



## GUARANTEEING WOMEN'S RIGHTS IN THE CONSTITUTION

*In the United States more than 90% of people believe that the Constitution should guarantee women and men equal rights, despite the fact that it does not. It is time for the United States to correct this by ratifying the Equal Rights Amendment. Rep. Carolyn B. Maloney (NY-12) reintroduced the ERA on January 24, 2017.*

### WHY WE NEED AN EQUAL RIGHTS AMENDMENT

We cannot keep fighting discrimination against women one battle at a time. An Equal Rights Amendment (ERA) would explicitly protect and preserve women's rights in the U.S. Constitution.

- ⇒ An ERA would ensure all citizens have the opportunity to reach their full potential by guaranteeing equal rights for all, regardless of sex.
- ⇒ An ERA would put women on equal footing in the legal systems of all 50 states, particularly in issue areas where they have been treated as second-class citizens, including in the cases of public education, divorce, child custody, domestic violence, and sexual assault
- ⇒ Passing an ERA would put the full weight of the U.S. Constitution behind employment laws relating to the prevention of sex discrimination in hiring, firing, promotions, benefits and equal pay — especially in the public sector.
- ⇒ The 14th Amendment is not enough. Only an ERA would provide for gender equity and offer an overriding guarantee of equal protection of women.
- ⇒ An ERA would protect the progress made on women's rights from any shifting political trends. It would ensure these rights are preserved as basic rights guaranteed by the U.S. Constitution.
- ⇒ As the late Supreme Court Justice Antonin Scalia once said, "Certainly the Constitution does not require discrimination on the basis of sex. The only issue is whether it prohibits it. It doesn't."

## HISTORY OF THE EQUAL RIGHTS AMENDMENT

- ⇒ The ERA was first introduced at the Seneca Falls Convention by its author, Alice Paul, who said, “[w]e shall not be safe until the principle of equal rights is written into the framework of our government.”
- ⇒ 1923: The ERA is introduced in both chambers of Congress
- ⇒ 1971: ERA is approved by both chambers, with the House voting 354-24 and the Senate voting 84-8. A resolving clause imposes a seven year time limit for ratification by the states. However, the 27th Amendment, which took 203 years to ratify, is precedent that proves an amendment can remain eligible for ratification even if it takes generations to be ratified by the necessary 3/4 of the states.
- ⇒ 1977: Rep. Elizabeth Holtzman (D-NY) introduces H.J.Res 638 calling for extension of the ERA deadline
- ⇒ 1978: ERA ratification deadline extension is approved by a House vote of 233-189 and a Senate vote of 60-36, creating a new deadline of January 30, 1982.
- ⇒ 1982: By the deadline, 35 out of the necessary 38 states have ratified the ERA
- ⇒ The ERA is introduced in every Congress since 1982, with Congresswoman Maloney taking up the mantel in the 105th.
- ⇒ 2017: Congresswoman Maloney reintroduces the ERA in the 115th Congress for the eleventh time. As of April 28, 2017, the bill has 102 cosponsors.

*“If I could choose an amendment to add to the Constitution,  
it would be the Equal Rights Amendment”*

*- Supreme Court Justice Ruth Bader Ginsburg -*

*For more information:*

*Visit the Congresswoman’s website at [www.maloney.house.gov](http://www.maloney.house.gov)  
Follow her on Twitter & Instagram at @RepMaloney*

