

Why we need the EQUAL RIGHTS AMENDMENT



FEMINIST MAJORITY
Working for Women's Equality from the Streets to the Legislature

WHAT IS THE ERA

The Equal Rights Amendment (ERA), originally proposed in 1923, underwent several revisions before arriving at the text passed by Congress in 1972. The ERA states:

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.
2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.
3. This amendment shall take effect two years after the date of ratification.

This wording is designed to ensure that sex cannot be a legal basis for the denial of rights by either the federal or state governments. It provides a fundamental legal remedy against sex discrimination for both women and men.

WHY IS IT IMPORTANT

Many mistakenly believe the battle to place the Equal Rights Amendment in the Constitution is yesterday's news. However, without the ERA, women, and men, are left with a piecemeal approach to equality. Our personal freedoms are subject to the whim of the Supreme Court. And, as the late Supreme Court Justice Antonin Scalia stated: "Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't."

In today's political climate, where our fundamental rights are constantly under siege, placing the Equal Rights Amendment in the U.S. Constitution is the only sure way to safeguard our freedoms.

NOT JUST ABOUT ABORTION

It's clear the ERA is not just about one issue. It's about economic rights, stopping domestic and sexual violence and securing a future where equality is the law of the land for all people. An overwhelming majority of Americans understand why placing the ERA in the Constitution is urgent and essential for everyone's rights, today and tomorrow. The ERA's guarantee of equal rights would protect both women and men against sex discrimination in all areas of law, including, but not limited to: employment, pay, benefits, and retirement plans, education, health care, including reproductive rights, protection from violence and harassment, and social security.

The ERA would ensure that laws and court decisions upholding equality could not be easily reversed or weakened. It addresses concerns that existing legal protections against sex discrimination, such as Title VII of the 1964 Civil Rights Act, and Title IX of the Education Amendments in 1972, are vulnerable. The ERA is not just a symbol of equality; it's a necessary amendment to protect and ensure gender equality across all facets of American life.

EQUAL PAY

The ERA is designed to ensure that everyone receives equal pay for equal work, challenging the entrenched pay gap between men and women. This principle extends beyond mere legislation, seeking to enshrine gender pay equality in the Constitution itself, thus providing the highest form of legal protection against wage discrimination.

SOCIAL SECURITY

The ERA would eliminate unequal retirement and social security benefits, addressing the significant financial disparities women face over their lifetimes due to income loss and discrimination. Recent studies indicate the gender gap in retirement income is 32.6% on average.

RIGHT TO MARRY

The ERA would secure the constitutional right to marry the person one loves, irrespective of gender, safeguarding against any future attempts to reverse the legalization of same-sex marriage.

SURVIVORS' RIGHTS

The ERA would empower survivors of sexual assault, allowing them to sue in federal court, a right currently denied by the Supreme Court.

INSURANCE EQUALITY

By eliminating state insurance discrimination, the ERA would grant a constitutional basis to end sex discrimination in pricing and benefits. Beyond healthcare insurance, the ERA would prohibit insurance companies from discriminating against women in all forms of insurance.

LIFETIME FINANCIAL LOSS

According to the National Women's Law Center, women stand to lose \$462,000 over the course of a 40 year career, based on today's gender wage gap. Women of color will lose over \$1 million. These figures don't even include benefits and underscores the critical need for the ERA, which aims to eliminate such financial disparities by making wage equality a constitutional guarantee rather than a legislative promise that can be easily altered.