

# ERA killed in legislature

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Feature Writer

Nobody expected a big controversy over the Equal Rights Amendment in North Carolina.

When the proposed 27th Amendment to the U.S. Constitution came up for committee discussion in late January many legislators thought the bill would probably pass.

All eight female congressmen supported it and the one woman senator was undecided. The League of Women Voters, the N.C. Business and Professional Women's Club, and the N.C. Federation of Women's Clubs stood behind the amendment.

Many legislators considered the bill "lightweight" material and wanted it out of the way to make room for the real business of law making - budgetary debates, investigations of the highway commission and discussions of liquor-by-the-drink.

State news media gave it barely a mention.

But by mid-February, the state capital was literally overrun with lobbyists for and against the twenty-four word amendment which reads: "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

Legislators, whatever their positions, were deluged with letters, petitions and circulars. Proponents with their green "ERA Yes" signs and opponents with their red "Stop ERA" badges descended in herds on committee hearings and congressmen's offices.

Noise and confusion abounded.

On Thursday, Feb. 1, the joint House and Senate Constitution Committees invited two North Carolina legal authorities to Raleigh to report on the implications of the amendment - John Sanders, director of the Institute of Government and Dr. Robert E. Lee, law professor at Wake Forest University.

The hearing room gallery was packed to overflowing with an assortment of women, young and old, and a few men who were there to hear what had been billed as objective statements. Dr. Lee's comments, tinged with opinionated slurs against the amendment, were met with indignant cries and boos from supporters, applause and cheers from opponents. The next day's newspapers described the gallery's conduct as some of the most



"GWENDOLYN MAY NEED SOME CONSCIOUSNESS-RAISING!"

disruptive in the state legislature's history.

The next Thursday, Feb. 8, the joint committees held a public hearing, giving each side 45 minutes to present its arguments. Once again, the more-than-capacity audience loudly registered approval or disapproval of the goings on.

Two weeks later on Feb. 22, the Senate Constitution Committee quietly and anticlimactically sent the amendment to the floor with an eight to six favorable report.

Then, six days later on Wednesday, Feb. 28, the ERA was dead... killed by a 27-23 Senate floor vote.

### Controversy

What happened?

How did a relative non-issue for North Carolina become the subject of four weeks of heated impassioned debate among legislators and citizens?

Why would a one sentence reiteration of rights ostensibly already protected by the Fifth and Fourteenth Amendments stir up such a fuss?

Why did ERA fail in North Carolina?

Attacked by an unexpected national and statewide anti-ERA lobby, the

amendment took on an emotional aura early in N.C. Unlike a tax bill or highway legislation, which usually elicit little more than a disinterested yawn from the general electorate, ERA was interpreted by many as heralding the ultimate destruction of a time-honored Southern tradition - chivalry.

When proponents insisted that a constitutional amendment would insure equal job opportunity and legal status for women, opponents countered with embittered charges that women would be indiscriminately drafted, toilets and barracks desegregated, irresponsible men allowed to relinquish family and alimony duties, and legal protection for women forsaken.

Once on the senate floor, speculation on the motives of ERA supporters and the bill's implications was rampant among its enemies.

Sen. Jack Rhyne, D-Gaston, a leading ERA opponent, said the amendment would "require the drafting of some mothers and daughters while some men and boys would sit home. That's more than my conscience and upbringing can accept."

Rhyne also said passage would mean if men could walk the beaches bare-chested, then women could walk them

bare-breasted.

Sen. Donald Kincaid, R-Caldwell, jumped to support Rhyne. "ERA was pushed by women libbers with radical motives," he said. "They hate men, marriage and children. They are out to destroy morality, and consider husbands to be exploiters."

"What's wrong with our placing our women on a pedestal and recognizing their beauty?" questioned Sen. Phil Godwin, D-Gates. "This body should look after women without giving that prerogative to the Supreme Court," he said.

Sen. I.C. Crawford, D-Buncombe, said ERA would be used by "strange, militant and abnormal people for selfish motives," while Sen. Julian Allsbrook, D-Halifax, said he was swayed to vote against the bill by a letter from an 8-year-old boy which read: "Please do not send my Mama to war."

Anti-ERA forces held other less hysterically sentimental objections against the bill. Some said passage would clog up state legislatures and courts with cases filed by wronged women; cases which would invalidate many good state laws. Others said it was another example of encroachment of the federal courts on state judicial and legislative domain.

But the most popular and pervasive arguments concerned the emotion-charged issue of woman's place in society and the protection of that exalted position.

Sen. Robert Somers, agreed with proponents that for professional women the amendment would be advantageous.

"But I think the average woman needs the protection of those laws presently on the N.C. books which give her an exalted position in the courts," the young senator said the afternoon of the public hearing.

"So you don't believe men and women are equal? You think women need and deserve extra protection?"

"Absolutely," he answered.

"Why?"

"Because I don't believe they're equal," he said.

"Some say the amendment would bring attitudinal change just as the civil rights laws brought attitudinal change in the long run."

"I would disagree with that. You see, I think this amendment goes against the grain of human nature," he said. "This is why liberals rarely succeed over the long run. Their whole philosophy is against human nature. See, they believe in the perfectability of man. Wrong. He's not perfectible. He's very selfish."

But legislators weren't the only ones down on ERA. A Charlotte man and his wife, the Charles McLendons, said they came to Raleigh for the public hearing "to fight for the rights of our children"

Everyone was talking about the drafting of women if ERA passed. Opponents were sure that mothers would be dragged away from nursing children to serve in battle trenches. Proponents countered with arguments that Congress has always had the power to draft women, that 9/10ths of military jobs were not combat positions, and that there would always be strict physical qualifications for fighting troops - qualifications most women couldn't pass.

### Ratification

The ERA was a year on the road to ratification by the time it got to North Carolina. On March 22, 1972, the U.S. Senate passed it with a vote of 84-4. (The House had already passed it on October 12, 1971, by 255-24.) Twenty-eight of the necessary 38 states had already ratified it, led by Hawaii which became the first state to ratify just 30 minutes after the senate okayed it.

But North Carolinians appeared more attuned to their own Washington

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