

Copy for President Carter

Equal Rights Amendment

and its Ramifications

1. Whereas, the Equal Rights Amendment reads:

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

We are unalterably opposed to this amendment because it is badly worded and therefore potentially harmful and dangerous to our society. Because of the innate differences that nature has bestowed upon men and women, we oppose the goal of a gender-free society, which might result were the ERA to become part of our Constitution. We are reinforced in these conclusions because the modifications to the ERA which would have provided differentiation between men and women and offered protection to women, were stricken down during the Congressional hearings; namely amendments 1065 thru 1070, (U.S. Senate, March 21, 1972) which would "exempt women from compulsory military service", "exempt women from service in combat units of the Armed Forces", "extend protections to women" "extend protections or exemptions to wives, mothers and widows", "impose on fathers responsibility for the support of their children" and "secure privacy to men or women, boys or girls".

2. We realize that according to Section 2 of the ERA, the ultimate authority for interpretation would rest with Federal courts, and ultimately the Supreme Court, which are made up of appointed and not elected officials. They would be obliged to interpret the ERA with the Congressional intent in mind. This would result in a massive shift of power from local and state government to the federal government and eliminate the power of

the states in every area concerning human relations. We, therefore, oppose Section 2 of the ERA as contrary to the intent of our Constitution.

3. If we specifically look at the words of the amendment, we see that first of all, there would be a mandated "equality". This would come into conflict with another and more important value, that of justice! It would not be just to treat people who are functionally and inherently different as if they were the same. Furthermore, those enforcing the law would be more equal than those upon whom the law would be enforced, and we would immediately set up another type of inequality were the ERA to be put into effect. So the ideal of an absolute, unequivocal, imposed equality in a physical sense cannot be realized without violating the innate value of unique human beings, to the detriment of some. All would be reduced to some common denominator.

4. This leads to another point. An enforced equality would come into conflict with a still more basic value, and that is freedom, which implies choice. We support our society as it is now based upon the concept of "liberty and justice for all" as stated in our Pledge of Allegiance; the "land of the "free"", as described in our National Anthem; and the pledge "to secure the blessings of liberty for ourselves and our posterity" in the Preamble to our Constitution. We also fully support the Bill of Rights which describes a different type of equality than the ERA, an equality based on the inherent mystery and dignity of a free person. This latter equality is of a non-transient and non-materialistic nature, and is in full accord with the "human rights" supported by President Carter. We support the Bill of Rights and the Fourteenth Amendment for all citizens of the United States.

5. Now let us focus on the word "rights". We must ask what rights are being given that have not already been covered by the Constitution? The Declaration of Independence guarantees "certain inalienable rights . . . life, LIBERTY, and the pursuit of happiness.. To secure these rights governments were instituted among men, deriving their just powers from the consent of the governed".

From this we see that the government does not possess the rights. It is not as if the government has a big stockpile of rights which it rations out to those who ask for them. No! We, the people possess the rights. We are, therefore, not getting something from the government with ERA, but we are giving up something to the government. We are giving the government more power over our lives.

6. The last words "on account of sex" , in the context of the amendment , are too vague and ambiguous , and therefore, because of their unspecific nature, are subject to various interpretations. This has been amply demonstrated by the thrust of the International Women's Year book "To Form a More Perfect Union", which details numerous goals which threaten the family as the basic unit of society through which the continuation of life and society itself, flow.

7. Finally, we reject the myths and fraudulent claims used to sell the ERA. ERA will not grant equal employment opportunities for women, or equal pay for equal work because we already have legislation which grants these equalities to women (e.g. Civil Rights Act of 1964 and the Equal Employment Opportunity Act of 1972). We heartily support specific legislation which would remedy any wrongful discrimination against women, but we deplore anything which might result in eliminating distinctions between men and women!.

To sum up, we fully support President Carter's stand on Human Rights and strengthening the family unit, but we feel that these positions are incompatible with his support of the ERA. Human rights and family organization are based on human differences. ERA is based on sameness and elimination of distinctions between men and women. Therefore, we ask President Carter to reconsider his support for the ERA because it is incompatible with the ideal of human rights and the strengthening of the family unit. We ask him to reconsider his support of

absolute, unequivocal equality, and we ask that any affirmation of equality that he makes in the future be limited or conditionalized to indicate an understanding of the differing roles of men and women.

For, as advocates of women's rights, we believe that to reach her fullest human potential in life - emotionally, physically, socially, and spiritually, a woman must have free choice, a choice which will enable her to come to terms with the unique feminine role with which she has been endowed. We applaud that which does not hinder or constrain her from reaching her fullest potential as a human being.

Barbara Braun

Barbara (Betty) Braun

WOMEN FOR WOMEN'S RIGHTS

*1149 Moschony Dr
Blauvelt, NY 10913*

(Rockland County)