

Women's Rights Case Study: The Successful Fight for Suffrage and the Unsuccessful Fight for Equal Rights

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(Adapted and excerpted from <http://www.equalrightsamendment.org>)¹

The Equal Rights Amendment

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.

19th-Century Women's Rights Struggles

The first visible public demand for equality came in 1848 at the Seneca Falls, NY Woman's Rights Convention, a meeting of 300 women and men called by Elizabeth Cady Stanton and Lucretia Mott. A proposal for woman suffrage passed at the convention.

After the Civil War, Stanton and Susan B. Anthony fought to have women included in the 14th and 15th amendments giving rights to former slaves. In 1872, Susan B. Anthony tried to vote. She was arrested, convicted, and fined \$100, which she refused to pay. In 1875, the Supreme Court said that while women may be citizens, they were not necessarily voters, and states were not required to allow women to vote.

Victory for Woman Suffrage

In the early 20th century, Carrie Chapman Catt and the National American Woman Suffrage Association lobbied at every level of government while Alice Paul and the National Woman's Party lobbied and took part in other forms of civil disobedience. They were attacked, arrested, imprisoned, and force-fed. Support for woman suffrage grew.

The 19th Amendment affirming women's right to vote was ratified by Congress in 1919, getting more than half the state-level ratifications in the first year. Then it ran into opposition from states'-rights advocates, the liquor lobby, business interests against higher wages for women, and women themselves, who believed that the amendment would threaten the family.

As the amendment approached the necessary ratification by three-quarters of the states, the battle narrowed to Tennessee, where the amendment was decided by one vote, that of 24-year-old legislator Harry Burn, who voted "yes" in response to a letter from his mother saying, "Hurrah, and vote for suffrage!" The 19th Amendment was officially ratified on August 26, 1920, 72 years since Seneca Falls.

The Equal Rights Amendment

Alice Paul believed that freedom from legal sex discrimination required an Equal Rights Amendment. In 1923, she lobbied for an early version of the ERA. The amendment was introduced in every session of Congress until it passed in reworded form in 1972.

Alice Paul rewrote the ERA in 1943 to reflect the 15th and the 19th Amendments: "Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex." In the 1960s, women organized to demand their rights, including the ERA.

The Equal Rights Amendment passed both houses of Congress on March 22, 1972 and was sent to the states for ratification. Congress placed a seven-year deadline on the ratification process. Twenty-two of the 38 states needed ratified the ERA in the first year.

The pace slowed as opposition began to organize – eight ratifications in 1973, three in 1974, one in 1975, and none in 1976.

Anti-ERA organizers claimed that the ERA would deny woman's right to be supported by her husband, privacy rights would be overturned and women would be sent into combat. States'-rights advocates said the ERA was a federal power grab while ERA opposition was also organized by fundamentalist religious groups. Pro-ERA advocacy was led by the National Organization for Women (NOW) and ERAmerica.

Hopes for victory dimmed as other states postponed consideration, defeated ratification bills and proposed or passed rescission bills. As the 1979 deadline approached, ERA advocates asked Congress for an extension which was granted and extended to June 30, 1982.

Although pro-ERA activities increased with massive lobbying, petitioning, countdown rallies, walkathons, fundraisers, and even the radical suffragist tactics of hunger strikes, White House picketing, and civil disobedience, ERA did not succeed in getting three more state ratifications before the deadline. The country was still unwilling to guarantee women constitutional rights equal to those of men.

¹ This website is a project of the [Alice Paul Institute](#) in collaboration with the ERA Task Force of the [National Council of Women's Organizations](#). The [Alice Paul Institute](#), a not-for-profit corporation based in Mount Laurel, NJ, was established in 1984. The API's principal mission is to enhance public awareness of the life and work of Alice Paul, author of the Equal Rights Amendment. The [National Council of Women's Organizations](#) is a Washington, DC-based nonpartisan network of more than 200 women's organizations, representing more than 10 million members. It was established by leading national women's organizations in response to the 1982 expiration of the deadline for ERA ratification. The text from this website will assist in the development of the skills associated with LACC.68.RH.3.8.