

## “To Pass, or not to Pass” The Equal Rights Amendment Dilemma



Poster used by ERA supporters between 1965-1980 for ratification  
[http://lcweb2.loc.gov/cgi-bin/query/h?pp/PPALL:@field\(NUMBER+@1\(yan+1a38048\)\)](http://lcweb2.loc.gov/cgi-bin/query/h?pp/PPALL:@field(NUMBER+@1(yan+1a38048)))

Students will use primary sources from the Library of Congress website along with other documents to explore the complicated issues surrounding the Equal Rights Amendment.

### Overview

<b>Objectives:</b>	<ul style="list-style-type: none"> <li>• Students will be able to recall events of the Woman’s Rights Movement (1960’s – 1970’s)</li> <li>• Students will be able to identify where, when, and why the Equal Rights Movement began.</li> <li>• Students will be able to identify individual subjects who campaigned for and against the Equal Rights Amendment.</li> <li>• Students will be able to identify social and moral implications that such an amendment would have caused with its ratification.</li> <li>• Students will compose an essay about whether woman should be drafted into the military.</li> </ul>
<b>Recommended Time Frame:</b>	1-2 Days, 55 Minute Lesson
<b>Grade Level:</b>	9-12 High School
<b>Curriculum Fit:</b>	US History and Geography, Civics
<b>Materials:</b>	Computers, Internet access to Library of Congress websites and navigation guidelines, assignment sheet with specific options for information sources, handouts for analysis of various formats of LOC documents and information such as the ERA Amendment, Elaine Donnelly article, evaluation rubric.

### Michigan Department of Education High School Social Studies Content Expectations

<b>US History Geography</b>	<ul style="list-style-type: none"> <li>• 8.3 Civil Rights in the Post-WWII Era</li> <li>• 8.3.3 Woman’s Rights – Analyze the causes and course of the woman’s rights movement in the 1960s and 1970s (including role of population shifts, birth control, increasing number of woman in the work force, National Organization for Women (NOW), and the Equal Rights Amendment (ERA). National Geography Standard 10, p. 203.</li> </ul>
<b>Civics</b>	<ul style="list-style-type: none"> <li>• 2.2 Foundational Values and Constitutional Principles of American Government.</li> <li>• 2.2.4 Analyze and explain ideas about fundamental values like liberty, justice, and equality found in a range of documents (the Equal Rights Amendment). See USHG F1.1; 8.3.2; 9.2.2)</li> <li>• 6.1 civic Inquiry and Public Discourse</li> <li>• 6.1.1 Identify and research various forms of evidence, information, and sources about a significant public policy, including primary and secondary sources, legal documents (e.g. Constitutions, court decisions, state law), non-text based</li> </ul>

	<p>information (e.g. maps, charts, tables, graphs, and cartoons), and other forms of political communication.</p> <ul style="list-style-type: none"> <li>• 6.1.3 Develop and use criteria in analyzing evidence and position statements.</li> <li>• 6.1.4 Address a public issue by suggesting alternative solutions or courses of action, evaluating the consequences of each, and proposing an action to address the issue or resolve the problem.</li> <li>• 6.1.5 Make a persuasive, reasoned argument on a public issue and support using evidence (e.g. historical and contemporary examples) constitutional principles, and fundamental values of American constitutional democracy, explain the stance or position.</li> </ul>
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### **Procedures**

- In a History class, introduce the activity by discussing the origins of the Equal Rights Amendment by looking at the origins of the movement by having them recall who Alice Paul was. This topic is usually covered in the 1960's but starting with Alice Paul is a good recall of information.
- In a Government class, this can be introduced after discussing the Amendment Process in Article V and discussing why this Amendment did not pass.
- After discussing how Alice Paul founded the NWP (National Woman's Party) and how she was responsible for getting the 19<sup>th</sup> Amendment passed, show them the text of what she wanted to pass with the ERA Amendment (see handout).
- Then show them recent legislation in Congress that was submitted by Rep. Carolyn Maloney (House Bill H.J. RES. 40)(see handout). Ask the students if there is a difference between the two? There is none.
- Ask students what caused women to want such as amendment to be added to the Constitution? Discuss inequality that led to 19<sup>th</sup> Amendment, but women were still not seen as equal to men under the law. The movement would stall due to the depression and WWII and would not emerge again until the 1960's.
- Move the discussion to the 1960's and 1970's. Ask the students what led to the second wave of the Women's Rights Movement? Once students are able to identify dissatisfaction with traditional roles such as homemaker (house wife) and inequality in the workplace (careers and pay), bring up the second push for ratification of the ERA Amendment. Ask students if they know who NOW is? National Organization of Women. Bring up Betty Friedan and her role as a leading female rights activist and founder of NOW.
- Then move on to the lab part of the assignment; What is a Primary Source and how are they used? Navigation of the Library of Congress Website ([www.loc.gov/](http://www.loc.gov/))
- Then have the students read Betty Freidan's interview from 1979 by location the map of the states that did not ratify the ERA where she is interviewed.

### **Evaluation**

Evaluate essay with the following rubric: Should Women Be Drafted into the Military?

### **Extension**

Have the students debate the issue between the pro-draft group and anti-draft group. Start out by having it read by a group leader.  
 Have students create a poster to promote their stance on the ERA Amendment.  
 Students can also write an essay about which amendment would they like to see rescinded.  
 There are more lesson plans concerning some of the organization from the progressive era on the Library of Congress <http://loc.gov/teachers/>

## Primary Resources from the Library of Congress

Peters, Frank ( 1979 ) ( Map + Article )  
American Memory Collection, Source: U.S. Historical, Cultural Collections  
[Link to Map and Article](#)

[Yes ... we can rescind E.R.A., the Equal rights amendment](#)  
( [1976] ) ( Book, Periodical, Manuscript )  
Source: Library of Congress Online Catalog

[H.J. Res 40 proposed by Representative Carolyn Maloney](#)

[2008 Electoral College Map](#)

Supplemental Resources:

[Eagle Forum Website on the E.R.A. website](#)

[Equal Rights Amendment site](#)

<b>Rubric</b>					
<b>Persuasive Essay: Should Women be Drafted into the Military?</b>					
<b>Category</b>	<b>4 - Above Standards</b>	<b>3 - Meets Standards</b>	<b>2 - Approaching Standards</b>	<b>1 - Below Standards</b>	<b>0- No Attempt</b>
<b>Position Statement</b>	The position statement provides a clear, strong statement of the author's position on the topic.	The position statement provides a clear statement of the author's position on the topic.	A position statement is present, but does not make the author's position clear.	There is no position statement.	No Attempt
<b>Support for Position</b>	Includes 3 or more pieces of evidence (facts, statistics, examples, real-life experiences) that support the position statement. The writer anticipates the reader's concerns, biases or arguments and has provided at least 1 counter-argument.	Includes 3 or more pieces of evidence (facts, statistics, examples, real-life experiences) that support the position statement.	Includes 2 pieces of evidence (facts, statistics, examples, real-life experiences) that support the position statement.	Includes 1 or fewer pieces of evidence (facts, statistics, examples, real-life experiences).	No Attempt
<b>Refute</b>	Demonstrates a clear understanding of the potential reader and uses appropriate vocabulary and arguments. Anticipates reader's questions and provides thorough answers appropriate for that audience.	Demonstrates a general understanding of the potential reader and uses vocabulary and arguments appropriate for that audience.	Demonstrates some understanding of the potential reader and uses arguments appropriate for that audience.	It is not clear who the author is writing for.	No Attempt
<b>Closing paragraph</b>	The conclusion is strong and leaves the reader solidly understanding the writer's position. Effective restatement of the position statement begins the closing paragraph.	The conclusion is recognizable. The author's position is restated within the first two sentences of the closing paragraph.	The author's position is restated within the closing paragraph, but not near the beginning.	There is no conclusion - the paper just ends.	No Attempt
<b>Grammar &amp; Spelling</b>	Author makes no errors in grammar or spelling that distract the reader from the content.	Author makes 1-2 errors in grammar or spelling that distract the reader from the content.	Author makes 3-4 errors in grammar or spelling that distract the reader from the content.	Author makes more than 4 errors in grammar or spelling that distract the reader from the content.	No Attempt

## Handouts

### Handout #1

#### Proposing an amendment to the Constitution of the United States relative to equal rights for men and women. (Introduced in House)

HJ 40 IH

110th CONGRESS  
1st Session  
**H. J. RES. 40**

Proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

#### IN THE HOUSE OF REPRESENTATIVES

**March 27, 2007**

Mrs. MALONEY of New York (for herself, Mr. NADLER, Mr. DINGELL, Ms. VELAZQUEZ, Ms. CLARKE, Ms. WOOLSEY, Ms. JACKSON-LEE of Texas.....

#### JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:*

#### **`Article--**

`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.'

## Handout #2

### Alice Paul version of the Equal Rights Amendment written in 1923.

Here is what she proposed:

- ★ 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.

## Handout #3

### Betty Freidan Interview and Map 1979 St. Petersburg Times Article

1. What were some of the reasons why Betty Freidan thought the reason for passage of such an amendment was necessary?
2. What did she attribute the failure of the E.R.A. Amendment? Who does she blame?
3. Look at the map of the United States in the article from 1979. What do you see? Is there a pattern among the states? What do you believe were some reasons why the states voted the way they did?
4. Examine the 2008 election map here [2008 Electoral College Map](#), or look up the 2008 Electoral College Map on Google. Is there a similarity between the two maps? Where and why?

## Handout #4

**Elaine Donnelly, the Michigan Chairwomen of the  
STOP E.R.A. Committee Letter  
Primary source: Yes.... We can rescind E.R.A.**

1. Why does Mrs. Donnelly think the E.R.A. should not be ratified?
  
2. Michigan was a state that ratified the Amendment, what arguments does she make in rescinding the ratification? What does she use to back up her argument?
  
3. How is her view different from Betty Freidan's?