



Maryland National Organization for Women

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Testimony of Maryland Chapter of National Organization for Women on SJ Res 4

Maryland NOW supports the mission of National Organization for Women, including the priority to ensure constitutional equality for women with an amendment to the U.S. Constitution that guarantees equal rights to every US citizen regardless of sex. At the state level, Maryland NOW is committed to giving all Maryland women a voice in state government and advancing women's rights through legislative action. We work independently, with coalition partners, and with legislators and committee leaders to advance legislation that protects and guarantees women's rights in Maryland. Specific to the Equal Rights Amendment (ERA), Maryland NOW aims to increase awareness of the ERA among Marylanders; organize Marylanders to take action to promote recognition and validation of the ERA as the 28th Amendment to the Constitution; and take action to support protection, implementation, and enforcement of the Maryland state ERA (MD ERA).

We thank the members of the Senate Committee on the Judiciary for holding this important hearing on SJ Res 4, the bipartisan and bicameral resolution affirming that Congress views the ERA as valid, having been ratified by three-fourths of the states, as required by Article V of the U.S. Constitution.

Maryland NOW supports SJ Res 4, which affirms the validity of the Equal Rights Amendment.

A full century has passed since Alice Paul first introduced the ERA to Congress in 1923. Although the resolution was initially slow to gain momentum, Americans who valued liberty and justice for all were undeterred and continued to introduce the ERA in every Congressional session moving forward. It was more than 80 years ago that the Republican Party recognized the ERA's relevance to party members and constituents and added the ERA to their political platform; the Democratic Party followed suit shortly thereafter. Over the next three decades both parties continued to advocate for the ERA until Congress finally passed the resolution in March 1972. Maryland was early to ratify the ERA in May 1972, and in that same year Maryland voters approved an amendment to the state Constitution guaranteeing Marylanders "equality of rights under the law shall not be abridged or denied because of sex." Fifty years later, we at Maryland NOW are today relieved and elated that with ratification of the US Equal Rights Amendment in January 2020 all US citizens finally share the guarantee of equal rights that Marylanders have enjoyed for five decades.

The Equal Rights Amendment has met the requirements for a Constitutional Amendment set out in Article V of the US Constitution: the resolution passed both houses of Congress by a two-thirds vote and three-quarters of the states ratified the amendment. However, opponents of the ERA continue to refute and cast doubt as to its validity, basing their contentions primarily on (a) a time limit for ratification contained in the preamble to the amendment and (b) cases of a few states' rescission of ratification. This committee has heard and will hear expert testimony from law scholars that these contentions are baseless; the menacing ambiguity these contentions introduce threatens the Constitutional right of all US citizens to freedom from discrimination on the basis of sex. Congress is in a position to allay any doubts about the validity of the ERA by passing SJ Res 4 and HJ Res 25, thereby confirming in both houses that the ERA is valid to all intents and purposes as part of the US Constitution.

The US is a global outlier when it comes to guarantees for equality on the basis of sex, which is a detriment to not only our women and girls, but to all of our citizens. We have learned from countries with constitutional guarantees of sex equality and from states with constitutional ERAs that the ERA will provide the entire nation stronger protections from discrimination and strengthen the power Congress and state legislatures have to enact laws that ensure better legal protection against sexual assault and domestic violence. Perhaps most important, the ERA makes a fundamental statement about equality as an American value; spe-

cifically, the inclusion of sex equality in the US Constitution emphasizes and reinforces expectations for all citizens and has far reaching impacts on all aspects of our society.

In closing, we at Maryland NOW believe our nation is positioned to be a stronger, more unified nation and to re-establish itself as a global leader in civil and political rights now that our Constitution includes language protecting the rights of all citizens regardless of sex. However, the level of unity and enhanced status afforded by the 28th Amendment depends on the clarity and resolve with which all aspects of our government recognize the ERA as an Amendment to the US Constitution.

Thank you for the opportunity to express our views.

Respectfully submitted,



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President, Maryland NOW



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