

The Equal Rights Amendment

What It Provides:



“Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.”

The U.S. Constitution currently does not guarantee equal rights.

While the Fourteenth Amendment has been interpreted by courts as providing some protection, this does not apply the highest level of scrutiny that classifications such as race and national origin receive, which will help ensure that the government discriminates only for compelling reasons.

Article I, Section 11 of the Virginia Constitution has provided a guarantee of equal rights for 48 years. The federal Equal Rights Amendment will provide reasonable checks on federal as well as state governmental power.

A state constitution cannot apply to the President or the rest of the federal government. The Virginia Constitution’s equal rights guarantee cannot protect Virginia women from discrimination by the federal government—for example, if the federal government enacts discriminatory laws or policies. Only a federal Constitutional amendment can do that.

The deadline does not foreclose ratification.

On May 11, 2018, Virginia’s Attorney General stated in an official opinion letter: “in light of Congress's significant control over the amendment process, I cannot conclude that it lacks the power to extend the period in which an amendment can be ratified and recognize a State's intervening ratifying resolution as legally effective for purposes of determining whether the ERA has been ratified.”

Now is the time to ratify the Equal Rights Amendment.

As of today, 37 of the necessary 38 states have ratified. Virginia can be 38th. One more ratification will help put the ERA in the U.S. Constitution.

Contact Your Virginia State Lawmakers Today
Look Them Up: whosmy.virginiageneralassembly.gov
Ask Them to Ratify the Equal Rights Amendment