

Unitarian Universalist Fellowship of Kokomo, May 10, 2020, Rev. Beverly H. Seese

Constitutional Amendment 19 ----- And 38?

We've Come A long Way Baby!

To get where we've got to today.

Quote for the day: There is no way to be a perfect mother, and a million ways to be a good one. – Jill Churchill

This Sunday, Mother's Day occurs during the Centennial Celebration year of our nation extending the right to vote to all of her citizens. Half of our United States citizens, the women, were barred from participating in the voting process for 144 years. (Women could vote in New Jersey until 1807.) Our female fore-bearers, a huge majority of them mothers, assisted by progressive-thinking men, finally won the campaign, in 1920, of universal suffrage in this country, which we retain to this day. (Although there are other very important voting rights issues that still need to be addressed.)

Who said you've come a long way baby? It started in 1968 – Phillip Morris launched the very first cigarette brand marketed specifically to women. The “You've come a long way, baby” slogan (created by the famous Leo Burnett Agency) instantly caught on, and the “Women's Lib” theme perfectly tapped into the, then current, female consumer's mindset.

But wait a minute, the creation of a cigarette “just for women” isn't what I celebrate as a major milestone on the path to equal status.

Life has gotten better for women during the past centuries. Marie Antoinette, born in 1755, was the last Queen of France before the French Revolution. She was born an Archduchess of Austria and at age 14 was given in an arranged marriage to Louis-Auguste, heir apparent to the French throne.

Our modern era has done a little better by the brides of royalty in recent years as a result of the determination of young women including Kathryn Middleton and Meghan Markle, who married princes William and Harry of England.

What I see as “coming a long way” are the milestones reached by these young women and the many hardworking and determined folks who have viewed women as mental and moral equals throughout history.

The Nineteenth Amendment to the Constitution of the United States is one of those milestones, which reads: The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have power to enforce this article by appropriate legislation.

This year marks just 100 years of United States women being allowed to vote. In August 1920, Tennessee's ratification of the 19th Amendment made it the last state needed to give women across the nation something they had worked more than three generations to achieve: suffrage. Tennessee was the 36th state to ratify on August 18, 1920. This legislation created the three-fourths majority needed to amend the United States' constitution, and, on August 26, the amendment became law, which gave suffrage to more than 27 million women across the nation.

A little history from Wikipedia:

Some women demanded political equality even before the nation's founding. In March of 1776 Abigail Adams instructed her husband, John Adams, to “remember the ladies” as he and other delegates to the Continental Congress drafted founding principles for a newly independent nation. For more than a century, even while denied access to the ballot box, women continued to engage in politics as abolitionists, petitioners, plaintiffs, correspondents, spouses, preachers, and public speakers. Political activists met at Seneca Falls, New York, in 1848 to organize a national

movement for women's legal and political rights. During the years of the Civil War and Reconstruction, while lawmakers in Congress debated the legal and civil rights of formerly enslaved people, women petitioned Congress for their own right to vote. Those efforts failed, but suffragists continued to carry the torch for reform throughout the post-war years and into the 20th century. In 1878 Senator Aaron Sargent became the first member of Congress to formally propose a constitutional amendment specifically to extend voting rights to women. The Senate never voted on Sargent's proposal, but the idea and the suffragists who supported it persisted. Senators—some of them working closely with activists—continued to debate women's political rights over the next four decades as suffrage lobbyists ramped up pressure on members of Congress. After several failed attempts, the Senate finally approved a constitutional amendment for woman suffrage on June 4, 1919. Ratified in 1920, the Nineteenth Amendment to the Constitution includes only 39 words, two sentences that represent the work of generations of activists and a dedicated group of congressional reformers.

The first official Mother's Day became a national celebration in 1914, when President Woodrow Wilson signed a proclamation making Mother's Day an official holiday, to take place the second Sunday of May.

Coming just six years before the achievement of universal suffrage, it seems possible that this was a gesture to try and appease women who were struggling to get the vote.

The first of Our Unitarian Universalist Principles calls us to affirm and promote "the inherent worth and dignity of every person." It is easily argued that women's opinions and worth were not being affirmed and promoted during the years that they could not participate in the country's political process by voting.

The 1920 voting rights amendment was certainly a significant step forward for women's equality, however, women were still blocked in various ways from equal opportunities in many areas of 20th century life.

On July 20, 1923, the National Woman's Party (NWP) met in Seneca Falls, New York, to commemorate the 75th anniversary of the historic Seneca Falls Convention and celebrate the 1920 ratification of the Nineteenth Amendment, by which women won the right to vote. At the meeting, NWP leader Alice Paul announced her next project would be to develop and promote a new constitutional amendment, guaranteeing equal rights and equality under the law in the United States to women and men. Paul, a prominent suffragist, noted the recent ratification of the Nineteenth Amendment, which established the right of women to vote. She characterized an "equal rights" amendment as the next logical step for the women's movement.¹ The proposed amendment was first introduced six months later, in December 1923, in the 68th Congress. Originally named "the Lucretia Mott Amendment," in honor of the abolitionist, women's rights activist, and social reformer; the draft amendment stated that, "men and women shall have equal rights throughout the United States and every place subject to its jurisdiction."

Despite the efforts of women's rights advocates in every Congress, nearly 50 years passed between the time when the Mott Amendment was first introduced in 1923 and was approved by Congress. Finally in 1972 after a hard fought battle, the 38th amendment to the U.S. constitution was passed. Known as the Equal Rights Amendment, it reads: "equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex...." The amendment picked up steam, getting 22 of the necessary 38 ratifications in the first year. But after that, the ratification movement ran into staunch resistance led by Ms. Schlafly, and by 1976, it had fizzled. Indiana didn't ratify until Jan. 24, 1977, the 35th state to do so, and where the tally sat until 2017.

In recent years, two more states -- Nevada in 2017 and Illinois in 2018 -- have ratified the ERA. 12 states have never ratified the ERA.

Then in January of this year came this headline:

Washington (CNN) - Virginia on Monday finalized its ratification of the Equal Rights Amendment, a potential milestone in the century-long effort but one that faces significant legal obstacles. Cheers broke out in the chamber after the state Senate voted 27-12 on Monday to pass the state House of Delegates resolution to ratify the ERA. The House had passed the resolution on January 15. Later Monday, the State House of Delegates adopted the state Senate's resolution by a vote of 58-40.

The process does not require the approval of Gov. Ralph Northam, a Democrat who has voiced support for the effort.

The commonwealth could be the 38th (Up 2 from what was need to ratify the 19th amendment because the country added 2 states in the meantime.) state to ratify the ERA, which would ban discrimination on the basis of sex and guarantee equality for women under the Constitution, but there are big legal questions as to whether that ratification stands. Opponents of the amendment say the congressional imposed deadline to ratify the ERA has long expired and point to five states that have rescinded or withdrew their ratifications within that deadline. ERA proponents argue that the deadline can be removed because it's not in the body of the amendment's text and that rescinding a ratification has no legal validity. Passing the ERA has been an urgent priority for Virginia Democrats, who control both houses of the state legislature and passed the ERA in both chambers earlier this month.

The state will transfer its ratification documents to the archivist of the United States, David Ferriero. The Justice Department, responding to a lawsuit brought by three conservative-leaning states, has argued the deadline to ratify the ERA has expired and the matter is no longer pending, effectively binding the archivist from taking action. Virginia Attorney General Mark Herring, a Democrat, has told CNN he plans to "use every tool at my disposal to make sure it's added to the Constitution."

There are efforts in the US Congress to restart the ratification process and to eliminate the deadline. House Democrats are working to extend the deadline for ratification, though the chances of passage are unclear in the Republican-led Senate. CNN's Laura Ly contributed to this report.

Then in February this came out:

The US House will vote on February 10 on whether to rescind the ERA ratification deadline, according to Majority Leader Steny Hoyer's office.

And on February 13, 2020, the nation's House Votes to Extend Deadline to Ratify 1972 Equal Rights Amendment. The House voted largely along party lines to extend a 1982 deadline for states to ratify the amendment, which mandates equality between the sexes. By Sheryl Gay Stolberg

Speaker Nancy Pelosi and women members of Congress during a news conference on the Equal Rights Amendment on Wednesday in the Capitol. Credit...Erin Schaff/The New York Times

WASHINGTON — House Democrats on Thursday moved to enshrine the decades-old Equal Rights Amendment into the Constitution, reviving a long-simmering cultural debate over

whether the nation's founding charter should guarantee equal rights to all citizens regardless of sex.

But the vote, to extend a deadline for ratification that expired in 1982, was largely symbolic. Senator Mitch McConnell, the majority leader, has said he is "not a supporter" of the measure — known as the ERA — and is highly unlikely to take it up in the Senate.

And the Supreme Court Justice Ruth Bader Ginsburg, a longtime supporter of the E.R.A. who spent her early years as a lawyer fighting for its passage, may have delivered a death knell to the effort this week, when she urged supporters to set aside their long-running campaign for ratification and start over.

"I would like to see a new beginning," Justice Ginsburg said during an event at the Georgetown University Law Center on Monday. "I'd like it to start over. There's too much controversy about latecomers."

Justice Ginsburg's comments gave a lift to opponents of the measure, including Senator Lindsey Graham, Republican of South Carolina and chairman of the Judiciary Committee, who said Thursday that the deadline extension would be rejected by the Senate.

"It is clear the statutory period to have passed the E.R.A. expired decades ago and it would be necessary for it to be reintroduced to have constitutional viability," Mr. Graham said in a statement.

The amendment is also mired in lawsuits. The attorneys general of Alabama, Louisiana and South Dakota filed suit in December opposing ratification. But the attorneys general of Virginia, Nevada and Illinois filed suit last month to force the amendment to be added to the Constitution. Thursday's House vote came 100 years after women won the right to vote, and 48 years after Congress first approved the E.R.A. in 1972, setting a deadline of 1979 for ratification. When only 35 states had ratified it by 1979, Congress extended the deadline to 1982. But that deadline, too, passed with just 35 states — three short of the required 38 — having voted to ratify the amendment, amid an intense campaign led by Phyllis Schlafly, a proudly anti-feminist Republican to block it.

But in recent years, the movement gained steam again. Nevada voted to ratify the amendment in 2017, followed by Illinois in 2018. Last month, Virginia became the 38th state, which prompted Thursday's move to approve the deadline extension. It passed by a vote of 232-183, almost entirely along party lines.

Just five Republicans — Representatives John Curtis of Utah, Rodney Davis of Illinois, Brian Fitzpatrick of Pennsylvania, Tom Reed of New York and Jeff Van Drew of New Jersey — joined all Democrats in voting in favor.

Many Democratic women wore purple to the House floor to debate and cast their votes on the measure, in a nod to the purple sashes worn by the suffragists over their white outfits.

"Millions of American women still face inequality under the law and injustice in their careers and lives," Speaker Nancy Pelosi said in a speech before the vote. "It's not just about women, it's about America. The E.R.A. will strengthen America, unleashing the full power of women in our economy and upholding the value of equality in our democracy."

The bill does have bipartisan backing in the Senate, where it is sponsored by Senators Lisa Murkowski, Republican of Alaska, and Ben Cardin, Democrat of Maryland.

Republican opponents argued the amendment is unnecessary, because the 14th Amendment already guarantees equal treatment for all citizens under the law. They noted that five states — Nebraska, Tennessee, Idaho, Kentucky and South Dakota — had tried to rescind their ratification votes in the 1970s.

And they warned that it would result in the expansion of abortion rights.

“This is an open door to abortion on demand with no restriction, no government interference — in fact, government will pay for it,” warned Representative Doug Collins of Georgia, the top Republican on the Judiciary Committee.

Students for Life, which organizes college students around opposition to abortion, also waged a call-in campaign, urging members to lobby their representatives to oppose the amendment.

“The Equal Rights Amendment is nothing to do about equal rights and everything about abortion, that’s why we call it the ‘Everything Related to Abortion’ act,” the group said on its website. “The E.R.A. is simply a Trojan Horse for taxpayer-funded abortion on demand, and abortion advocates are openly admitting it.”

To that, Ms. Pelosi said: “Women should not have the same status of equality as men? This has nothing to do with the abortion issue. That’s an excuse, it’s not a reason.”

The text of the Equal Rights Amendment is simple: “Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.”

We’ve come a long way, but this struggle will surely continue until the ERA is finally passed. Mother’s Day call’s special attention to a certain segment of the population for which we want to show appreciation. So today we celebrate all those women who have striven to be good mothers as well as all the other people who do a lot of mothering in our society. Regardless of sex, we appreciate people in our community who have these skills. We can especially admire those mother-ers who, along with their family commitments, channeled their thinking and efforts toward making our country’s laws and practices more equitable for all our citizens.

Here’s an opportunity for UU’s to participate later this week:

From our Boston headquarters to all UU members and friends:

How We Thrive!: a LIVE virtual event

Tuesday, May 12, 2020 7:00 PM - 9:00 PM ET

There are innovative, effective ways that we can fight for free and fair elections, even (and especially!) in the midst of a pandemic.

Join us LIVE for a special update from UU the Vote. This event will feature musicians from across the country, a message from UUA President Rev. Susan Frederick-Gray, and opportunities for you to get involved and make meaningful impacts in 2020! Go to UU the Vote to get connected.