

Case Study: The Equal Rights Amendment



Hundreds of thousands of people rallied to support the Equal Rights Amendment. Nevertheless, the ERA was not ratified, proving that amending the Constitution is very difficult.

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

—From: Section 1, proposed Equal Rights Amendment, 1972

To most of us, seven years seems like a long time. Yet, seven years is not very long where an amendment to the Constitution is concerned. The effort to ratify the Equal Rights Amendment (ERA) is an example.

The amendment was first proposed in 1923, shortly after the Nineteenth Amendment gave women the right to vote. At first, the proposal did not draw wide support. Then in the 1960s, the civil rights movement sparked new interest in women’s rights. Led by the **National Organization for Women (NOW)**, labor, political, and religious groups pushed to add a guarantee of women’s rights to the Constitution.

In 1972, Congress passed the proposed ERA and sent it to the states for ratification. By the end of the year, twenty-two states had ratified ERA. Only fifteen more states needed to ratify ERA before the 1979 deadline.

By 1973, though, organized opposition arose, led by a group called **Stop-ERA**. ERA, they said, threatened women’s rights. If ERA passed, Stop-ERA argued, women would be drafted into the military and American family

life would be destroyed. Other critics said ERA was not needed, because existing laws protected women’s rights.

More states ratified the ERA, but five that had ratified changed their minds. By January 1977, only thirty-five states had ratified ERA. As the 1979 ratification deadline approached, Congress agreed to extend the deadline to June 1982.

For the next three years both sides rallied, debated, and distributed pamphlets. NOW called for an economic boycott of states that had not ratified the ERA. Stop-ERA handed out home-baked bread to emphasize the threat to women in the home. By the June 1982 deadline, though, ERA was still three votes short of ratification. The proposal had failed.

The struggle to ratify ERA shows how difficult it can be to amend the Constitution. It also shows that the democratic process allows citizens the opportunity to propose—and oppose—changes to the government.

REVIEW

1. Why did ERA supporters feel it was needed?
2. Do you think they were correct? Why?
3. In your opinion, is the amending process too difficult? Why?