

ERA RESURRECTED

If passed and approved by Congress, the ERA will supersede state laws and be the basis for challenging any law favoring one sex over another. The ERA is not about equality for women. If it was, it would be a duplication of the Fourteenth Amendment. Rather, the ERA eliminates all legal distinctions between sexes.

THE TIME LIMITATION EXPIRED

The original time limitation for ratification (three-fourths of the states (38) adopting its passage) was to end on March 22, 1979. When this date approached, and it became clear that it would not be ratified, Congress passed the ERA Time Extension resolution. This act changed seven years into 10 years, thus extending the date to June 30, 1982. This created public outrage, and critics compared it to adding an extra inning to a baseball game or an extra quarter to a football game even though the game was not tied.

After a 2 ½ year lawsuit, the U.S. District Court ruled the time extension was unconstitutional (*Idaho v. Freeman*). When the case was appealed, the U.S. Supreme Court dismissed it as “moot” (*Now v. Idaho*, 459 U.S. 809), citing “the Amendment has failed of adoption no matter what the resolution of the legal issues presented here.” Thus the Supreme Court understood that ERA was dead whether it expired in 1979 or 1982.

NO STATES PASSED ERA DURING OR AFTER TIME EXTENSION

After Congress added more than three additional years for ERA to be ratified by three-fourths of the states, not a single state ratified it after time extension. Once scholars and constitutionalists examined the potential scope of its affects, there was great concern. However, radical feminist and homosexual groups continue to push for its resurrection.

FIVE STATES RESCINDED ERA

Nebraska - 3/15/73, Tennessee - 4/23/74, Idaho - 2/08/77, Kentucky - 3/16/78, S. Dakota - 3/01/79
Proponents argue that there was no provision in the ERA for rescinding their ratifications. Something else to be decided in courts if Illinois and 2 other states pass it.

