

Far-Reaching Effects of the Equal Rights Amendment

Oppose SJRCA 75

As an attorney for the ACLU, **Ruth Bader Ginsburg**, now a **U.S. Supreme Court Justice**, estimated at least 800 federal laws would be affected by the ERA. Here are examples found in a report she authored titled *Sex Bias in the U.S. Code*.

Women will be drafted if the draft was reinstated (p. 202, 218)

Women will be forced into front line military combat (p. 28, 218)

Government must provide comprehensive child care (p. 214)

The age of consent for sex will be lowered to age 12 as part of “privacy” (p. 102)

Prostitution will be legalized as part of “privacy” (p. 97, 99, 215)

Bigamy laws will be unconstitutional as part of “privacy” (p. 195-196)

Prisons will be sex-integrated (p. 100-101, 216)

Single-sex schools and colleges will be sex-integrated (p. 101)

Fraternities and sororities will be sex-integrated (p. 169)

Boy Scouts and Girl Scouts will be sex-integrated (p. 145-146, 219-220)

Mother’s Day and Father’s Day will not be separate holidays (p. 146)

The words “husband” and “wife” will be eliminated and replaced with “spouse” in all federal laws.
(p. 15-16, 53, 64, 170, 177)

ERA WOULD SUPERSEDE STATE LAW

Section 2 of the ERA (federal version) states: “The Congress shall have the power to enforce by appropriate legislation the provisions of this article.” This language is also in the Illinois amendment.

Laws favoring one sex over another would likely be challenged. What would the ERA do to rape laws and laws that allow widows to receive their spouses social security benefits? In Pennsylvania, under the state ERA, car insurance premiums that have historically been lower for women, increased. No discrimination **“on account of sex.”**

Laws including marriage, divorce, family-property law, child custody, adoptions, abortions, alimony, some criminal laws, age limits for marriage and the age of consent, public and private schools, prison regulations, and insurance rates, veterans benefits, boy and girl scouts, tax exemptions for single-sex schools will be challenged if ERA is passed.

MILITARY DRAFT

Rostker v. Goldberg, 453 U.S. 57 (1981), allowed for an all-male draft and reaffirmed Congress’ power to run the military, including differentiating between genders. ERA says: Treat men and women alike. If the draft were reinstated, women would be drafted under ERA. Not many parents want to see their daughters in front line combat.

VETERANS PROGRAMS

In *Personnel Adm’r of Massachusetts v. Feeney*, 347 (1979), affirmed the power of states to extend benefits to veterans even though they are overwhelmingly male. ERA disallows any distinction between male and female. Therefore, under ERA veterans’ benefits would cease.

TAX EXEMPTIONS

In *Bob Jones University v. United States*, 461 U.S. 574 (1983), the Court ruled that schools that discriminate in a manner prohibited by the Constitution are not allowed tax exemptions. If ERA becomes a part of our Constitution, all-boy and all-girl schools will likely lose their tax-exempt status. ERA says: No distinction between genders.

BOY SCOUTS & GIRL SCOUTS

ERA would most likely end membership to males only. This same girl's-only membership established by the Girl Scouts would come to an end as well. ERA prohibits all distinction between genders.

SPORTS

In 1992, the Rhode Island Supreme Court relied on the **lack of** a state ERA to rule in favor of an all girl hockey league and against a challenge to include boys. (*Kleczek v. Rhode Island Interscholastic League*, 612 A.2d 734, 1992) Under ERA, all discrimination based on sex/gender would be unconstitutional. Imagine the Super Bowl with female players! In addition, the Court noted that if the state has passed ERA, it "would most likely encompass" the issue of abortion. ■

