

## Why Was the Equal Rights Amendment Defeated?

### A Man's World

Before the 1960s it was generally a man's world. True, women had gotten the right to vote in 1920. True, a woman could be seen smoking in public. But in many ways, American women were second-class citizens. As early as 1923, an equal rights amendment for women had been introduced to Congress but it quickly failed. In fact, every two years for the next 47 years the **ERA** was introduced to Congress. Every time Congress turned it down.

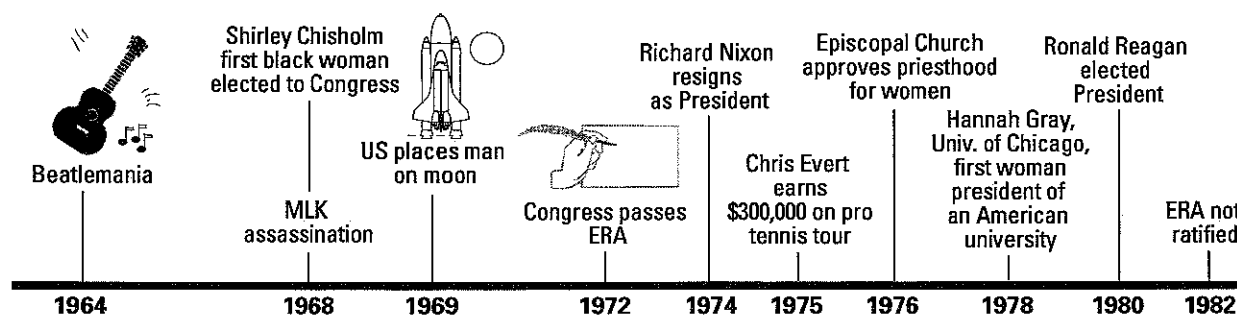
None of this was very surprising. Congress was simply reflecting society. For example, in business there was something called the **glass ceiling**. Women were not allowed to reach the top levels of management. Also, medical schools and law schools were dominated by males. In school hallways, five-foot ten-inch school girls felt they had to slouch down. If you were a girl it wasn't "cool" to be tall or athletic. You were just supposed to be "cute."

In farm areas and central cities, young working-class women headed from high school into dead-end jobs; in cities and suburbs, middle-class young women headed off to college and then marriage. For a number of these women, life was fine. But for others, life was unhappy. In 1963 in her famous book *The Feminine Mystique*, Betty Friedan tells this story:

All I wanted was to get married and have four children. I love the kids and Bob and my home. There's no problem you can put a name to. But I'm desperate. I begin to feel I have no personality. I'm a server of food and a putter-on of pants and a bed-maker, somebody who can be called on when you want something. But who am I?

### Times of Change

During and after World War II there were signs of change. Women played a key role in the war effort. The United Nations Charter supported "equal rights for men and women." In the 1960s, sports programs for young women in high schools and colleges became popular. Shirley Chisholm of New York became the first black woman ever elected to Congress. In addition, Martin Luther King and the civil rights movement had people thinking about equal rights for all people. Influenced by this growing spirit, the House of Representatives met in June 1971 to consider the Equal Rights Amendment for the 20th time. After a mere one-hour debate, the House passed the ERA by a vote of 350 to 15. The next year the US Senate passed the ERA by a vote of 84 to 8. All that was needed now was ratification by the states, which seemed just a matter of time. The National Organization for Women (**NOW**) made ratifying the ERA their top goal. Both the Democratic and Republican parties supported ERA. So did President Nixon, and so would Presidents Ford and Carter in the years ahead.



## The Case for Ratifying ERA

There were a number of reasons why supporters wanted the ERA.

1. Unequal pay. In 1972, income for working women was about 58% of the income for men. Put another way, for every \$100 a man earned, the average woman earned only \$58.

2. Unequal hiring for jobs. In education, these numbers tell the story:

Elementary School Teachers	
1940	89% women
1974	84% women
Secondary School Teachers	
1940	58% women
1974	47% women
Elementary School Principals	
1940	55% women
1974	20% women
Secondary School Principals	
1940	3% women
1974	1% women
School Superintendents	
1974	1% women

3. Unequal sharing of property. In 1972 eight states still gave husbands control over all property bought by the couple during their marriage. In the next ten years, most of these states changed their laws, but in 1972 this problem made many women angry.

## Ratification Falls Short

The nation awoke on the morning of March 23, 1972, and saw the headlines "CONGRESS PASSES ERA." It looked to most Americans like ERA was a "done deal." After all, since World War II, five other amendments had been passed by Congress and each was ratified by the states.\*

ERA would certainly be the sixth. One U.S. history textbook publisher, eager to be first, quickly added the 27th Amendment to the Constitution in the back of his latest book.

But most Americans and the textbook publisher were wrong. Despite the seven-year ratification period allowed by the Constitution plus a three-year extension, the Equal Rights Amendment was never approved by the required three-fourths of the states. This DBQ exercise asks you to explain: *Why was the Equal Rights Amendment defeated?*

\*This was remarkable since there had been only eleven other amendments passed since 1791. The five amendments ratified after World War II are:

- 22nd Amendment: two-term limitation for Presidents (1951)
- 23rd Amendment: presidential vote to Washington DC residents (1961)
- 24th Amendment: prohibition of poll tax (1964)
- 25th Amendment: regulation of presidential succession (1967)
- 26th Amendment: voting rights for citizens 18 and over (1971)

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## Document 1

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**Source:** United States Constitution (proposed but not ratified).

### Proposed 27th Amendment (ERA)

**Section 1.** *Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.*

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**Section 2.** *The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.*

**Section 3.** *This amendment shall take effect two years after the date of ratification.*

## Document 2

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**Source:** United States Constitution.

### Article V

*The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by the Conventions in three-fourths thereof...*

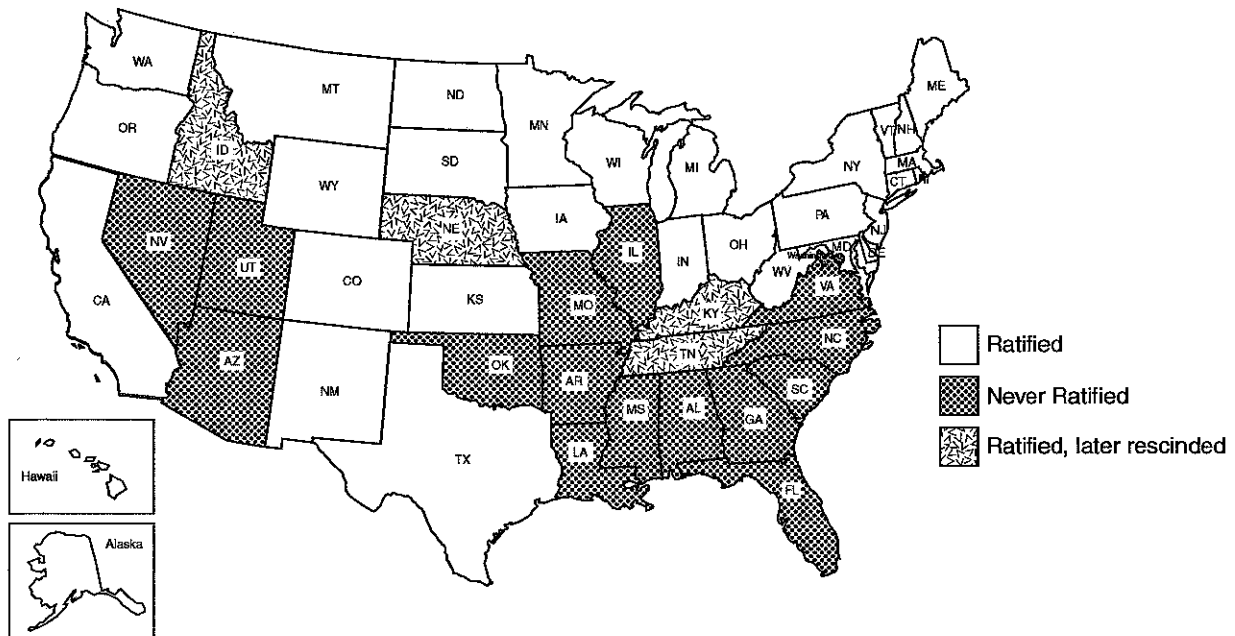
**Note:** Ratification in 49 of the state legislatures requires a simple majority vote by the legislators. Illinois is the only exception, requiring a 60% majority.

## Document 3



Source: Adapted from Janet K. Boles, *The Politics of the Equal Rights Amendment*, 1979.

## ERA Ratification by State: 1972-1982

States Ratifying

- 1972 Hawaii, Delaware, Nebraska, New Hampshire, Idaho, Iowa, Kansas, Texas, Maryland, Tennessee, Alaska, Rhode Island, New Jersey, Wisconsin, West Virginia, Colorado, New York, Michigan, Kentucky, Massachusetts, Pennsylvania, California
- 1973 Wyoming, South Dakota, Minnesota, Oregon, New Mexico, Vermont, Connecticut, Washington
- 1974 Maine, Montana, Ohio
- 1975 North Dakota
- 1976-1982 None

States Rescinding Ratification

- 1973 Nebraska
- 1974 Tennessee
- 1977 Idaho
- 1978 Kentucky

States Not Ratifying

- Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Louisiana, Mississippi, Missouri, Nevada, North Carolina, Oklahoma, South Carolina, Utah, Virginia

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## Document 4

**Source:** Reprinted by permission of American Press, Inc., from excerpt by Thomas J. Reese in *America Magazine*, July 31, 1982. All rights reserved.

Getting a constitutional amendment passed is very difficult...and requires not a majority but a consensus in support of the amendment.... Some will obviously disagree, but I think that some pro-E.R.A. tactics were so obnoxious to large portions of the population that they made it impossible for the E.R.A. to get the support it needed. Bra-burning, breast-baring demonstrators, using language truckers would avoid in public, got a lot of press attention but lost votes.... The only thing E.R.A. supporters have to fear is fear itself – other people's fears. But if they do not deal with these fears, then the E.R.A. will go down to defeat again.

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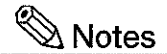
## Document 5

**Source:** AP/Wide World Photos, *Newsweek*, June 14, 1982.

### ERA Supporters Demonstrate by Chaining Themselves Together – State Capitol, Springfield, Illinois –



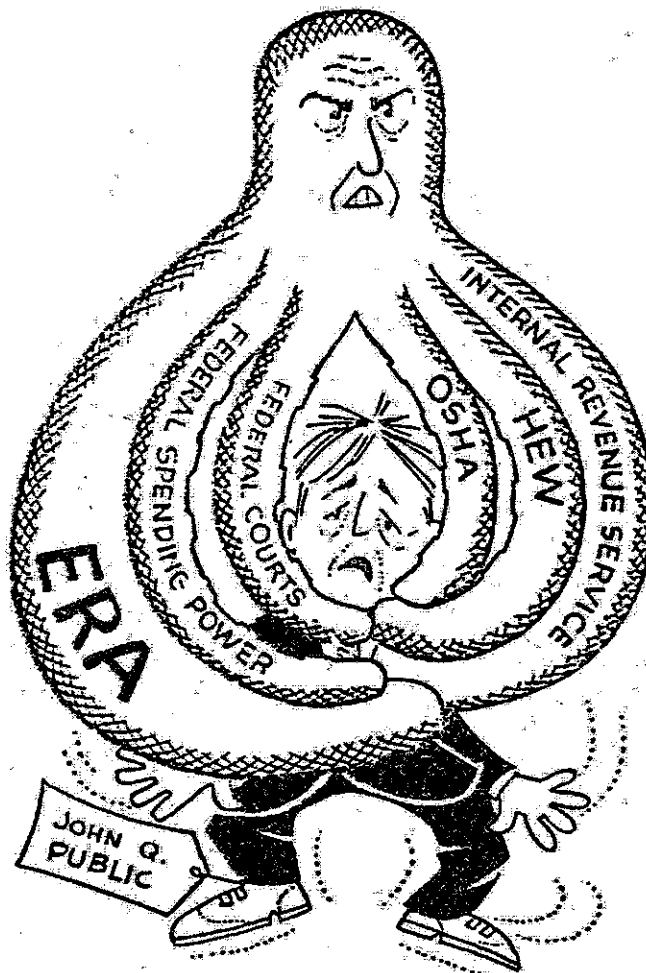
## Document 6



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Source: From Stop ERA brochure, Alton, Illinois. Undated, but after February, 1977.  
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# Don't Let ERA\* Give the Feds More Power



\*Equal Rights Amendment

## Document 7



**Source:** National Opinion Research Center General Social Survey adapted from Jane J. Mansbridge, *Why We Lost the ERA*, 1986.

### Percent Favoring the ERA in 1982

#### Age

Over 65	63%
46 - 55	59%
18 - 25	81%

#### Education

Less than High School	71%
High School	73%
College	73%
Graduate School	71%

#### Family Yearly Income

Less than \$10,000	74%
\$10,000 - \$20,000	73%
\$20,000 - \$35,000	74%
More than \$35,000	70%

#### Gender

Male	70%
Female	74%

#### Race

Black	78%
White	72%

#### Region

South	65%
Midwest	72%
East and West Coasts	79%

#### Religion

Protestant Fundamentalist	61%
Other Protestant	72%
Catholic	77%
Jewish	81%
No Religion	88%

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## Document 8

Source: *Ms. Magazine*, March 1976.

### Ann Giordano, 43 year old community worker, New York state

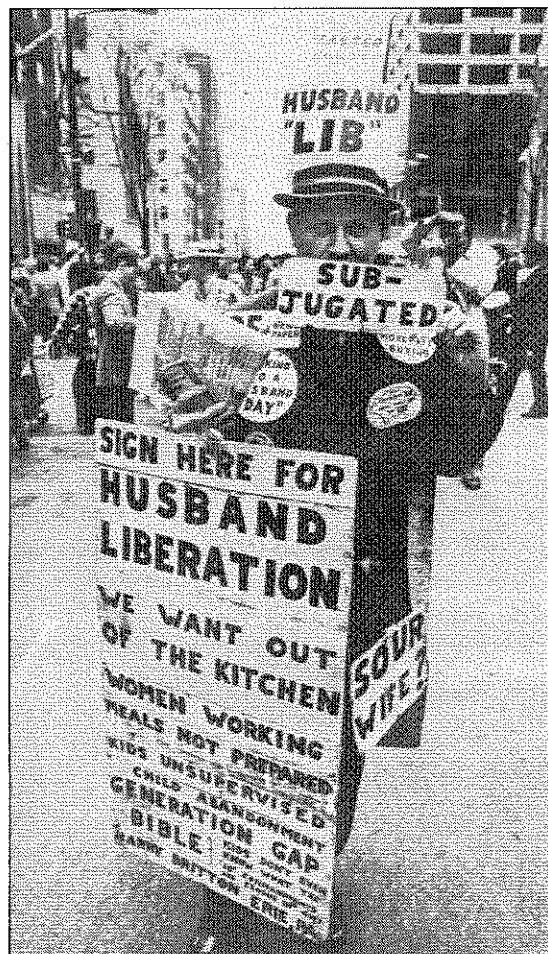
What's important to the average woman is home, husband, and church, but the woman's movement has disrespect for family relationships.... After the vote, I heard some women at a meeting I went to talking about what kind of stupid ass would vote against her own rights, but I noticed that all of them were divorced or not married. They're not living like I'm living and they're not doing what I'm doing.

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...(My husband is) a first generation Italian from Naples, if you know what that means.... The Italian doesn't ordinarily do housework – it's a blow against his manhood.

## Document 9

Source: *Senior Scholastic*, November 21, 1974.





## Document 10



Source: Reprinted by permission of *The News and Observer of Raleigh, NC*, February 6, 1979.



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**Note:** Such badges highlighted what may have been the most troublesome issue in the ratification campaign – whether passage of the amendment would require not only drafting women but placing women in combat situations.