Feminists Get Obama to Sue Pennsylvania

by Phyllis Schlafly

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A slightly lower pass rate for women on a physical fitness test has prompted the Obama administration to sue the Pennsylvania State Police. This lawsuit is obviously demanded by the feminists, since their ideology is that, if women cannot do as well as men on a fitness test for a job, that must be caused by discrimination and use of the test must stop.

The Pennsylvania police fitness test resulted in 94 percent of the men passing and 71 percent of females passing. The feminists want Pennsylvania to ignore the fact that the job of a state trooper can require real physical strength and endurance beyond the capabilities of many women and difficult and dangerous physical challenges, such as having to pull a victim out of a car that is on fire.

Last year, a Pennsylvania state trooper helped catch a suspect escaping in a tractor trailer by hanging onto the truck cabin's grab bar with one hand while it continued to drive down the highway. The suspect then crashed the truck and had to be pursued on foot as he fled into the woods, and it's obvious that a man's physical skills were very useful.

Feminists cannot admit that men might be more suitable for certain jobs than some women, and vice-versa with respect to jobs more suitable for women. The fact that a few more men passed the Pennsylvania police fitness test than women did is simply unacceptable to feminist ideology.

The big majority of applicants – both men and women – were able to prove adequate fitness, but the Obama Administration sued Pennsylvania for not passing women at the same rate as men. The lawsuit misuses Title VII of the Civil Rights Act of 1964, which was never meant to impose employment quotas, to demand that Pennsylvania fork over back-pay with interest to women who did not pass the fitness test, and this lawsuit also insists that Pennsylvania stop using these tests in the future.

Pennsylvania police commissioner Frank Noonan responded forcefully by saying, "We will not be bullied into changing or lowering our standards by the Department of

Justice or anyone else." He also noted that reducing the fitness standards would insult the many women and men who passed the test and now work on the police force.

One woman who recently passed the fitness test observed that "it's totally insulting that anybody is claiming that it's too hard for women." She felt that the "the standards are set very low" and she feels "they should be higher."

Commissioner Noonan pointed out that the public would also be harmed by relaxing or eliminating the fitness test. Moreover, a woman who is placed on the job as a state trooper despite being unfit may be putting her own life at risk, if a suspect overpowered her due to her lack of strength or quickness.

More than 4,600 workers are in the Pennsylvania State Police (PSP) today after many of them presumably passed this fitness test. But the Obama lawsuit is demanding that the test must no longer be used because there might have been 45 additional women on the workforce if this test had not been implemented.

If 94% of men can pass the physical fitness test to be a state trooper, I would say the test is too easy. Suppose you needed the help of the state police: would you want your distress call to be answered by a man who was only as fit as 94% of his fellow men?

Surely the state police should be more selective than that, but the PSP apparently decided to make its test even easier. Since 2009, an incredible 98% of men passed the test each year – but the women’s pass rate edged up only from 71% to 72%, making the male-female gap slightly wider than before.

Therein lies the paradox of diversity: making the test easier does not reduce the gap between groups. No one has yet devised a physical fitness test on which women as a group perform as well – or even 80% as well – as men. The only way to eliminate that gap is to eliminate testing altogether.

The administration official who initiated this lawsuit accusing Pennsylvania of discrimination, Jocelyn Samuels, has the title of "Acting" Assistant Attorney General for Civil Rights, which means she wields the awesome power of that office without having been confirmed by the Senate. An unconfirmed, perhaps unconfirmable, bureaucrat should not be allowed to disrupt such an important state agency, based on such a flimsy

pretext and outrageous theory, but that’s where we are in the waning days of the Obama administration.

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