



**National Association of Women Lawyers**  
Empowering Women in the Legal Profession Since 1899

### **Resolution in Support of Ratification of the Equal Rights Amendment to the United States Constitution**

The following resolution was unanimously approved by the Board of Directors of the National Association of Women Lawyers on the 6<sup>th</sup> day of March 2020.

**WHEREAS**, the United States Constitution does not explicitly guarantee equal rights and equal protection for the sexes; and

**WHEREAS**, the 14th Amendment to the United States Constitution and state constitutional statements of equality generally do not provide the strict scrutiny for sex-based classifications that is provided for classifications based on race, religion, and national origin; and

**WHEREAS**, state laws are not uniform and federal laws are not comprehensive, and these laws can be repealed or reduced; and

**WHEREAS**, the people of the United States continue to experience the negative effects of the lack of political parity between men and women, including unequal opportunity and pay, health care inequities, and disparate rates of poverty, rape and domestic violence assaults; and

**WHEREAS**, the Equal Rights Amendment (ERA) provides that “Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex;” and

**WHEREAS**, the ERA would help ensure that all people of the United States have the same constitutional protections regardless of sex and gender status; and

**WHEREAS**, the ERA was proposed in 1923 and passed by Congress in 1972, and now has met the constitutional requirement for ratification by 38 states with approval of Nevada (2017), Illinois (2018), and Virginia (2020), and five state rescissions that, by precedent, have never before been recognized as valid; and

**WHEREAS**, the National Association of Women Lawyers (NAWL) has long supported the ratification of the ERA as one of the first national organizations to endorse the ERA; NAWL was present for the first reading and presentation of the ERA at the National Women’s Conference in 1923 and subsequently printed the Amendment in its entirety in the *Women Lawyers Journal* that same year; when Congress finally passed the amendment in 1972, the campaign for ratification by the states became NAWL’s major project for the following decade, spearheaded by Marguerite Rawalt who wrote in the *Women Lawyers Journal* in 1971, “Equal justice does not exist for women under the Constitution as interpreted to date. They are the one remaining ‘class’ and category not yet adjudged to come under the legal umbrella of the Constitution;” and



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**WHEREAS**, the ERA is awaiting certification by the Archivist of the United States and publication as part of the United States Constitution;

**NOW, THEREFORE, BE IT RESOLVED**, that the National Association of Women Lawyers remains steadfast and committed to its support of certification and publication of the Equal Rights Amendment as part of the United States Constitution; and

**BE IT FURTHER RESOLVED**, that the National Association of Women Lawyers is proud to be an organizational partner of the ERA Coalition and to advocate and support the strategies and initiatives of the ERA Coalition, and urges our members, our leaders, and our communities to do the same; and

**BE IT FURTHER RESOLVED**, that the National Association of Women Lawyers supports the removal of the time limit on the states for ratification and certification and publication of the ERA by the Archivist of the United States as part of the United States Constitution; and

**BE IT FINALLY RESOLVED**, that we commit ourselves to advocate at the federal and state levels to ensure that the ERA is added to the United States Constitution to guarantee equal rights under the law to all citizens regardless of sex and gender status.