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WHY DENY WOMEN EQUAL LEGAL RIGHTS?

By HAZEL PALMER

Miss Hazel Palmer, Attorney at Law, graduated in law from National University in Washington, D. C. She was admitted to the bar in 1933. Miss Palmer, a partner in Palmer and Palmer, Attorneys and Counselors at Law in Sedalia, Missouri, is the First Vice-President of the National Federation of Business and Professional Women's Clubs.

We are happy to have the opportunity to present the viewpoint of this ardent advocate of the Equal Rights Amendment.

At the outset, may I comment that the so-called Equal Rights Amendment is not advocated as a cure for all ills, or as a magic touch to cure all human frailties and weaknesses, or to change human nature, as some opponents would have us believe. It is a matter of equal *legal* rights—not equal rights. A woman should have the same right under the law to enter into contracts, make conveyances of her property, control and manage her own property, serve as legal guardian of her children, enter into business if she desires, work at the time of day, or night, unlimited in number of hours according to her physical and mental ability, have the same control over and the same share in the community property—all just the same as a man.

This Amendment is not just for one group of women. It is not a battle or the sexes. It is not a civil rights bill, an equal rights bill, nor a non-discriminatory personal rights bill. It should for clarification be termed an "Equal Legal Rights Amendment." Many argue that is strictly a matter of state's rights. No one believes more in state's rights than I. But, the necessity of a Constitutional Amendment which would guarantee to all women in the United States the right to vote, defeats this argument. That matter was thrashed out on the proposition of a "half slave-half free" national controversy. The insecure part of securing equal legal rights on a state basis is that such rights could be abolished by the next legislature.

For 31 years this question has been tossed around in Congress. Our nation cries in a loud voice to other nations for equality for their people, particularly their women—yet women here beg for legal equality, the political parties promise it in their platforms, but so far no party has manifested the integrity to keep its word. No wonder Russia and her Communist satellites delight in pointing out

this denial of legal equality to one class of citizens in a Democracy.

Under what banner do the opponents to this measure gather? We are told first that women and men are not equals, and then that "protective legislation" is needed for certain classes of women.

No one advocating passage of this Amendment ever based support of it upon "the fallacy that men and women are so much alike that they should, under all laws, be considered as equals," as stated by Senator Carl Hayden of Arizona in his fight against the Amendment and in presenting the crippling and nullifying Hayden rider. All men are not equal in strength, in intelligence, in business ability, in knowledge of investments, in actual education, in fatherhood—yet no one has advocated that the weak among them be deprived of their *legal* equality.

The banner of "protective legislation" is flown first in the area of employment. Women know that this 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.

There has been much said about the long struggle to secure maximum hours of labor, prohibition of night employment, and "working conditions" for "female workers." May I say that there has been a long struggle to secure all these "rights and benefits" for every working man in this country, until today he, too, enjoys a 40 hour week and the improved "working conditions" some seem to infer were achieved only for physically weak females. The sweatshop days, when women (and men) were worked from morning until night, in unbelievable surroundings for a

(Continued on page 12)

Board of Directors so that fair decisions may be reached. Once an authorization is approved by the Board, the controller must take steps to report on expenditures so that no excess spending results. In no event can he play the part of the passive bookkeeper. For certain of the administrative expenses the controller will be directly responsible—not only for the accounting division expenses, but also for certain of the costs assigned to him for control, such as income taxes, other income and expenses, contributions, or payroll taxes and insurance.

There are many other fields in which the controller is active, such as control of cash, receivables, inventories, investments, fixed assets, liabilities, capital, surplus, and reserves.

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(Continued from page 6)

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Marjorie H. Mitchell, C. P. A., 2nd Vice-President, has served the society as director and as 1st vice-president. A charter member and former president of the Detroit Chapter of ASWA, Marjorie was a director of the San Francisco Chapter during the year just ended. She graduated from Walsh Institute of Accountancy and holds CPA certificates in Michigan and California. Formerly a senior accountant on the staff of Price Waterhouse & Co., Marjorie is currently employed as assistant treasurer of Pacific Molasses Company. A member of the American Institute of Accountants and the National Association of Cost Accountants, she is the first vice-president of the Zonta Club of San Francisco.

Elizabeth E. Shannessy, Secretary, is a past president of the Muskegon Chapter of ASWA and served the national society as auditor in 1952-1953. Mrs. Shannessy, a busy mother and grandmother of four, has been extremely active in Muskegon community activities. She is a graduate of McLachlan University and is employed as General Office Manager of Krause's Stores.

Ida H. Alt, Treasurer, has served the society as director and is a charter member and past president of the Louisville chapter. Miss Alt studied accounting at Midway Junior College, Spencerian Business College and IAS. She is employed by Brown and Monroe, Certified Public Accountants.

(Continued from page 7)

pittance, sweeping the floors and making the fires besides, brought about a crusade for shorter hours and better working conditions, and women being novices to the industrial world, legislation was sought for their "protection" as they gradually filtered from the home and homelife into the field of the gainfully employed outside the home. But that same "protection" was finally achieved for all workers men and women.

This "protective legislation" enjoyed by men has not caused them to lose their *legal* rights. If women are given the same *legal* rights as the male citizen has, are they to be returned to the sweatshops, deprived of their improved "working conditions," and reduced to the pittance wage?

In 1954, what was intended as a protection many years ago, has now become a discrimination against women. For the male employee can work over his regular hourly week and receive time and a half pay, maybe double pay—but because of the "protective legislation" kept on the statute books in some states "female employees" can not so work over time or at night and earn the extra income that she, her children, aged parents and perhaps an invalid husband so badly need.

Almost 20 million women, in 700 different fields of endeavor, are earning a living today, and 46 percent of them have one or more dependents. A survey shows that 92 percent of the mature women who work do so because of necessity, and nearly 5 million families in this country receive at least one-half of all their income from the earnings of women. To maintain the high standard of living in American homes and give the children the education most parents desire for them now, the employment of all the women in the home is in a great majority of cases almost imperative. Millions of women are the sole support of themselves and dependents. Why should a special group of citizens—women—be "restricted" in their employment and their ability to earn? To say the least, it is anti-democratic.

Nothing was too hazardous for the frail, "protected" woman during World Wars I and II. Night work and maximum hours of labor knew no sex during these times. No cry was made to relieve the nurses or the other women in industry and the armed services who worked day and night to save life and keep up production. Could it be in

(Continued on page 14)

these articles and have them available for examination by the customs officer before reaching the port of entry.

Pack baggage in a manner that will make inspection easy. Pack separately the articles acquired beyond United States Borders. If the customs officer asks to have the trunk of the car or any luggage opened, comply without hesitation. This will help speed the traveler through Customs.

If articles are being shipped, either before or after return to the United States, the merchant should be instructed to mark the package "Attention U.S. Customs—Tourist Purchase Enclosed." A full description of articles should be made on the written declaration. This will expedite the clearance of the articles.

Anyone wishing the complete pamphlet on Custom Hints for Persons Entering the United States, may obtain it by writing Dorothy W. Adams, 2077 E. 88th St., Cleveland 6, Ohio.

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(Continued from page 12)

1953 and 1954, as it was stated in 1836, that women are "a competitive menace to men" and, if so, there should be legislation kept on the statute books to restrict women in industry? I wonder if the women now employed in industry in the "restrictive" states realize the import of such so-called "protective legislation"?

The day the Senate passed the nullifying Hayden rider to the Equal Rights Amendment (July 16, 1953), Senator Hayden read letters from the Amalgamated Clothing Workers of America, the American Federation of Hosiery Workers, the Textile Workers Union of America, CIO, the Brotherhood of Railway and Steamship Clerks and, among others, one from the International Ladies' Garment Workers Union written by Mr. David Dubinsky, President. In closing, Mr. Dubinsky wrote: "An equal-rights amendment, which contains the provision you intend to propose (Hayden Rider) is one which our union can fully support. Without such a provision, the equal-rights amendment would be actively and firmly opposed by our union." In other words, as I interpret this message, unless the right was reserved to be able to keep the present and impose future discriminations and restrictions upon women (protections to the opponents of the Amendment) the labor union would oppose the Equal Rights Amendment.

A labor resolution adopted by the A F of L 72nd Convention held in 1953 says in

part: "The American Federation of Labor has opposed the passage of this far-reaching enactment because it would imperil all Federal and State labor legislation protecting wages, hours and working conditions of women." I was under the impression that labor unions fought for more wages, less hours and better working conditions for all employees, female as well as male. Have the male workers lost their improved working conditions because of equal legal rights? If the women employees should obtain equal legal rights under the law, do the unions propose to throw them to the wolves and continue working for better labor conditions for male employees only?

What about the other "protective legislation" that opponents of the Amendment cry the loudest about? The opposition in the Senate, led by the chief opponent, Mr. Hayden of Arizona, supported by Mr. Long of Louisiana, Mr. Lehman of New York, Mr. Holland of Florida, Mr. Welker of Idaho, Mr. Johnston of South Carolina and Mr. Humphrey of Minnesota, based their arguments primarily on "protecting women" from having to pay alimony to a "lazy" husband, or from supporting the children, or from the loss of widows' pensions, maternity benefits, or upon the effect on community property laws in 8 states, and upon state's rights.

Why does anyone think that a widow, a mother, a child who meets the requirements for special benefits and aid would be denied or deprived of it if the women in this country were to be granted equal legal rights? A veteran does not lose his legal rights because he receives special benefits that other citizens do not receive. If he meets certain requirements he can go to college at Uncle Sam's expense. Even all veterans can not have this benefit. The farmer's income for a dozen eggs may be underwritten by the Federal Government, but no one underwrites my income from any source. Is the farmer to be deprived of his legal rights under the laws because he receives special benefits others do not receive? There are many such examples of special benefits written into our laws, but the citizens who receive them have equal legal rights.

Women know that the Equal Rights Amendment would not force a man to respect her more than he does now; they know that in most cases if a father does not desire to support his children, an Equal Rights Amendment will not force him to do so or relieve him of that duty. Too many women, even though they have secured

court judgment for such support, can verify this statement. They, by the millions, are the breadwinners for themselves and their children. This type of opposition is due to lack of understanding of how the woman of today has had to assume so many of the responsibilities of the husband or father or brother, as he carried them in the days of long ago. The truly "protected" woman and the man who so protects her may not have kept abreast of the need of women's great contribution to the economic life of this nation.

The words "rights and benefits," as included in the Hayden rider which nullifies ERA, were a soothing, disarming potion. The words "or exemptions now or hereafter conferred by law upon persons of the female sex" saddled restrictive legislation now in existence and hereafter to be passed, upon the backs of all women in America, particularly working women. The Senate passed

the Hayden rider. It passed the Equal Rights Amendment (S. J. Res. 49) with the rider a part of it, thus again defeating equal legal rights for women.

The House Bill now languishes in the House Judiciary Committee, still in its original form. Senator Butler of Maryland and his 23 co-sponsors of the Senate Bill, Honorable Katherine St. George, Representative in Congress from New York, chief sponsor of the ERA bill in the House, and her more than 100 co-sponsors, have fought for this legislation earnestly, and still fight in the House for the life of the original Amendment.

Millions of Americans still hope the pledges made on equal rights by the Republicans and Democrats in Chicago will be fulfilled; that no appeasing, nullifying amendments will be acceptable, that this nation in the future can point with pride to the existence of equal legal rights for all citizens in this Democracy.

A new year, a new contest, has YOUR CHAPTER submitted a technical article recently?

An idea exchange column requires an exchange of ideas. Has our column editor heard from YOU lately?

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