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## Floor Statement by Senator Edmund S. Muskie on the Equal Rights Amendment

Edmund S. Muskie

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## Senate

### THE EQUAL RIGHTS AMENDMENT

Mr. MUSKIE. Mr. President, the recent passage by the House of Representatives of the equal rights amendment should be followed by immediate approval in the Senate of the same constitutional amendment without modification.

The commemoration of the passage of the 19th amendment to the Constitution, marked on August 26 last, was the occasion for widespread comment from concerned citizens everywhere regarding the unfinished business of equal rights for women. The triumph of August, 1920, it was noted, had been limited by the courts to the granting only of the right to vote and to hold office. Such equality has not meant equality for women in many other respects. In 1923, Senator Charles Curtis of Kansas introduced a resolution which would have added another amendment guaranteeing full equality of rights under the law for both men and women. This amendment, known as the equal rights amendment, has yet to be adopted despite the long history of efforts by a great number of men and women to add it to our Constitution.

Some have questioned the need for the equal rights amendment. But I do not believe the objections to it are convincing. The 14th amendment, as it is presently interpreted by the Courts, has not been a sufficient Constitutional guarantee of equal rights for women. And various proposed modifications of the ERA have not been helpful to the cause of equal opportunities for women. Arguments in favor of modifications, particularly those which would qualify its universal applications are, in my view, not valid. They would seriously weaken the amendment and divert the Congress from speedy adoption of the resolution that simply 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.

A nonpartisan organization, Women United, formed to promote the passage of the equal rights amendment, has provided excellent reasons to oppose any

crippling modifications of the ERA. It seems to me that the arguments presented by Women United are very persuasive and I am responding to their organization by reaffirming my support of the amendment without modification.

Last week, the Senate postponed consideration of the equal rights amendment until January of next year. After waiting so many years for congressional enactment of this constitutional amendment, this delay can only be disappointing to the supporters of equal rights for women. However, I believe the delay will be in the interests of those who back the ERA. Any consideration of that amendment at the end of the session would certainly lead to a filibuster. However, consideration at the beginning of the second session of the Congress will avoid the problem of a filibuster and substantially expand the chances of Senate passage of the amendment.

As I have traveled throughout the country in the last several months, I have noted a steadily increasing interest in the question of bringing about full equality between men and women in the economic, social, and cultural mores of our country. The widespread concern about the equal rights amendment and its passage is an expression of a much broader demand for a change in the status of women. This demand has been expressed in many ways. An initial response, which would remedy inequities in specific laws but would not be a substitute for the ERA, would be the prompt passage of the Women's Equality Act of 1971, which is presently before the Congress.

I am stressing the importance of the equal rights amendment in the movement to bring about equality of opportunity for both men and women because I believe that it is fundamental to the full use of all our human resources. While its passage, as well as that of the Women's Equality Act, is essential, they must be accompanied by a full and complete program of implementation by the administration. While one would hope for the immediate passage of both the ERA and the Women's Equality Act, there still should be no delay in effective administration of legislation which now exists or in the development of an administration program which will be able to respond on a regular basis to the dynamic national needs for full equality.