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# EQUAL RIGHTS AMENDMENT

By JEAN D. COLAVECCHIO, CPA

Because the passage of the Equal Rights Amendment, with the Hayden Rider attached, by the Senate of the 81st Congress in the year 1950 was supported by so many of the senators who had endorsed the original bill, AWSCPA and ASWA, asked for a restatement from their members, at their 1950 annual meeting, as to the position they should take in the future.

AWSCPA and ASWA voted, almost unanimously, to endorse the Equal Rights Amendment in its original form and to voice objection to any change which might impair the clear intent of the bill.

The following is a brief summary of the meaning of the Equal Rights Amendment and the inequalities which it hopes to eradicate.

Section 1 of the Amendment states "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Congress and the several states shall have the power, within their respective jurisdictions, to enforce this article by appropriate legislation."

The Hayden Rider amended the bill to add the following: "The provisions of this article shall not be construed to impair any rights, benefits, or exemptions now or hereafter conferred by law upon persons of the female sex."

Supporters of Equal Rights objected to the Hayden Rider because it represented a direct contradiction to the Amendment itself, and because the confusion which would result would prevent clear action by the States. It was felt that if any of the benefits or exemptions now granted to women were truly beneficial, they should be extended also to men.

Many of the inequalities which exist under present law have had their origin in the common law and have long since become unnecessary or undesirable. These inequalities may be grouped into three broad classifications, namely, the rights and duties of men and women in relation to the state, the rights and duties of husband and wife, and the rights and duties of parents. Specifically, inequalities still exist in some states as to the hours which a woman may work, in the right to serve on juries, in the right to contract as between husband and wife, in the age of marriage, in the right to sue and be sued, in courtesy and dower, in

the right of husband and wife to make a will and dispose of property by will, in the right to act as legal guardians, executors, or administrators, and in many other rights and duties.

Most of the leaders in the fight for Equal Rights over the last 27 years have felt that these inequalities can be wiped out by Constitutional Amendment only, and not as has been suggested by some, by separate action of each state.

At least thirty national women's organizations, representing approximately 40,000,000 women of the country, have endorsed the Equal Rights Amendment. The United Nations proclaimed the equality of men and women in its Charter and Universal Declaration of Human Rights. Our Attorney General has stated publicly that this amendment is necessary to conform our Constitution to these United Nations documents. All major political parties have included equal rights for women in their platforms in the last three national elections.

The Amendment has again been presented to the Congress of the United States. It was introduced in the House of Representatives by Congresswoman Katherine St. George and 102 co-sponsors. It was introduced in the Senate by Senator Herbert R. O'Connor and 26 co-sponsors. Since it was first introduced in 1923, the Amendment has never had an unfavorable report from the Judiciary Committee, yet no favorable final action has ever been given it. Senator O'Connor has promised to do everything in his power to secure speedy consideration, and many who have known his work feel that his interest and sponsorship augurs well for the outcome of this movement in the Eighty-Second Congress.

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