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Why the Equal Rights Amendment?

HAVEN'T WOMEN EQUAL RIGHTS ALREADY?

THERE are more than a thousand laws discriminating against women in the United States. These laws cover more than sixty points of inequality. There are discriminations in the laws of every State of the Union. These discriminations touch woman in every sphere of her life and activities—her children, her marriage, her property, her right to a livelihood, her right to public service, etc.

WHAT ARE THE DISCRIMINATIONS AGAINST WOMEN?

For instance, there still are States where:

The father may will away the child from the mother.

The father is sole guardian of the child.

The child's earnings and services belong to the father alone, and if child is injured in accident, the father alone may sue and collect damages.

A father is sole heir of child who dies without will or descendants.

The wife's earnings belong to the husband.

The wife's personal possessions, jewelry, and clothing belong to her husband.

A married woman, even though living apart from her husband, may not sign a contract, as for instance, to go into business without his consent.

Damages for injury to a married woman belong solely to her husband.

Divorce laws are much more difficult for the wife than for the husband.

Inheritance laws discriminate against women.

Women have not the right to serve on juries.

Women are not eligible to various State offices, as Governor, Superintendent of Public Instruction, etc.

Women teachers in public schools have not the same pay for equal work as men.

Women are prohibited from working at certain occupations as taxi-driver, mining engineer, etc.

IF LAWS WERE EQUAL BETWEEN MEN AND WOMEN, HOW ABOUT SUPPORT OF FAMILY, DOWER, ALIMONY, ETC.?

These laws are already in operation on the basis of equality in various States. To take a few instances:

Support to spouse applies to husband and wife alike in Louisiana ("husband and wife owe each other mutually fidelity, support, and assistance").

Father and mother are both liable for support of children in Colorado.

Imprisonment for non-support of family applies to both parents in Massachusetts.

Dower and courtesy are equal in Iowa and Illinois.

Alimony applies to both husband and wife in Iowa.

Imprisonment for non-payment of alimony applies to women as well as men in California.

Children's (miscalled "mothers'" or "widows'") pensions are paid to either parent in Colorado for support of child.

Age of consent for both boys and girls is the same in the State of Washington.

Eight-hour laws for *persons* in certain specified occupations are found in over thirty states, while a ten-hour general law for *persons* in mills, factories, and manufacturing establishments is found in Oregon.

(OVER)

A blanket Equal Rights bill establishing equality between men and women in nearly every respect was passed by the Wisconsin Legislature in 1921 and has been in successful operation ever since.

WHY A FEDERAL AMENDMENT INSTEAD OF STATE ACTION?

1. *The United States Constitution is the place for fundamental principles.* It is where all equality is guaranteed. Though some of the newer post-war constitutions of Europe have in a single sentence established the principle of equality without regard to race, nationality, religion, rank, or sex, the United States has dealt with these principles piece-meal. It has by constitutional amendment guaranteed equality without regard to creed, race, or color, but has dealt with equality for women in only one particular, namely suffrage.
2. *Permanency of the United States Constitution.* There is no permanency with State laws. To establish Equal Rights permanently, it must be written into the National Constitution, as what one Legislature grants, the next may take away. For instance, in Virginia, mothers won equal guardianship of their children in 1916, only to lose it in 1919, and did not regain it until 1930.
3. *The saving of time, money, and energy* in removing all inequalities by one amendment instead of by over one thousand separate state bills with often a state-wide referendum.
4. A constitutional amendment would *prevent new discriminations against women* from being made in the future.

WHAT WOULD BE THE EFFECT OF THE PASSAGE OF THE EQUAL RIGHTS AMENDMENT UPON EXISTING STATE LAWS?

The amendment is a mandate to the States to equalize their laws, but each state could still decide which way it preferred to equalize them. For instance, with the winning of woman suffrage, California equalized its law by abolishing poll tax for men, while Mississippi equalized its law by extending poll tax to women.

The entire list of discriminations in each of the States has been compiled by the National Woman's Party. Many bills to correct these inequalities have already been introduced in various State legislatures. The whole trend of legislation is toward equality. The Equal Rights Amendment, which would establish equality in this country, reads:

"Men and women shall have Equal Rights throughout the United States and every place subject to its jurisdiction."

As a basis for its work in removing all discriminations against women, the National Woman's Party has for the past eleven years been making a research into every law, state and national, with every court decision, bearing upon the position of women.

This investigation is by far the most extensive and thorough-going ever made into the legal status of American women, and is for the first time giving to women that knowledge of their legal rights and disabilities which is necessary for a campaign to remove these disabilities.

For further information apply to

NATIONAL WOMAN'S PARTY

ALVA BELMONT HOUSE, WASHINGTON, D. C.

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