

Work for Equal Legal Rights



By HAZEL PALMER
National President

SINCE 1937, The National Federation of Business and Professional Women's Clubs, Inc. has supported the Equal Rights Amendment to the United States Constitution as the most effective means of assuring equal legal rights to women, and of adjusting legal inequalities based on sex which exist in the United States. Accredited delegates from the clubs and state federations in the 48 states, Washington, D. C., Alaska and Hawaii reaffirmed support of the amendment at our National Biennial Convention held in Miami Beach in July, 1956.

The Constitution has been construed as granting certain rights only to men. The Fourteenth and Fifteenth Amendments would seem to give equal protection and political rights to all persons. However, the effect of court decisions has been to except women in certain of their applications. As an example of the discrimination women suffer because

they have not been included, specifically, in the rights contained in the Fourteenth and Fifteenth Amendments, the Executive Order which sets forth the policies and procedures of the President's committee on government employment prohibits discrimination "against any employee or applicant for employment in the Federal government because of race, religion, color or national origin." There is no prohibition against discrimination on the basis of sex. Similarly, the Executive Orders which set forth the nondiscrimination provisions to be included in government contracts prohibit discrimination "against any employee or applicant for employment because of race, religion, color or national origin." There is, however, no prohibition against discrimination on the basis of sex.

The Nineteenth Amendment, in 1920, gave women the right to vote, but did not give them legal equalities in other respects. Over a period

of years, there has been some improvement in women's status, through changes in state laws. However, in some states today the legal rights of men are far superior to the legal rights of women. In the absence of a Constitutional Amendment granting equal legal rights to women, what rights a state legislature may give this year, it can take away next year.

There need be no fear that the Equal Rights Amendment will interfere with states rights to legislate on health, welfare and civil matters. The only limitation that would be imposed by a Constitutional Amendment granting equal rights to men and women would be that laws shall apply to all *citizens*, regardless of sex.

The chief objection to the amendment seems to stem from a fear that it would nullify "protective" legislation.

Our Federation believes that restrictive work laws for women only (minimum hours, wages, and conditions of work applying to women only) serve to make employment of women a matter of additional burden to employers, and result in discriminations in the employment of women. Women know that the Equal Rights Amendment would not force anyone to hire a woman, but they do know that it would give women the *legal* right to be hired if someone did wish to employ them, where such employment is now prohibited in some states under the guise of "protective legislation" for women.

The Equal Rights Amendment would not prevent enactment of protective legislation for "classes" of

citizens—that is, mothers, widows and children. Veterans' legislation, legislation for farmers, legislation for our elderly people, constitute examples of legislation for a "class" of citizens.

Such legislation is not based on sex, but on the circumstances of a group of citizens. We believe there is a real need for supplanting current protective legislation exclusively for women by new and broader laws protecting both men and women without discrimination. The National Federation of Business and Professional Women's Clubs believes that *all* workers should be assured favorable working conditions regardless of sex, and that legislative progress in this direction would be more rapid if working men and women enjoyed equality under this Constitutional Amendment. Both the Democratic and Republican National Conventions adopted platforms in 1956 pledged to the support of the Equal Rights Amendment. To not honor this pledge is to place a weapon in the hand of our ideological enemy, we feel.

The Equal Rights Amendment will not require more extensive testing by the courts than any other new law. Of course, there will be some changes in some state laws if this Amendment is ratified. That is its purpose. But surely, legal equality under the laws of this country is well worth the necessary legal decisions in the courts if the questions are taken there.

To become a law, the Equal Rights Amendment will have to be ratified by 36 state legislatures. The thing we ask is that Congress submit the question to the states and give the people of America a chance to decide the future legal status of one group of citizens—Women.

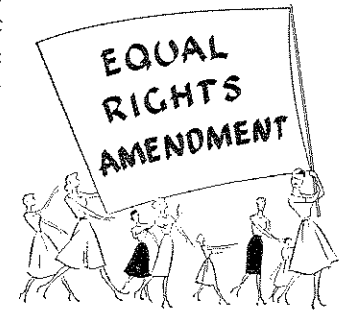
Efforts toward legal equality have proven successful. Federal law during the past World War placed women in the service on an equal basis with men in relation to pay, status and benefits. This gave impetus to the acceptance and utilization of women's capacities, and proved the value of women as an integral part of the service. Our country needs the intelligent ac-

ceptance of responsibility by all of its citizens. More than 50 per cent of the American people are women. With women under legal disability, this means that over one-half of our citizens are prevented from making their maximum contribution to the solution of the critical problems which face us.

The United Nations Charter, to which the United States is signatory, stated in its preamble as one of its purposes "to reaffirm faith in the equal rights of men and women." By subscribing to the Charter, each nation has endorsed this principle. Internationally, so far as equal rights are concerned, we lag behind countries which the United States itself has encouraged to grant equality to women. Egypt, Burma, Greece, Japan, Western Germany and Pakistan have all given constitutional equality to women. The prestige of the United States is assailed by Russia on the grounds that it does not grant its women equal legal rights. If our Constitution contained the Equal Rights Amendment, the United States would not be placed in the position of endorsing this principle in theory but violating it in practice.

The Equal Rights Amendment would give women equal legal rights in such areas as inheritance, guardianship of children and property rights. These are urgent matters that need to be corrected. We recognize that the intangibles of social inequality cannot be solved by legislation. Nevertheless, it can hardly be doubted that nondiscriminatory law is basic to the achievement of a just society, and the only apparent way the several states can be assured of nondiscriminatory laws and permanency of them is by the passage of the Equal Rights Amendment to the United States Constitution.

We urgently and respectfully seek your wholehearted support of this very important legislation. The women of America seek only their just rights as *full* citizens. To those of you who have fought beside us in the past for our full citizenship, we are grateful. To you who will now join us, may we say "thank you" and express our deep appreciation.



All BPW members are urged to study the statement on the Equal Rights Amendment contained on these pages. This statement was sent by the Federation's National President, Miss Hazel Palmer, to all members of Congress on February 8. Subsequently, the statement was included in the *Congressional Record*.

Congressional support for the Equal Rights Amendment has been built up by club members who have written to their congressmen and senators asking for its passage, without any crippling changes. Miss Palmer has also done a wonderful job in seeking support from Congress.

BPW members will be advised when the time is right for them to again write to their individual representatives in a concerted effort to secure passage of the bill.