 7(2): 177-200.
- Guinier, Lani. 2003. "Of Gentlemen and Role Models." Pp. 228-49 in *Critical Race Feminism*, edited by Adrien Wing. New York: New York University Press.
- Gusfield, Joseph R. 1986. *Symbolic Crusade: Status Politics and the American Temperance Movement*, 2nd edition. Urbana: University of Illinois Press.
- Harris-Lacewell, Melissa. 2007. "Do You Know What it Means... Mapping Emotion in the Aftermath of Katrina." *Souls* 9(1): 28-44.
- Hercus, Cheryl. 1999. "Identity, Emotion, and Feminist Collective Action." *Gender & Society* 13: 34-55.
- Jasper, James M. 1997. *The Art of Moral Protest: Culture, Biography, and Creativity in Social Movements*. Chicago: University of Chicago Press.
- Juergens, Anne. 2003. "Essay Collection: Thirty Years of Clinical Legal Education at William Mitchell College of Law: Rosalie Wahl's Vision for Legal Education: Clinics at the Heart." *William Mitchell Law Review* 30(1): 9-34.
- Just, Marion, Ann N. Crigler, and Todd L. Belt. 2007. "Don't Give up Hope: Emotions, Candidate Appraisals, and Votes." Pp. 231-59 in *The Affect Effect: Dynamics of Emotion in Political Thinking and Behavior*, edited by W. Russell Neuman, George E. Marcus, Ann N. Crigler, and Michael MacKuen. Chicago: University of Chicago Press.
- Katzenstein, Mary. 1998. *Faithful and Fearless: Moving Feminist Protest Inside the Catholic Church and Military*. Princeton, NJ: Princeton University Press.
- Kenney, Sally. 2003. "Where is Gender in Agenda Setting?" *Women and Politics* 25(1-2): 179-207.
- . 2004. "Britain Appoints First Woman Law Lord." *Judicature* 87(4): 189-190.
- . 2008. "Gender on the Agenda? How the Paucity of Women Judges Became an Issue." *Journal of Politics* 70(3): 717-735.
- Kim, Hyojoung. 2002. "Shame, Anger, and Love in Collective Action: Emotional Consequences of Suicide Protest in South Korea, 1991." *Mobilization* 7(2): 159-176.
- Klaphake, Roger M. 1993. "Minnesota Court System." Pp. 205-21 in *Perspectives on Minnesota Government and Politics*, 3rd edition, edited by Carolyn M. Shrewsbury and Homer E. Williamson. St. Paul, MN: Burgess Publishing.
- Klatch, Rebecca E. 1988. "Of Meanings and Masters: Political Symbolism and Symbolic Action." *Polity* 21(1): 137-154.
- Kritzer, Herbert M. 2007. "Law is the Mere Continuation of Politics By Different Means: American Judicial Selection in the 21st Century." *DePaul Law Review* 56: 423-67.
- Kronebusch, Phillip. 1998. "Minnesota Courts: Basic Structures, Processes, and Policies." Pp. 91-123 in *Perspectives on Minnesota Government and Politics*, 4th edition, edited by Steve Hoffman, Homer Williamson, and Kay Wolsborn. Boston: Burgess Publishing.
- Krueger, Christine. 1994. *Three Paths to Leadership: A Study of Women on the Minnesota Supreme Court*. St. Paul, MN: Hamline University Graduate School.
- Lacey, Carol. 1977. "Women wept, cheered at Wahl's appointment." *St. Paul Dispatch*. A1. January 16.
- Lang, Kurt. 1964. "Review of *Symbolic Crusade: Status Politics and the American Temperance Movement*." *American Sociological Review* 29(5): 768-69.
- Lansing, Harriet. 1995. "A Tribute to Rosalie Wahl." *William Mitchell Law Review* 21(1): 11-12.
- Larson, Jane. 2000. "The Jurisprudence of Justice Rosalie Wahl." Pp. 9 in *The Social Justice, Legal and Judicial Career of Rosalie Erwin Wahl*, edited by Marvin Roger Anderson and Susan K. Larson. St. Paul, MN: Minnesota State Law Library.

- Larson, Lisa, and Deborah K. McKnight. 1988. *Judicial Selection and Retention: Minnesota and Other States*. Report to the Minnesota Legislature. St. Paul, MN.
- Leege, David C., and Kenneth D. Wald. 2007. "Meaning, Cultural Symbols, and Campaign Strategies." Pp. 291-315 in *The Affect Effect: Dynamics of Emotion in Political Thinking and Behavior*, edited by W. Russell Newman, George E. Marcus, Ann N. Crigler, and Michael Mackuen. Princeton, NJ: Princeton University Press.
- Levine, Harry G. 2000. "Joseph Gusfield and Cubist Sociology." Paper prepared for the panel: "Symbolic Crusade: The Symbolic/Constitutive Power of Law, Then and Now" (on the book *Symbolic Crusade* and the work of Joseph R. Gusfield) at the Law and Society Meetings, Miami, May 27.
- Lewin, Ellen. 1998. *Recognizing Ourselves: Ceremonies of Lesbian and Gay Commitment*. New York: Columbia University Press.
- Mansbridge, Jane. 1995. "What is the Feminist Movement?" Pp. 27-34 in *Feminist Organizations: Harvest of the New Women's Movement*, edited by Myra Marx Ferree and Patricia Yancey Martin. Philadelphia: Temple University Press.
- Marcus, George E., and Michael Mackuen. 1993. "Anxiety, Enthusiasm, and the Vote: The Emotional Underpinnings of Learning and Involvement During Presidential Campaigns." *American Political Science Review* 87(3): 672-85.
- Martin, Elaine. 2004. "Gender and Presidential Judicial Selection." *Women and Politics* 26(3/4): 109-129.
- Martin, Patricia Yancey, Douglas Schrock, Margaret Leaf, and Carmen Von Rohr. 2007. "Rape Work: Emotional Dilemmas in Work with Victims." Pp. 44-60 in *The Emotional Organization: Passion and Power*, edited by Steve Fineman. London: Blackwell.
- McCann, Michael W. 1994. *Rights at Work: Pay Equity Reform and the Politics of Legal Mobilization*. Chicago: University of Chicago Press.
- Medsker, Betty. 1983. *Framed: The New Right Attack on Chief Justice Rose Bird and the Courts*. New York: The Pilgrim Press.
- Meyer, David S., and Steven A. Boutcher. 2007. "Signals and Spillover: *Brown v. Board of Education* and other Social Movements." *Perspective on Politics* 5(1): 81-93.
- Molette-Ogden, Carla E. 1998. "Female Jurists: The Impact of Their Increased Presence on the Minnesota Supreme Court." Unpublished doctoral dissertation, Washington University.
- Morgen, Sandra. 1995. "It Was the Best of Times, It Was the Worst of Times: Emotional Discourse in the Work Cultures of Feminist Health Clinics." Pp. 234-47 in *Feminist Organizations: Harvest of the New Women's Movement*, edited by Myra Marx Ferree and Patricia Yancey Martin. Philadelphia: Temple University Press.
- Morrison, Susan (ed). 2008. *Thirty Ways of Looking at Hillary*. New York: HarperCollins.
- Mossman, Mary Jane. 2006. *The First Women Lawyers: A Comparative Study of Gender, Law and the Legal Professions*. Portland, OR: Hart.
- Norris, Pippa. 1997. "Women Leaders Worldwide: A Splash of Color in the Photo Op." Pp. 149-165 in *Women, Media, and Politics*, edited by Pippa Norris. New York: Oxford University Press.
- Nussbaum, Martha C. 2001. *Upheavals of Thought: the Intelligence of Emotions*. New York: Cambridge University Press.
- Perry, Elizabeth J. 2002. "Moving the Masses: Emotion Work in the Chinese Revolution." *Mobilization* 7(2): 111-128.
- Polletta, Francesca. 1998. "It Was Like a Fever?: Narrative and Identity in Social Protest." *Social Problems* 45(2): 137-159.
- . 2006. *It Was Like a Fever: Storytelling in Protest and Politics*. Chicago: University of Chicago Press.
- Pruitt, Mary Christine. 1987. *Women Unite! The Modern Women's Movement in Minnesota*. Unpublished doctoral dissertation, University of Minnesota.
- Remington, Judy. 1991. *The Need to Thrive*. St. Paul, MN: Minnesota Women's Press.
- Robnett, Belinda. 2004. "African American Women in the Civil Rights Movement: Spontaneity and Emotion in Social Movement Theory." Pp. 65-95 in *No Middle Ground: Women and Radical Protest*, edited by Kathleen M. Blee. New York: New York University Press.
- Rochon, Thomas R. 1998. *Culture Moves: Ideas, Activism, and Changing Values*. Princeton, NJ: Princeton University Press.
- Rymph, Catherine. 2006. *Republican Women: Feminism and Conservatism from Suffrage through the Rise of the New Right*. Chapel Hill, NC: The University of North Carolina Press.

- Salokar, Rebecca Mae, and Mary L. Volcansek. 1996. "Introduction." Pp. 1-13 in *Women in Law: A Biographical Sourcebook*, edited by Rebecca Mae Salokar and Mary L. Volcansek. Westport, CT: Greenwood Press.
- Sanbanmatsu, Kira. 2004. *Democrats/Republicans and the Politics of Women's Place*. Ann Arbor: University of Michigan Press.
- Sanger, Carol. 1994. "Curriculum Vitae (Feminae): Biography and Early American Women Lawyers." *Stanford Law Review* 46(May): 1245-81.
- Sapiro, Virginia. 1993. "The Political Uses of Symbolic Women: An Essay in Honor of Murray Edelman." *Political Communication* 10: 141-154.
- Sapiro, Virginia, and Joe Soss. 1999. "Spectacular Politics, Dramatic Interpretations: Multiple Meanings in the Thomas/Hill Hearings." *Political Communication* 16: 285-314.
- Schafraun, Lynn Hecht. 2005. "Not from Central Casting: the Amazing Rise of Women in the American Judiciary." *University of Toledo Law Review* 36(4): 953-69.
- Scherer, Nancy. 2005. *Scoring Points: Politicians, Activists, and the Lower Federal Court Appointment Process*. Stanford, CA: Stanford University Press.
- Schuster, Mary Lay, and Amy Proppen. 2010. "Degrees of Emotion: Judicial Responses to Victim Impact Statements." *Law, Culture and the Humanities* 6(1): 75-104.
- Sewell, William H. 1996. "Historical Events as Transformations of Structures: Inventing Revolution at the Bastille." *Theory and Society* 25: 841-81.
- Staggenborg, Suzanne. 1993. "Critical Events and the Mobilization of the Pro-Choice Movement." *Research in Political Sociology* 6: 319-45.
- Stolz, Preble. 1981. *Judging Judges: The Investigation of Rose Bird and the California Supreme Court*. New York: The Free Press.
- Taylor, Verta. 1989. "Social Movement Continuity: The Women's Movement in Abeyance." *American Sociological Review* 54: 761-75.
- . 1995. "Watching for Vibes: Bringing Emotions into the Study of Feminist Organizations." Pp. 223-33 in *Feminist Organizations: Harvest of the New Women's Movement*, edited by Myra Marx Ferree and Patricia Yancey Martin. Philadelphia: Temple University Press.
- Taylor, Verta, and Leila Rupp. 2002. "Loving Internationalism: The Emotion Culture of Transnational Women's Organizations, 1888-1945." *Mobilization* 7(2): 141-158.
- Taylor, Verta, and Nancy Whittier. 1995. "Analytical Approaches to Social Movement Culture: The Culture of the Women's Movement." Pp. 163-187 in *Social Movements and Culture*, edited by Hank Johnston and Bert Klandermans. Minneapolis: University of Minnesota Press.
- Tolchin, Susan, and Martin Tolchin. 1973. *Clout: Womanpower and Politics*. New York: Coward, McCann & Geoghegan.
- Watkins, Bonnie, and Nina Rothchild. 1996. *In the Company of Women: Voices from the Women's Movement*. St. Paul, MN: Minnesota Historical Society.
- Wattenberg, Esther. 1971. *Women in the DFL... A Preliminary Report: Present but Powerless*. Unpublished report on file with author.
- Wilson, Betty. 2005. *Rudy! The People's Governor*. Minneapolis, MN: Nodin Press.
- Yang, Guobin. 2005. "Emotional Events and the Transformation of Collective Action: the Chinese Student Movement." Pp. 79-98 in *Emotions and Social Movements*, edited by Helena Flam and Debra King. New York: Routledge.
- Yetka, Lawrence R. and Christopher H. and Yetka. 1994. "The Selection and Retention of Judges in Minnesota." *Hamline Journal of Public Law and Policy* 15(2): 169-179.
- Young, Lisa. 2000. *Feminists and Party Politics*. Ann Arbor: University of Michigan Press.
- Zald, Mayer N. 1964. "Review of *Symbolic Crusade: Status Politics and the American Temperance Movement*." *American Journal of Sociology* 70(3): 392-93.
- Zolberg, Aristide R. 1972. "Moments of Madness." *Politics and Society* 2(2): 183-207.