

# The Equal Rights Amendment

by RoAnn Bishop

The Equal Rights Amendment (ERA) offers the opportunity to study how politics and public opinion affect action on controversial legislation. Suffragist Alice Paul wrote the proposed amendment in 1921. Its language was straightforward: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex." First introduced in Congress in 1923, the ERA was defeated repeatedly for nearly fifty years. Then, in 1972 the United States Senate overwhelmingly passed the amendment and sent it to the states for ratification. Thirty-five states ratified the amendment. But when the June 30, 1982, deadline came, the ERA still needed ratification by three more states to become law. When the North Carolina Senate tabled any ratification discussion of the ERA during its 1982 session, it played a major role in the national defeat of the amendment.



An anti-ERA rally took place in February 1979 in front of the Legislative Building.

From the outset, the ERA generated strong feelings on both sides of the issue. But those feelings slowly died down until the early 1960s, when an increasing number of women began encountering job discrimination, unequal pay for equal work, and lack of professional opportunities in the workforce.

In 1961 President John F. Kennedy appointed a Commission on the Status of Women to study women's place in the economy, the legal system, and the family. Two years later, North Carolina's Governor Terry Sanford appointed a commission to study the same issues at the state level. The state commission's report showed that the number of Tar Heel women in the workforce had increased by 80 percent between 1940 and 1960. Many women worked in low-wage jobs with

no health or retirement benefits, and most also bore primary responsibility for housework and family care.

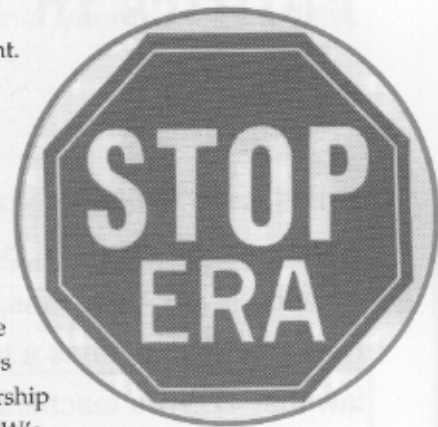
About this time, Betty Friedan published a book, *The Feminine Mystique*, that expressed women's growing frustration with their work and status in society and helped ignite the women's liberation movement. Out of that movement came the National Organization for Women (NOW), whose purpose was "to take action to bring women into full participation in the mainstream of American society now, assuming all the privileges and responsibilities thereof in truly equal partnership with men." At the top of NOW's agenda was the ratification of the ERA.

In North Carolina, a group of women organized to support the ERA. But concerns, even among supporters, over how far-reaching the amendment's effects might be soon began to raise fears. Would women be drafted into the military and sent into combat? Would men and women be forced to use the same public rest rooms, and would high school athletes be required to share dressing rooms? Such questions helped increase opposition to the ERA.

One of the amendment's strongest opponents was United States senator Sam Ervin Jr. of North Carolina. Ervin declared that enough laws already existed to protect women, that the ERA was against God's law, and that women really didn't want its results. With Ervin's legal expertise and popularity in North Carolina, his comments carried weight.

Phyllis Schlafly, another anti-ERA leader, alleged that ERA supporters were radicals and socialists intent on destroying American society by weakening the family. According to Schlafly, the amendment would force housewives and mothers to take jobs outside the home and put their children in state-operated day care. Her arguments strongly appealed to many southern political and religious conservatives.

Using many of these arguments, the North Carolina General Assembly defeated the ERA six times between 1973 and 1982. Still, the amendment was reintroduced in Congress in 1982 and has been reintroduced in each session since 1985. With questions still largely unanswered about what ratification of the amendment would entail, the ERA remains held in committee.



The above emblem is in the museum's artifact collection. Courtesy of the North Carolina Museum of History.