

FOREWORD: FROM SUFFRAGE TO THE ERA

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We all can see farther and reach much higher if we stand on the shoulders of our giants. People in the field of science, technology, engineering, and math have made remarkable progress, due in no small part to the fact that the knowledge of their predecessors has been respected and preserved. They are able to begin their work where their predecessors left off. Knowing what has been accomplished and how it has been done means that each new generation does not have to waste time in trial and error experiments and re-finding old discoveries. They are free to spend their time and energy advancing their cause further.

When it comes to women's rights, however, we are hobbled by our lack of knowledge of our own history. We are doomed to begin each generation's effort to reach the goal of equality, without full appreciation for previous generations' advances, and with near ignorance of what it took to make the advances. Generation after generation we begin again anew, spinning our wheels as we try to understand how to go about the task. We spend inordinate time and energy just trying to educate each generation to recognize that women's legal position is inferior and that it will not change without concerted, dedicated efforts of millions of men and women. We cannot stand on the shoulders of our giants because we do not even know what they did or how they did it. We miss out not only on the information, but also on the inspiration that is so necessary to sustaining the long and arduous push toward true equality.

My high school history book dedicated one lonely sentence to the Woman Suffrage movement: "In 1920 Congress gave women the right to vote"—as if nearly a century and a half of exclusion from participation in our "democracy" was an oversight corrected when someone finally noticed and pointed it out! Nothing could be further from the truth. Although the yearning for equality probably goes back much farther, the 1848 Seneca Falls Convention is generally regarded as the first known public call for Woman Suffrage. Suffrage was not viewed as an end to itself; it was generally believed by the early leaders to be a necessary tool to address a broad spectrum of insults and injustices. It was to be a first step toward equal opportunity and justice.

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That convention started what became a full-fledged fire storm of opposition. The organizers were ridiculed in newspapers, from pulpits, in bars, and in homes all across the United States. Over the seventy-two years of the battle for voting, countless women were vilified, attacked, jailed, force fed, declared insane, personally mocked, and often despised. The leaders who began the battle and devoted most of their adult life to the cause did not live long enough to see the victory. Progress was slow and grudging. Suffragists were at times betrayed by their own sex and by their closest supporters and longtime friends. Knowing how they succeeded in spite of the odds and in spite of the fierce opposition not only offers inspiration, it also offers important lessons about how to manage and achieve social change. What we learn from them we do not have to learn by trial and error.

Oregon suffragist, Abigail Scott Duniway exemplified the spirit of the movement when she wrote in her autobiography:

The young college women of today, free to study, to speak, to write, to choose their occupation, should remember that every inch of this freedom was bought for them at a great price. It is for them to show their gratitude by helping onward the reforms of their own time, by spreading the light of freedom and of truth still wider. The debt that each generation owes to the past, it must pay to the future.¹

A young lawyer named Alice Paul understood that as critical as gaining the vote was, it was only a first step on the road to full equality. Ms. Paul was a very important leader in the final days of the suffrage battle. Her tactic of not trying to woo the political parties, but instead holding the party in power responsible for the failure to pass the Susan B. Anthony Amendment was controversial, but many scholars believe it provided the needed impetus to get the Amendment out to the states for ratification. Alice Paul and her friends in National Women's Party were not ready to rest when the Amendment finally was ratified August 18, 1920. She realized that as important as voting was, without full constitutional equality, women would always be treated as separate and unequal. The barriers for women in education, the workplace, in the culture, and in the home would not be overcome without changing their constitutional position.

Shortly after the suffrage victory, Ms. Paul succeeded in getting the Equal Rights Amendment ("ERA") introduced into Congress in

1. ABIGAIL SCOTT DUNIWAY, *PATH BREAKING* 315 (2d ed. 1914).

1923, but it lingered there for nearly half a century. The effort to pass the ERA was enormous, but the opposition to women having full equal rights was intense, well-funded, and mean-spirited. After nearly fifty years of struggle, the ERA made it out, but it was intentionally crippled with a time limit that is not mandated by the Constitution. (In fact, the Twenty-Seventh Amendment regarding congressional salaries was allowed over two centuries to get three-quarters of the states to ratify.) Within the first year, thirty of the necessary thirty-eight states ratified, but then the progress slowed to a snail's pace. Even with the rather brief extension resolutions passed by Congress, by the 1982 ultimate deadline, the amendment fell three states short.

Now some ninety-six years after the ERA was first introduced into Congress, we remain second class citizens in the eyes of our Supreme Court and under the Constitution. While notable progress has been made in our general status, we still do not have equal protection under the Fourteenth Amendment, equal pay, or full and fair equal opportunity. Much of the progress we have made was the result of legislatures anticipating the passage of the ERA and can be (and in some instances has been) revoked at the whim of the legislatures.

Full legal equality is but the first step in achieving actual equality. At least if our country makes the commitment to ensure that women's equality is given legal protection, then through enforcement actions, the process of attaining real equality can begin.