CAMPS

THE ERA—

After 60 years struggling for equality, women are but a few myths—and male votes—away from their goal.

By Joann Undercoffler

In March, 1972, Congress approved the proposed 27th Amendment to the Constitution of the United States, the Equal Rights Amendment—ERA. For not quite 50 years, workers in at least two generations of women had dedicated their efforts to this goal—a constitutional guarantee against sex discrimination under state or federal law. Nationwide they rejoiced.

All the amendment needed after that was ratification by at least three-quarters of the state legislatures, a minimum of 38. It looked like a shoo-in. What could stop it? Its language was straightforward, positive and simple. It read:

"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 the article.

"Section 3. This amendment shall take effect two years after the date of ratification."

So why, nine years and one extension later, with 35 states having ratified it and only three to go, is the Equal Rights Amendment stalled like an aging dump truck mired in mud?

Martha Greenawalt of Hartsdale is a former president of the New York State League of Women Voters and was a member of the League's national board of directors when she became deeply involved in the fight for equal rights for women. She has watched the amendment's fortunes rise and fall and has become one of its most knowledgeable proponents.

Reminding us in a recent interview that ratification must be accomplished by June, 1982, or the amendment will fail this time around, she admits to discouragement over its prospects. President Reagan heads the first administration in more than 20 years that has not backed the need for the ERA in the Constitution.

"In the present political climate, I'm afraid there's not a chance in the world it'll be ratified by a year from June," says Mrs. Greenawalt. "One big problem is a bloc of voters heavily infiltrated by the Church of the Latter Day Saints, who are vigorously opposed to the ERA. Another is a group who believe literally in Biblical exhortations against women.

This internecine problem "is a reflection of the basic insecurity of women," she reasons. "They are afraid of losing what security they think they have—and these groups play on their fears. So many women have no confidence in their own strengths and capabilities. In many political issues, all you need is enough negatives, regardless of their validity, to have them voted down."

Gonnie Siegel of Bedford—writer, management consultant, feminist and ERA chairwoman for the Westchester Women's Council—has a harsher view: "Realistically, the ERA has bogged down so much because of the smorgasbord of total lies being told about it. It's confusing to people. No one seems to understand the law; even lawyers argue about it."

Some of these lawyers argue that the 14th Amendment is sufficient to protect women from discrimination. But is it and has it?

In the wake of the Civil War, the framers of the 14th Amendment were not concerned about the rights of women. It was still a man's world. Ms. Siegel reminded us that Susan B. Anthony, working with the authors of the constitutional amendment that would give blacks rights they had never had, fought with all her heart to have the word "male" left out of the amendment's section on voting rights, but to no avail. It was time, and a perfect opportunity, she felt, to bring about the vote for women. The rest of the group argued that this was "the Negroes' hour," and left women for another time.

"If she had been successful then," says Ms.Siegel, "we wouldn't be in this situation today."

Women had to wait 50 more years to achieve the vote. Then in 1923 they began the push for constitutionally guaranteed equal rights, looking for a logical complement to women's suffrage. The National Women's Party wrote the Equal Rights Amendment and the battle was joined. They haven't won yet.

For those who believe the 14th Amendment protects the rights of women, witness the case of Louisiana's Joan Feenstra, currently before the U.S. Supreme Court.

In 1974 Mrs. Feenstra brought charges against her husband for abuse of their young daughter. Unbeknownst to Mrs. Feenstra, her husband put up their jointly owned house as collateral for attorney fees. A year later, when the couple had separated, the lawyer attempted to foreclose on the little house (which Mrs. Feenstra had helped buy with money from the sale of fish she had caught) because the lawyer claimed the husband still owed him money.

Because Louisiana at that time had a "head-and-master" amendment tacked onto its joint-property laws, Mrs. Feenstra had absolutely no control over what happened to her property even though her husband was in jail. (The "head-and-master," law, giving husbands control over any jointly owned property, has since been repealed. There's no guarantee, however, that it won't crop up again sometime.)

Mrs. Feenstra fought the foreclosure and lost in the federal district court. That decision was overturned by the U.S. Court of Appeals for the 5th Circuit. This was in turn appealed by the lawyer to the Supreme Court. Kim Greene of the National Organization for Women's Legal Defense and Education Fund clearinghouse

JOANN UNDERCOFFLER, a staff writer for Gannett Westchester Newspapers, has often written on feminist issues.

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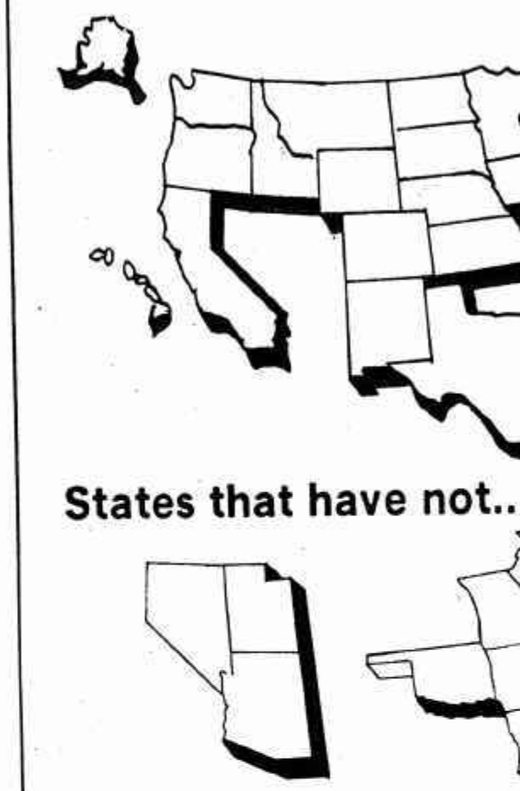

States that have not...

The shaded states are Idaho, Nebraska and Tennesse amendment and later voted to rescind ratification. Th that rescission is in doubt. Kentucky's vote to rescind ra by its governor.

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