

▶ **Title IX, a federal law requiring schools and colleges not to discriminate “on the basis of sex,” shows the mischief ERA will do.** Feminist bureaucrats have used Title IX to punish men by forcing colleges and universities to abolish 171 wrestling teams (40% of the national total), plus hundreds of other men’s teams in gymnastics, swimming, golf and football, many of them trophy-winning teams. ERA would also abolish the reasonable exceptions in Title IX which currently allow single-sex schools, fraternities, sororities, Boy Scouts and Girl Scouts.

▶ **The majority of states voted against ERA:** 15 states defeated ERA ratification (AL, AR, AZ, FL, GA, IL, LA, MO, MS, NC, NV, OK, SC, UT, VA); 5 states rescinded their ERA ratification (ID, KY, NE, SD, TN); and 6 states defeated ERA on a referendum for a State ERA (IA, NJ, NY, ME, VT, WI).

▶ **Concepts such as “equality” and “fairness” cannot be advanced through dishonest procedures.** The U.S. Supreme Court ruled on October 4, 1982 that ERA is “moot,” *i.e.*, legally dead as of June 30, 1982. Some radical feminists are trying to claim they can get Congress to declare ERA part of the U.S. Constitution if three more states ratify it now (25 years after it died!). That would be both illegal and dishonest.

The United States said NO to the Equal Rights Amendment in 1982.

Don’t take a chance on ERA mischief – or on what activist judges can do to interpret ERA.

Vote NO on ERA.

Let ERA rest in peace.

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STOP!

Equal Rights Amendment



Don't Be Fooled about ERA

✓ The Equal Rights Amendment was passed by Congress and sent to the states for ratification on March 22, 1972. It was debated in state legislatures for ten years, 1972-1982, and died when its time limit set by Congress expired on June 30, 1982.

▶ **ERA is a fraud because it pretends to benefit women and “put women in the Constitution.”** In 10 years of debate, ERA advocates were never able to show that it would give any benefit to women. ERA doesn't even mention women – the word used in ERA is “sex.” The United States Constitution is completely sex-neutral; it uses only sex-neutral words such as “we the people,” “citizen,” “person,” “resident,” “Senator,” “Representative.” ERA cannot benefit women in employment because our employment laws are already sex-neutral.

▶ **Section 2 of ERA would transfer enormous areas of law from state legislatures to the Federal Government.** This would include marriage, divorce, family property law, adoptions, abortions, alimony, some criminal laws, public and private schools, prison regulations, and insurance rates. The famous Watergate Senator Sam J. Ervin Jr., a recognized constitutional authority, said: “If this Equal Rights Amendment is adopted, it will virtually reduce the States of this Nation to meaningless zeroes on the Nation's map.”

▶ **ERA would empower the federal courts to make all decisions as to the meaning of the words in ERA: “sex” and “equality of rights.”** Putting sex into

the U.S. Constitution would activate the entire gay rights movement to go before activist judges and demand all kinds of “equality ... on account of sex” – to achieve goals that the gay movement cannot get legislatures to pass, such as same-sex marriages, allowing open homosexuals in the U.S. Armed Services and the Boy Scouts, and teaching homosexuality in sex-education curricula. The Hawaii supreme court ruled that the denial of marriage licenses to same-sex couples is sex discrimination and unconstitutional under Hawaii's State ERA. *Baehr v. Lewin*, 852 P.2d 44, 1993. Hawaii had to pass *another* constitutional amendment to overturn that decision.

▶ **ERA would require women to be equally assigned to all combat positions in the military (and to be drafted if Rep. Charles Rangel succeeds in his bill to reinstate the draft).** “Combat” includes positions from which women are now excluded such as ground infantry and submarines. When we fight nasty wars against terrorists, we do not want social experimentation or judicial activism to interfere with readiness. Women perform nobly in many military positions but should not be forced into ground combat where they can be captured and abused by the enemy.

▶ **ERA would require taxpayer funding of abortions (which the majority of Americans oppose).** We know this because New Mexico's state supreme court ruled on November 25, 1998 that its State ERA requires abortion funding. The court

accepted the ERAers' reasoning that, since only women undergo abortions, the denial of taxpayer funding is “sex discrimination.” *N.M. Right to Choose/NARAL v. Johnson*, 975 P.2d 841 (1998). See also the National Right to Life statement against ERA (1-31-07).

▶ **ERA would legalize same-sex marriages.** ERA would invalidate the federal Defense of Marriage Act (DOMA), similar laws passed in 39 states, and state marriage amendments passed in 27 states. ERA would make same-sex marriages a constitutional right based on the word “sex” in the amendment. Senator Sam Ervin Jr., the leading constitutional lawyer in the U.S. Senate until his retirement, stated in Raleigh, NC (2-22-77): “I don't know but one group of people in the United States the ERA would do any good for. That's homosexuals.” Senator Ervin told the U.S. Senate that ERA's requirement to recognize same-sex marriages illustrates “the radical departures from our present system that the ERA will bring about in our society.” He placed in the *Congressional Record* (3-22-72) similar testimony by top legal authorities Professor Paul Freund of the Harvard Law School and Professor James White of the Michigan Law School. This analysis is supported in the *Yale Law Journal* (2-73), and in the leading textbook on sex discrimination used in U.S. law schools, *Sex Discrimination and the Law*. The 2003 U.S. Supreme Court decision in *Lawrence v. Texas* proves we can't depend on the courts to protect us against gay litigation.