Title IX, a federal law requiring schools and colleges not to discriminate "on the basis of sex," shows the mischief ERA will do. Feminist bureaucrats have used Title IX to punish men by forcing colleges and universities to abolish 171 wrestling teams (40% of the national total), plus hundreds of other men's teams in gymnastics, swimming, golf and football, many of them trophy-winning teams. ERA would also abolish the reasonable exceptions in Title IX which currently allow single-sex schools,fraternities, sororities, Boy Scouts and Girl Scouts.

Concepts such as "equality" and "fairness" cannot be advanced through dishonest procedures. The U.S. Supreme Court ruled on October 4, 1982 that ERA is "moot," *i.e.*, legally dead as of June 30, 1982. Trying to pass an amendment more than 20 years after it died would be like trying to replay the last quarter of a high school football game – at the 20-year class reunion. That doesn't make sense because the real game is over.

The Illinois State Constitution treats the "sex" issue perfectly and rationally: "The equal protection of the laws shall not be denied or abridged on account of sex by the state or its units of local government and school districts." Note that Illinois does not use the undefined and mischievous "equality of rights" language used in ERA.

Illinois and the United States said NO to the Equal Rights Amendment over 20 years ago.

Don't take a chance on ERA mischief.

Vote NO on ERA.

Let ERA rest in peace.

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ILLINOIS

Stop Equal Rights Amendment

Don’t Be Fooled about ERA

The Illinois General Assembly debated and defeated the proposed federal Equal Rights Amendment (ERA) every year during its ten-year life, 1972-1982. Much recent evidence confirms the wisdom of Illinois, one of 20 states that defeated ERA.

ERA is a fraud because it pretends to benefit women and “put women in the Constitution.” In ten years of debate, ERA advocates were never able to show that it would give any benefit to women. ERA doesn’t even mention women – the word used in ERA is “sex.” The U.S. Constitution is completely sex-neutral; it uses only sex-neutral words such as “we the people,” “citizen,” “person,” “resident,” “Senator,” “Representative.” ERA cannot benefit women in employment because our employment laws are already sex-neutral.

Section 2 of ERA would transfer enormous areas of law from state legislatures to the Federal Government. This would include marriage, divorce, family property law, adoptions, abortions, alimony, some criminal laws, public and private schools, prison regulations, and insurance rates. The famous Watergate Senator Sam J. Ervin Jr., a recognized constitutional authority, said: “If this Equal Rights Amendment is adopted, it will virtually reduce the States of this Nation to meaningless zeroes on the Nation’s map.”

ERA would empower the federal courts to make all decisions as to the meaning of the words in ERA: “sex” and “equality of rights.” Putting sex into the U.S. Constitution would activate the entire gay rights movement to go before activist judges and demand all kinds of “equality ... on account of sex” – to achieve goals that the gay movement cannot get legislatures to pass, such as same-sex marriages, allowing open homosexuals in the U.S. Armed Services and the Boy Scouts, and teaching homosexuality in sex-education curricula. The Hawaii supreme court ruled that the denial of marriage licenses to same-sex couples is sex discrimination and unconstitutional under Hawaii’s State ERA. *Baehr v. Lewin*, 852 P.2d 44, 1993. Hawaii had to pass *another* constitutional amendment to overturn that decision.

ERA would require women to be equally assigned to all combat positions in the military (and to be drafted if Rep. Charles Rangel succeeds in his bill to reinstate the draft). “Combat” includes positions from which women are now excluded such as ground infantry and submarines. When we fight nasty wars against terrorists, we do not want social experimentation or judicial activism to interfere with readiness. Women perform nobly in many military positions but should not be forced into ground combat where they can be captured and abused by the enemy.

ERA would require taxpayer funding of abortions (which the majority of Americans oppose). We know this because New Mexico’s state supreme court ruled on November 25, 1998 that its State ERA requires abortion funding. The court accepted the ERAers’ reasoning that, since only women undergo abortions, the denial of taxpayer funding is “sex discrimination.” *N.M. Right to Choose/NARAL v. Johnson*, 975 P.2d 841 (1998). See also the National Right to Life statement against ERA (2-15-03).

ERA would legalize same-sex marriages. ERA would invalidate the federal Defense of Marriage Act (DOMA) and similar laws passed in 37 states including Illinois. ERA would make same-sex marriages a constitutional right based on the plain meaning of the amendment which prohibits sex discrimination “on account of sex.” Senator Sam Ervin Jr., the leading constitutional lawyer in the U.S. Senate until his retirement, stated in Raleigh, NC (2-22-77): “I don’t know but one group of people in the United States the ERA would do any good for. That’s homosexuals.” Senator Ervin told the U.S. Senate that ERA’s requirement to recognize same-sex marriages illustrates “the radical departures from our present system that the ERA will bring about in our society.” He placed in the *Congressional Record* (3-22-72) similar testimony by top legal authorities Professor Paul Freund of the Harvard Law School and Professor James White of the Michigan Law School. This analysis is supported in the *Yale Law Journal* (2-73), and in the leading textbook on sex discrimination used in U.S. law schools, *Sex Discrimination and the Law*. The 2003 U.S. Supreme Court decision in *Lawrence v. Texas* proves we can’t depend on the courts to protect us against gay litigation.