

Resolution in support of Ratification by Virginia of the Equal Rights Amendment (ERA) to the United States Constitution

WHEREAS, the County of Arlington forthrightly supports equal rights for the citizens of Arlington; and women constitute over 50 percent of the citizenry of the County;¹ and

WHEREAS, the Equal Rights Amendment (ERA) states 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,” in order to establish that women and men have equal rights under the United States Constitution;² and

WHEREAS, the County of Arlington supports the advancement of human rights;³ and

WHEREAS, the people of the United States continue to experience the negative effects of lack of political parity between men and women,⁴ workplace discrimination,⁵ health care inequities,⁶ disparate rates of poverty,⁷ rape and domestic violence assaults;⁸

WHEREAS, the United States Constitution does not explicitly guarantee equal rights and equal protection for women to the continuing detriment of all citizens;⁹ 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 as is now required for matters of race, religion, and national origin;¹⁰ and

¹ U.S. Census Bureau, <https://www.census.gov/quickfacts/fact/table/arlingtoncountyvirginia/PST045216>

² <https://www.gpo.gov/fdsys/pkg/STATUTE-86/pdf/STATUTE-86-Pg1523.pdf>

³ Arlington County Code, Chapter 31, Human Rights, <http://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/22/2014/01/County-Code-31-Human-Rights.pdf>

⁴ Center for American Women And Politics, *Facts, Women in U.S. Congress 2017*, <http://www.cawp.rutgers.edu/women-us-congress-2017>; Status of Women in the States,

<https://statusofwomendata.org/explore-the-data/political-participation/political-participation-full-section/>.

⁵ U.S. EEOC, *Women In the American Workforce, EEOC's Efforts To Address Sex-Based Discrimination in Employment*, https://www.eeoc.gov/eeoc/statistics/reports/american_experiences/women.cfm; U.S. Census Bureau, *Income and Poverty in the U.S.: 2016*, at 10,

<https://www.census.gov/content/dam/Census/library/publications/2017/demo/P60-259.pdf>

⁶ Harvard Health Pub., <https://www.health.harvard.edu/heart-health/gender-matters-heart-disease-risk-in-women>; J. Amer. Heart Ass., *Implicit Gender Bias and the Use of Cardiovascular Tests Among Cardiologists*,

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5779009/>; J. Women's Health,

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2825679/>

⁷ U.S. Census Bureau, *Income and Poverty in the United States: 2016*, Report Number: P60-259, p. 6 table 1 (September 12, 2017).

⁸ U.S. Centers for Disease Control & Prevention, *Violence Prevention*, NISVS Infographic, <https://www.cdc.gov/violenceprevention/nisvs/infographic.html>

⁹ <https://www.theatlantic.com/politics/archive/2011/01/scalia-says-constitution-doesn-t-protect-women-from-gender-discrimination/342789/>

¹⁰ <https://www.leg.state.nv.us/Session/79th2017/Reports/history.cfm?ID=319>, referencing March 7, 2017 Minutes, pp. 16-17, 37; <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1271&context=wmjowl>

WHEREAS, the only permanent right women explicitly have in the U.S. Constitution is the right to vote;¹¹ and

WHEREAS, state laws are not uniform and federal laws are not comprehensive, and these laws can be repealed or reduced;¹² and

WHEREAS, the Amendment would help ensure women and men have the same constitutional protections;¹³ and

WHEREAS, the ERA was passed by Congress in 1972, and by 1982, it had been ratified by 35 of the 38 states necessary to put it into the Constitution;¹⁴ and

WHEREAS, Congress can alter time limits in the proposing clauses of amendments;¹⁵ and the deadline for ERA appears only in the preamble and not in the actual legislation;¹⁶

WHEREAS, Nevada ratified the amendment in 2017;¹⁷ and

WHEREAS, Congress presently is considering a bill that removes these time limits;¹⁸

NOW, THEREFORE, BE IT RESOLVED that the Arlington County Civic Federation does hereby indicate its support for the ratification of the Equal Rights Amendment; and

BE IT FURTHER RESOLVED, that the Arlington County Civic Federation does hereby urge the County Board of Arlington, Virginia to place ratification of the ERA to the U.S. Constitution, as proposed by Congress on March 22, 1972, on its list of legislative priorities for the 2019 legislative session; and

BE IT FURTHER RESOLVED, that the Arlington County Civic Federation does hereby urge the General Assembly of the Commonwealth of Virginia to ratify the ERA to the U.S. Constitution during the 2019 legislative session.

¹¹ <https://www.archives.gov/historical-docs/19th-amendment>

¹² See, e.g., https://en.wikipedia.org/wiki/Category:United_States_repealed_legislation

¹³ <https://www.cardin.senate.gov/newsroom/press/release/cardin-measure-would-immediately-revive-consideration-of-the-equal-rights-amendment-era/>

¹⁴ <https://equalmeansequal.org/ratified/>

¹⁵ <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1271&context=wmjowl>

¹⁶ *Id.*

¹⁷ <https://equalmeansequal.org/ratified/>

¹⁸ <https://govtrackinsider.com/nevada-just-became-the-first-state-since-1978-to-ratify-the-equal-rights-amendment-270e1b10c60e>