

TEN FACTS ABOUT THE EQUAL RIGHTS AMENDMENT (ERA)

1. The ERA is the proposed amendment to the U.S. Constitution that would provide for equal rights for men and women. It was first introduced in 1923, and has been introduced in every Congress since. The pertinent text reads “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 U.S. Constitution does not explicitly state that men and women have equal rights under the law. The ERA would make that clear for the first time in U.S. history. (Indeed, Supreme Court Justice Ruth Bader Ginsburg wrote in 1976 that it was not the intent of our Founding Fathers to make women equal, and that clarity very much is needed.)
3. The most important effect of the ERA would be clarification of the status of sex discrimination for the courts, whose decisions still show confusion about how to deal with such claims. The ERA would require courts to review alleged discrimination based on sex with the same high level of “strict scrutiny” as classifications based on race, religion and national origin. (Courts do not currently do this under the equal protection clause of the 14th amendment.)
4. Without the ERA, any state or local laws granting men and women equal rights can be repealed at any time, ignored or not enforced by the agencies responsible for implementing the laws, and court decisions can be reversed or overruled.
5. If ratified by 38 States, the ERA would become the 28th amendment to the U.S. Constitution. So far, 35 States have ratified the ERA. No state has ratified since 1977, but Congressional acceptance of state ratification in 1992 of the Madison Amendment (proposed, but never ratified, as one of the amendments that became the Bill of Rights) provides a precedent for the current strategy of pursuing ratification in three more states!
6. Florida is one of the 15 States that has not ratified the ERA. Ratification failed narrowly in 1982, the last time it was given a full floor vote. (In 2003 there was a 6-3 favorable vote out of the Senate Judiciary Committee – the only vote taken on the measure since 1982.)
7. Senate Concurrent Resolution 362 and House Concurrent Resolution 8001 were filed in the Florida Legislature for the 2008 session, calling for Florida’s ratification of the ERA. Similar resolutions were filed in 2007, 2006, 2005, 2004 and 2003 – and in recent years a majority of the Miami-Dade Legislative Delegation has co-sponsored those bills.
8. The ERA ratification bills have been endorsed in past years by many people and organizations. In Miami-Dade County this includes: the County Commission, Miami *Herald*, Coalition of Chambers of Miami-Dade County, and Latin Builders Association.
9. In 1998 Florida voters -- by a margin of 65% to 35% -- approved a similar amendment to the Florida Constitution when they approved of Revision 9. Therefore, ratification of the federal ERA would be fully consistent with the will of the voters of Florida.
10. Equal Rights for women is a non-partisan issue and a moral imperative!

More information about the history of Florida ERA efforts can be obtained from:
www.ERAflorida.org