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GEORGIA
AND THE
EQUAL RIGHTS AMENDMENT

Jeffrey G. Jones

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17 November 1995

Ms. Dorris Holmes
3927 Glencrest Ct.
Atlanta, GA 30319

Dear Ms. Holmes,

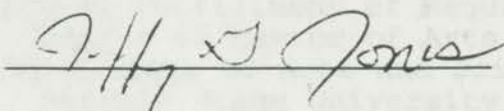
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Georgia
and the
Equal Rights Amendment

A Thesis

Presented in Partial Fulfillment of Requirements for the
Degree of Master of Arts
in the College of Arts and Sciences
Georgia State University

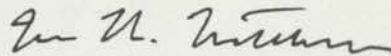
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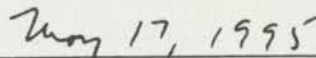
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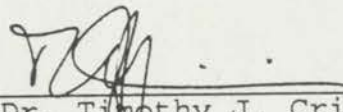
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ACKNOWLEDGMENTS/DEDICATION

In appreciation of my father, Oscar Jones, who taught me about justice and compassion.

In loving affection to my wife, Carol Buffum, who encourages me in my life's pursuits.

A special thank you to Dr. Gary Fink who provided guidance and inspiration in my research and writing.

In grateful appreciation of all of the participants who shared with me their insights and experiences.

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CSA	Commission on the Status of Women
CU	Congressional Union
DAR	Daughters of the American Revolution
DHS	Department of Health Research
EEOC	Equal Employment Opportunity Commission
ERA	Equal Rights Amendment
FPA	Feminist Action Alliance
GAH	Georgia Department of Archives and History
GWPC	Georgia Women's Political Caucus
G-WFA	Georgians for the ERA
HWH	Happiness of Womanhood
IWI	International Women's Year
LWV	League of Women Voters
MOW	Mothers of the West
NANWA	National American Woman Suffrage Association
NOW	National Organization for Women
NWP	National Woman's Party
NWPC	National Women's Political Caucus
OP	Office of Public Affairs
PCW	President's Commission on the Status of Women
SESA	Standard Metropolitan Statistical Area
SON	Status Of Women
STOP	Stop Taking Our Privileges
SWP	Socialist Workers Party
WWH	Women Who Want to be Women
YWA	Young Women's Christian Association

LIST OF ABBREVIATIONS

AAUW	American Association of University Women
ALFA	Atlanta Lesbian Feminist Alliance
BPW	Business and Professional Women's Clubs
CETA	Comprehensive Emergency Training Administration
CSW	Commission on the Status of Women
CU	Congressional Union
DAR	Daughters of the American Revolution
DHR	Department of Human Resources
EEOC	Equal Employment Opportunity Commission
ERA	Equal Rights Amendment
FAA	Feminist Action Alliance
GDAH	Georgia Department of Archives and History
GWPC	Georgia Women's Political Caucus
G-ERA	Georgians for the ERA
HOW	Happiness of Womanhood
IWY	International Women's Year
LWV	League of Women Voters
MOM	Mothers On the March
NAWSA	National American Woman Suffrage Association
NOW	National Organization for Women
NWP	National Woman's Party
NWPC	National Women's Political Caucus
OPL	Office of Public Liaison
PCSW	President's Commission on the Status of Women
SMSA	Standard Metropolitan Statistical Area
SOW	Status Of Women
STOP	Stop Taking Our Privileges
SWP	Socialist Workers Party
WWWW	Women Who Want to be Women
YWCA	Young Women's Christian Association

INTRODUCTION

The Equal Rights Amendment (ERA), after a ten-year struggle, went down to defeat in 1982. ERA fell just three states short of the thirty-eight needed for ratification, and the fifteen nonratifying states contained a distinctive southern bloc (see Figure 1). Georgia, like its neighbors, proved inhospitable to ERA proponents.

ERA's failure has been explained in various ways. In 1979, three years before ultimate ERA defeat, Janet K. Boles published The Politics of the Equal Rights Amendment. Boles writes about the ERA debate in the states of Georgia, Illinois, and Texas in her examination of political conflict. In her study, Georgia is poorly characterized by the interest group model of well organized groups, the use of traditional lobbying techniques, and an upper middle-class bias. Instead, Georgia exemplified the community conflict model, typified by high community participation, the formation of ad hoc organizations, and an intense and ideological controversy. Mary Frances Berry's Why ERA Failed (1986) attributes ERA's demise to an intentionally difficult amendment process, regionalism, Supreme Court activism, proponent loss of focus, failure to demonstrate ERA's necessity, opponent misinformation, and a lack of national support despite

EQUAL RIGHTS AMENDMENT

Nonratifying States

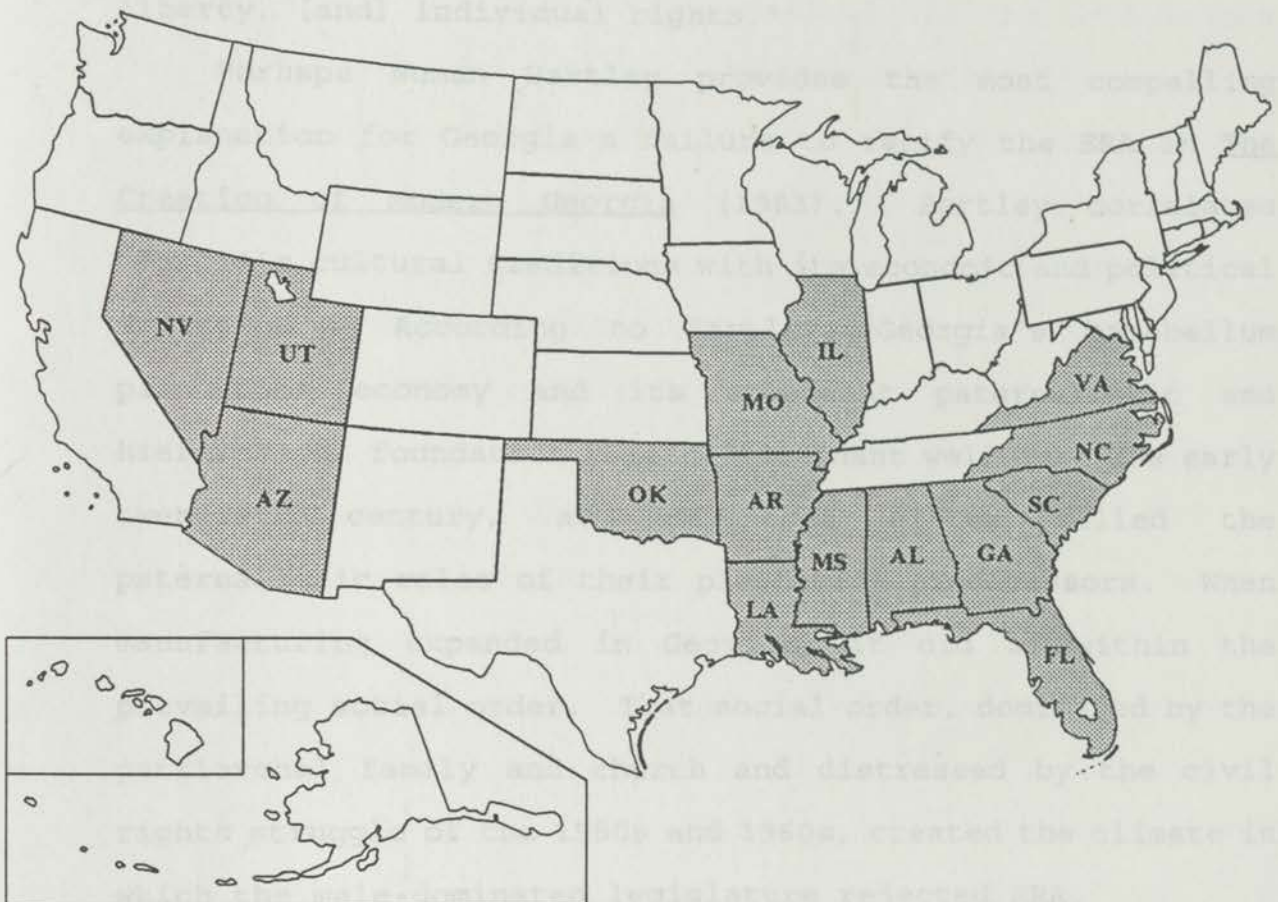


Figure 1: States that failed to ratify the Equal Rights Amendment

overwhelming congressional approval. Donald G. Mathews and Jane Sherron de Hart, in Sex, Gender, and the Politics of ERA (1990), use North Carolina to investigate the disparate meanings of ERA. To opponents, ERA failed to conform to what U.S. Senator Sam Ervin believed were "physiological and functional differences." Alternatively, ERA proponents supported the more abstract principles of "equality, justice, liberty, [and] individual rights."

Perhaps Numan Bartley provides the most compelling explanation for Georgia's failure to ratify the ERA in The Creation of Modern Georgia (1983). Bartley correlates Georgia's cultural traditions with its economic and political evolution. According to Bartley, Georgia's antebellum plantation economy and its attendant paternalistic and hierarchical foundation remained dominant well into the early twentieth century, as small-town elites filled the paternalistic roles of their plantation predecessors. When manufacturing expanded in Georgia, it did so within the prevailing social order. That social order, dominated by the patriarchal family and church and distressed by the civil rights struggle of the 1950s and 1960s, created the climate in which the male-dominated legislature rejected ERA.

The hypothesis examined in this study is that traditional explanations for the failure of ERA give inadequate attention to the culture in which southern legislatures defeated ERA.

Many of Georgia's deep-South legislators opposed gender equity or relinquishing political power to a federal government which had imposed desegregation and busing. Other lawmakers considered ERA an expendable issue and used it as barter in Georgia's old boy political network. Another group, grounded in southern gentility, cited assertive or "unladylike" tactics by ERA proponents to justify their opposition.

Proponent groups also operated within the constraints imposed by southern culture. Disagreement over tactics by some of Georgia's feminists reflected their concern with the perception of "unladylike" behavior or national feminist speakers. With virtually no women in the Georgia legislature, ERA proponents further suffered as ERA frequently endured unenthusiastic male sponsorship. Many lawmakers gave advice, but few men in the legislature willingly expended political capital for a controversial cause.

of similar demands for legal rights. Feminism, representing legal and economic equity as well as freedom from artificial cultural subjugation, had its origins in the suffrage campaign but made its greatest strides half a century later.

Nancy F. Cott uses this 3-stage partition of the women's movement. In her nomenclature, she calls the third stage feminism instead of the feminist movement. See Nancy F. Cott, *The Generation of Modern Feminism* (New Haven, Connecticut: Yale University Press, 1987), 14.

CHAPTER 1
PRELUDE TO ERA

The proposed Equal Rights Amendment (ERA) passed by Congress in 1972 ended one long debate and launched a new and even more bitter one as the struggle moved to the states for ratification. By 1972, the women's movement was over 120 years in the making and in its third distinct stage. It began at Seneca Falls in the mid-nineteenth century and continued with the quest for suffrage in the early twentieth century. The struggle for the ERA belongs to the third phase, the feminist movement of the late twentieth century.¹

Significant overlap and continuity exists within the women's movement as each stage built on the gains of its predecessors. Suffrage became the most controversial product of earlier demands for legal rights. Feminism, representing legal and economic equity as well as freedom from artificial cultural subjugation, had its origins in the suffrage campaign but made its greatest strides half a century later.

¹Nancy F. Cott uses this 3-stage partition of the women's movement. In her nomenclature, she calls the third stage feminism instead of the feminist movement. See Nancy F. Cott, The Grounding of Modern Feminism, (New Haven, Connecticut: Yale University Press, 1987), 16.

Most of the arguments against ERA had been heard before in the recurring controversies that tempered achievements throughout the women's movement. First, the female's unique role in childbirth clashed with her demand for equality; many used this distinction to demand special protection for the "fairer sex." Another conflict arose from the societal tension created as mothers and "ladies" began stepping out of their traditional roles. Among women themselves, this helped explain the sharp disagreement over the more aggressive tactics used by some groups. The diverse interests represented by various organizations proved equally divisive. This medley of issues served most often to divide rather than unite women. The entangling issue of race and its conservative political ally, state's rights, further undermined the cause. And most debilitating of all, southern culture and conservatism continually subverted the women's movement.

The Woman Movement²

The 1848 Seneca Falls Convention in New York state marks the symbolic beginning of the woman movement. Called by Elizabeth Cady Stanton and Lucretia Mott, over 200 women and 60 men met to discuss and promote such issues as the vote and

²This ungrammatical sounding expression was used at the time. See Cott, The Grounding of Modern Feminism, 3.

equal opportunity in employment and education. The product of the convention was the "Declaration of Sentiments" which parodied the Declaration of Independence. It asserted the self-evident truth "that all men and women are created equal" (emphasis added) and chided the "absolute tyranny" of men over women.³

This unprecedented gathering marked a significant departure from the prevailing nineteenth century ideology of the woman's sphere of domesticity. In the Victorian doctrine of separate spheres, the man's realm was outside the home, earning a living, active in politics, and concerned with worldly matters. In the "Cult of True Womanhood," the woman's domain was the home. As the theoretically moral superior, she established the family's moral and spiritual tone, raised the children and ran the household; and while she may have influenced her husband, she was, nevertheless, submissive to him.⁴

Bolstered by this alleged moral superiority, women increased their participation and leadership in reform movements such as temperance, treatment of the mentally ill,

³Elizabeth Cady Stanton, Susan B. Anthony, and Matilda Joselyn Gage, eds., History of Woman Suffrage (New York: Fowler & Wells, Publishers, 1881; reprint: New York, Arno & The New York Times, 1969), 70.

⁴Carl N. Degler, At Odds: Women and the Family in America from the Revolution to the Present (Oxford: Oxford University Press, 1980), 26.

abolition, and many others. In doing so, women assumed roles outside of their traditional domestic sphere.

After the Civil War, debate over the black vote drew increased attention to women's political rights; it also served to divide woman suffragists. In 1869, Elizabeth Stanton and Susan B. Anthony formed the National Woman Suffrage Association which opposed the Fifteenth Amendment for its failure to include women. A rival organization, the American Woman Suffrage Association, supported the Fifteenth Amendment, believing women's voting rights would follow. Its leaders included Lucy Stone and Julia Ward Howe.

The reformist effort of the nineteenth century manifested itself in several ways, reflecting the diverse interests and goals of women. Many advocates worked for charitable causes. Others pushed for legal and political rights for women. And a much smaller number of radical women sought full emancipation from the cultural bondage that defined their preordained role in society.

With the rise of the movement, women increasingly participated in organizations at the local, state, national, and international levels. Women's clubs flourished and formed a national federation in 1892. The National Consumer League, created in 1899, educated and organized consumers against the exploitation of workers and manufacturers. And in 1903,

settlement house workers and trade unionists organized the National Women's Trade Union League.

The Woman Suffrage Movement

As the conflict over the Fifteenth Amendment subsided, the two national suffrage associations merged in 1890 to form the National American Woman Suffrage Association (NAWSA). More than any other single issue, voting rights served as a coalition builder for women. Women advocating social welfare, political rights, or freedom from cultural convention all found a common cause in championing the vote; as noted women's historian Nancy Cott observed: "working-class women, black women, women on the radical left, the young, and the upper class joined in force; rich and poor, socialist and capitalist, occasionally even black and white could be seen taking the same platform."⁵

During the second decade of the new century, the suffrage quest became a mass movement. The number of advocacy organizations increased dramatically. This momentum, which led directly to the passage of the Nineteenth Amendment, clearly sprang from the outspoken leadership of Alice Paul and Lucy Burns. Paul and Burns began their efforts by joining the long-standing but inactive NAWSA committee responsible for

⁵Cott, The Grounding of Modern Feminism, 30.

adding a suffrage amendment to the U.S. Constitution. Unable to arouse the NAWSA committee into action, Paul and Burns formed a rival suffrage organization, the Congressional Union (CU), in 1913. To the constitutional amendment issue, as Nancy Cott has observed, Paul and Burns brought determination as well as "modern techniques of political organizing and mass media publicity."⁶ Alice Paul's experience included demonstrations and an arrest in Britain for which she spent a month in jail.⁷

CU's confrontational approach sharply conflicted with NAWSA's educational strategy. Under the able leadership of Carrie Chapman Catt, the NAWSA emphasized local suffrage efforts and worked behind the scenes to persuade President Wilson to adopt a suffrage platform. NAWSA members, often older than their CU counterparts, found their rivals' stunts distasteful and believed they would hinder the suffrage movement.

Without the vote, CU sought to exercise its as yet unattained political power by publicly antagonizing those politicians in power who opposed them. Pickets at the White House targeted "Kaiser Wilson" for his promotion of democracy abroad while ignoring it at home. When Washington police

⁶Ibid., 53-54.

⁷"Won't Try to Start Suffrage War Over Here," New York Times, 2 January 1910, sec. 3, p. 2.

jailed suffragists, many refused to eat, and their forced feedings successfully competed for headlines with World War I. The gains by CU and its successor, the National Woman's Party (NWP), far exceeded their meager membership, which represented only 5 percent of all suffragists. Its success has been attributed to the vigor, the devotion to a single issue, and the charismatic and sometimes autocratic leadership of Alice Paul.⁸

The South provided the greatest opposition to the suffrage movement. Here, some suffrage proponents attempted to placate their opposition on the race issue. When campaigning, Alice Paul assured southern legislators that the Nineteenth Amendment would not interfere with Jim Crow laws but only ensure that "franchise conditions for every state were the same for women as for men."⁹ Georgia's suffrage leader, Rebecca Latimer Felton, was the champion of white women and a notorious advocate of lynching.¹⁰

Overcoming southern opposition to woman's suffrage, however, proved futile. The thirty-six states needed for ratification in 1919 approved the amendment within fifteen

⁸Cott, The Grounding of Modern Feminism, 56.

⁹Ibid., 69.

¹⁰Marjorie Spruill Wheeler, New Women of the New South: The Leaders of the Woman Suffrage Movement in the Southern States (New York: Oxford University Press, 1993), 100, 103.

months. Connecticut and Vermont complied shortly thereafter. Of the ten states that failed to ratify, nine resided in the South (see Figure 2).¹¹ Georgia distinguished itself by being the first state to vote against the suffrage amendment and thereafter refused to pass it until 1970.

The source of southern opposition, like that of the Civil War which preceded it, resided in southern culture. By rejecting suffrage, the South rejected northern intrusion into its political affairs. In its opposition, the South affirmed state's rights, a white male patriarchy, and the passive virtue of white women.¹² Rooted in its antebellum plantation economy and culture, the South's paternal and hierarchical culture persevered through postbellum small-town elites. When manufacturing expanded in the South, it did so within the prevailing social order.¹³

Even before final ratification of the Nineteenth Amendment, the NWP made plans to continue the struggle beyond suffrage and to make women equal legal participants in society. The NWP executive committee approved the formulation of a "blanket bill," to be introduced into Congress and state

¹¹Bill Severn, Free But Not Equal: How They Won the Right to Vote, (New York: Julian Messner, a division of Simon & Schuster, Inc., 1967), 78.

¹²Wheeler, New Women of the New South, 1-5.

¹³Numan V. Bartley, The Creation of Modern Georgia, (Athens: The University of Georgia Press, 1990), 28, 104, 130.

WOMAN'S SUFFRAGE AMENDMENT

Nonratifying States - 1920

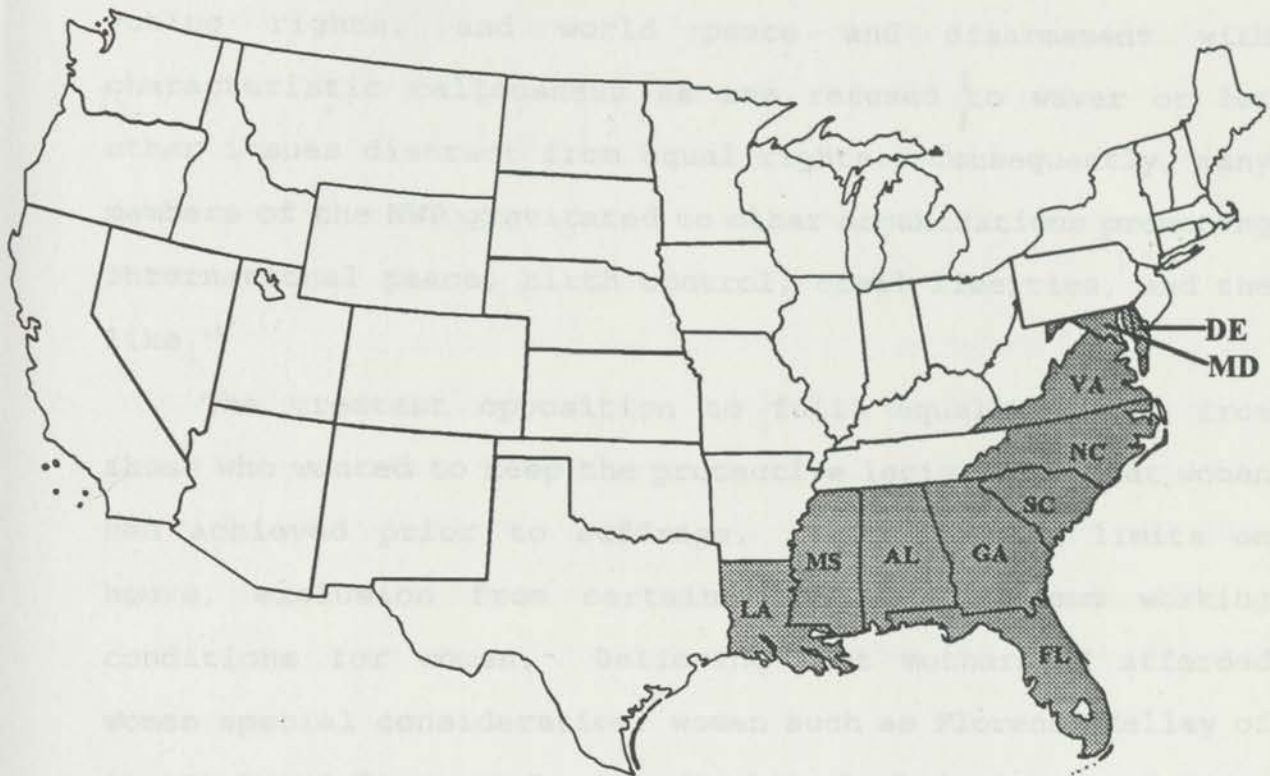


Figure 2: States that failed to ratify the Woman's Suffrage Amendment (c. 1920)

legislatures, that would remove all forms of legal discrimination. The proposal was introduced at the suffrage victory celebration in February, 1921.¹⁴

Before and during the victory celebration, contention over the NWP's single-issue politics and top-down control emerged as various groups attempted to add items to the NWP agenda. Alice Paul rejected issues of birth control, black voting rights, and world peace and disarmament with characteristic callousness as she refused to waver or let other issues distract from equal rights. Consequently, many members of the NWP gravitated to other organizations promoting international peace, birth control, civil liberties, and the like.¹⁵

The greatest opposition to full "equality" came from those who wanted to keep the protective legislation that women had achieved prior to suffrage. This included limits on hours, exclusion from certain jobs, and minimum working conditions for women. Believing that motherhood afforded women special consideration, women such as Florence Kelley of the National Consumer League, Maud Wood of the League of Women Voters (successor to the NAWSA), and Ethel Smith of the National Women's Trade Union League, refused to abandon the

¹⁴Cott, The Grounding of Modern Feminism, 67.

¹⁵Ibid., 72-73.

hard-won gains so easily.¹⁶ Those opposing ERA were not simply fighting to protect their achievements. In the 1920s protective legislation did considerable good for many women. But what many women leaders failed to take into account was that these laws perpetuated women's second-class status in the economy and limited women's full participation in the labor market.¹⁷

NWP leaders, however, recognized the inconsistency of equal rights and the existing protective legislation. It was a farsighted Alice Paul who desired "[not] to bring the standard for women down to that of men, but on the contrary to bring that of men up to the standard existing for women."¹⁸

Hostility from outside the women's movement matched the dissension within the ranks. Following World War I, a marked increase in antagonism arose toward all forms of radicalism. With the Bolshevik Revolution and the Red Scare of the late teens and early twenties, opponents labeled the many left-leaning supporters of the women's movement as communists and socialists.

During the 1920s and 1930s, the NWP continued its call for equal rights virtually alone. With the end of the

¹⁶Ibid., 124.

¹⁷Ibid., 136.

¹⁸Ibid., 121.

Progressive Era, reform became increasingly difficult. The Great Depression and the rise of fascism seemed to make feminism irrelevant.¹⁹

The Feminist Movement

Following World War II, Americans sought a return to traditional family life. Many women lost their jobs or voluntarily left the workforce to resume the roles of wives and mothers. Others lost the higher paying jobs they held during wartime. By the 1950s, however, women returned to the workforce and pursued college educations in unprecedented numbers. Late in the decade, the birthrate began to drop and a disparity developed between the idealized full-time wife and mother and the number of working women.²⁰

Betty Friedan's The Feminine Mystique, published in 1963, ushered in the modern feminist movement. Friedan, a trained journalist, found that many women experienced frustration and a lack of fulfillment trying to live according to the populace's ideal of womanhood. Society, women's magazines, and many women themselves discouraged the pursuit of

¹⁹Susan D. Becker, The Origins of the Equal Rights Amendment: American Feminism Between the Wars, (Westport Connecticut: Greenwood Press, 1981), 6.

²⁰Eric Foner and John A. Garrantry, eds., The Reader's Companion to American History (Boston: Houghton Mifflin Company, 1981), 1032.

education, political rights, careers, or independence. Legitimate fulfillment was through husbands and children, and those who desired something more or different were made to feel ashamed and inadequate.²¹

The same year Friedan published her accounts of unfulfilled lives, the President's Commission on the Status of Women (PCSW) issued its report. President John F. Kennedy had formed the PCSW two years earlier to pay a political debt to women, and in particular to Eleanor Roosevelt. The PCSW report argued against the need for the Equal Rights Amendment (ERA), claiming equal rights already existed in the Constitution and only needed vigorous pursuit in the courts; nevertheless, it found stark inequities in the legal and economic status of women, primarily married women. Not only were women paid less, but restrictions existed on the rights of married women to own property, enter into business, and make contracts. Many of the commission's recommendations dealt with eliminating discriminatory laws and extending childcare and maternity leave benefits for mothers.²²

The civil rights movement, begun in the 1950s, also contributed to the stirrings of the feminist movement. Just

²¹Betty Friedan, The Feminine Mystique (New York, Norton and Company, 1963).

²²Marjorie Hunter, "U.S. Panel Urges Women to Sue for Equal Rights," New York Times, 12 October 1963, 1.

as black suffrage intensified the call for women's right to vote, expanded rights for blacks brought attention to the plight of women. With gender serendipitously included in the Civil Rights Act of 1964--Representative Howard Smith of Virginia added sex as a proscribed form of discrimination in an effort to kill the bill--women had a new tool with which to pursue legal rights. This new legal device augmented the techniques of militant protest learned by some radical feminists from their participation in organizations such as Students for a Democratic Society and the Black Panthers.

Three years after the publication of The Feminine Mystique, Friedan founded the National Organization for Women (NOW) to secure "full participation for women in the mainstream of American society."²³ The precipitating event was the unwillingness of the Equal Employment Opportunity Commission (EEOC) to oppose segregated employment advertising in the form of "Wanted - Male" and "Wanted - Female" advertisements. In a letter to President Johnson, Friedan charged that the EEOC "is hampered . . . by a reluctance among

²³"To New and Prospective Members," n.d., Folder 1-02: "Early NOW, Atlanta, Records Collected in Notebook, 1969-1970," Box 1, Record Group 75-443: "National Organization for Women, Atlanta Chapter Records," Manuscripts Section, GDAH.

some of its male members to combat sex discrimination as vigorously as they seek to combat racial discrimination."²⁴

NOW emphasized legal and economic equity. In 1968, it published its own Bill of Rights, which called for the passage and ratification of the Equal Rights Amendment, equal employment opportunity for women and men, maternity leave, home and child care deductions for working parents, public child care facilities, equality in education and job training, welfare reform and equality for women in poverty to secure job training, housing and family allowances, and access to contraception and abortions.²⁵

As NOW pursued legislation and court decisions to secure equality, another movement waited in the wings. Its goal was genuine emancipation for women and men. The event that brought women's liberation into the national spotlight was a protest organized at the 1968 Miss America Beauty Pageant in Atlantic City, New Jersey. One hundred protestors, mostly middle-aged women, with a "freedom trash can" in tow, discarded those items that "smacked" of enslavement: girdles, bras, hair curlers, false eyelashes, etc. Referring to a fire

²⁴Lisa Hammel, "They Meet in Victorian Parlor to Demand 'True Equality' - NOW", New York Times, 22 November 1966, 44.

²⁵"National Organization for Women: NOW Bill of Rights for 1968," n.d., Folder 1-01: "Early NOW, Atlanta, Records Collected by Eliza Paschall, 1966-1969 and n.d.", Atlanta NOW, GDAH.

on the Atlantic City boardwalk earlier in the week, protest organizers assured the media their protest contained only symbolic bra-burnings.²⁶

Interest in women's liberation and NOW increased dramatically in 1970. To mark the fiftieth anniversary of final ratification of the woman's suffrage amendment, Betty Friedan and the National Organization for Women organized the "Women's Strike for Equality." Although the women were urged to stay home and not do housework, the business community reported little absenteeism. In New York City, however, 50,000 attended the noontime parade and most of the onlookers cheered. Other cities had similar marches but with significantly smaller numbers: 2000 marched in Boston, 3000 in Chicago, and 3000 in Indianapolis. In Paramus, New Jersey, 150 turned out.²⁷

Southerners responded to the new movement less enthusiastically. In Atlanta, seventy-five hecklers greeted one-third as many marchers. Some of the men proclaimed that women would never be their equals. Others charged that women in the military would cry and run from combat. Eighteen female employees at the Atlanta Journal and Constitution,

²⁶Charlotte Perkins, "Miss America Pageant is Picketed by 100 Women," New York Times, 8 September 1968, 81.

²⁷"Women Begin New March Down 'Equality' Road," Atlanta Journal, 27 August 1970, 7-A.

however, could not be deterred. They presented management a petition calling for full equality, including assignment of reporting without regard to sex, reporting of women's issues with the same seriousness as other stories, and equal pay for equal work.²⁸

The March Toward ERA

The new enthusiasm for the women's movement led to the forcible extraction of the Equal Rights Amendment from Congress where it had been since 1923. On 17 February 1970, a group of women, impatient at the Supreme Court's failure to apply the provisions of the Fourteenth Amendment to women, interrupted the U.S. Senate Subcommittee on Constitutional Amendments, insisting that it consider the Equal Rights Amendment. Eleven weeks later Senator Birch Bayh, chair of the subcommittee, began hearings on ERA. The amendment was unanimously referred to the Senate Judiciary Committee in June.

In the House, Representative Martha Griffiths used a discharge petition with 218 signatures to get ERA out of the grips of a staunch ERA opponent, Judiciary Chair Emmanuel Celler. On the floor, ERA passed the House 352-15 in August of 1970.

²⁸"Tomorrow is Another Day, Lib Leader Tells Hecklers," Atlanta Journal, 27 August 1970, 7-A.

The ERA's greatest challenge before Congress came in the Senate where ERA opponents attempted to exempt existing women's protective legislation. The Senate failed to pass the ERA in 1950 and 1953, due to an amendment that became known as the "Hayden rider:" "The provisions of this article shall not be construed to impair any rights, benefits, or exemptions now or hereafter conferred by law upon persons of the female sex." In 1964, the Senate Judiciary Committee reported that the Hayden rider "is not acceptable to women who want equal rights under the law. It is under the guise of so-called 'rights' or 'benefits' that women have been treated unequally and denied opportunities which are available to men."²⁹

In 1970, Senator Sam Ervin of North Carolina, a leading congressional ERA opponent, chaired the Senate Judiciary Committee hearings on ERA. Ervin's beliefs about gender, like his ideas about race, reflected his southern heritage. As a first-term senator in 1956, Ervin, along with John Stennis of Mississippi and Richard Russell of Georgia, authored the Southern Manifesto denouncing the Supreme Court's ruling against segregated schools. Ervin had little use for federal intervention on behalf of women or blacks. Curiously, Ervin

²⁹Congressional Research Service, The Proposed Equal Rights Amendment (n.p., 1 July 1977), p. 2, folder "Background Information [1]," box 22, Sarah Weddington Collection, Jimmy Carter Library.

confronted ERA during the same period of time he was dealing with the school busing imbroglio in North Carolina.³⁰

Ervin cited physical strength as well as childbearing and childrearing responsibilities to justify laws that treated women and men differently. These "physiological and functional differences" were of nature, and they supported Ervin's understanding of a gendered society in which women and men acted according to traditional roles. Ervin's attempts to amend ERA prevented its Senate passage in 1970.

In 1971 the Yale Law Journal published what quickly became the definitive defense of ERA. This lengthy scholarly article addressed the fundamental underlying causes of discrimination against women and predicted how the proposed ERA would be applied to dozens of issues that it would potentially effect.³¹

The article also became a lightning rod for attack by ERA opponents. Its provocative statements about "a broad reexamination and redefinition of a 'woman's place'" and "the adoption of a constitutional amendment will also have effects that go far beyond the legal system" provided ample ammunition

³⁰Donald G. Mathews and Jane Sherron de Hart, Sex, Gender, and the Politics of ERA, (New York: Oxford University Press, 1990), 40, 42.

³¹Barbara Brown, Thomas I. Emerson, Gail Falk, and Ann E. Freedman, "The Equal Rights Amendment: A Constitutional Basis for Equal Rights for Women," Yale Law Journal 80 (April 1971).

for those who took quotes out of context.³² By twisting the words and ignoring the author's conclusions, Senator Sam Ervin used the Yale article to argue "ERA would abolish punishment of sex-related crimes."³³

The 92nd Congress again took up the ERA. On 12 October 1971, the House once again overwhelmingly passed the ERA 354-24. Without hearings, the Senate Judiciary Committee favorably reported ERA to the full Senate. There, Senator Ervin proposed nine different amendments that reflected his concerns about a vague and unpredictable Equal Rights Amendment. Ervin proposed:

- o to exempt laws prohibiting homosexual activity and marriages,
- o to exempt women from compulsory military service,
- o to exempt women from service in combat units,
- o to exempt laws extending protections or exemptions to women,
- o to exempt laws extending protections or exemptions to wives, mothers, and widows,
- o to exempt laws maintaining a father's responsibility,
- o to exempt laws securing privacy,
- o to exempt laws pertaining to sexual offenses,
- o to exempt laws based on physiological or functional differences.

On 22 March 1972, after the Senate had soundly rejected all of Ervin's amendments, it passed the ERA 84-8. The Equal Rights Amendment read:

³²Ibid., 872, 885.

³³Mathews and de Hart, Sex, Gender, and the Politics of ERA, 47.

- Section 1: Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.
- Section 2: The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.
- Section 3: This Amendment shall take effect two years after the date of ratification.

Following the precedent established for most amendments since 1919, Congress allowed the states seven years to ratify the ERA. ERA needed three-fourths, or thirty-eight of the fifty states, to make it the Twenty-Seventh Amendment to the U.S. Constitution. Twenty-two states ratified in 1972, and another eight followed in 1973.

Georgia's first vote came in January 1974. Most established women's groups overwhelmingly favored ERA, and coalitions formed to promote it. Opposition to ERA emanated from Phyllis Schlafly's STOP ERA, which quickly became a formidable force with an eager constituency within the Georgia legislature.

CHAPTER 2

ORGANIZING AROUND ERA

Many established women's groups quickly gravitated to the ERA cause. Georgia's Commission on the Status of Women (CSW) and the National Organization for Women (NOW) made significant contributions to the early struggle. Other organizations and individuals operated primarily within two discordant coalitions. Conversely, the STOP ERA Committee of Georgia provided a relatively unified voice of opposition. STOP ERA proved more proficient at attracting women and men from across the state.

Much like their suffrage predecessors, ERA proponents represented a diverse group of interests, lifestyles, and life experiences. This heterogeneous mix also differed sharply in the tactics they used to achieve political gains. In contrast, the STOP ERA Committee of Georgia was more homogeneous, attracting women and men primarily from churches; as a rule, they believed that women, as wives, mothers, and ladies, deserved a special place in society. The common experience of ERA proponents and opponents alike was the new

political activism that these grass-roots organizations inspired.¹

Commission on the Status of Women

Two years after John F. Kennedy appointed the President's Commission on the Status of Women, Georgia Governor Carl Sanders created a comparable state organization, the Georgia Commission on the Status of Women (CSW). Sanders appointed 112 women to the new commission, many of whom had worked in his campaign the previous year.² At its first meeting in December of 1963, commission members elected the venerable Mamie K. Taylor as their chairman.³

Mamie Taylor had a degree in home economics and was an early career woman. During her forty-four year career with Georgia Power, which ended in 1965, she had become a special assistant to the company president and founded the home

¹Janet K. Boles, The Politics of the Equal Rights Amendment: Conflict and the Decision Process (New York, Longman, Inc., 1979), 85.

²Greg Fullerton to Jim Parham, Deputy Commission of the Department of Human Resources (DHR), 27 June 1972, folder "Commission on the Status of Women," box 44, record group 80-1-6: "Department of Human Resources Commissioner's Subject Files," Georgia Department of Archives and History (GDAH).

³Mamie K. Taylor, "PROGRESS REPORT: Governor's Commission on the Status of Women in Georgia," 18 March 1966, Box 1 of 3, unprocessed papers of Mamie K. Taylor, GDAH. Note: In the unprocessed papers of Mamie K. Taylor, there are a total of 10 boxes, a set of 7 received 7 June 1977, and a set of 3, received 21 November 1979.

service department, subsequently called customer education. She was also a significant force in the formulation of Georgia Power's pension plan.⁴ Her active career in women's issues and politics began in 1923 when she wrote a letter to the U.S. Congress in favor of the ERA.⁵ She was also active in numerous community organizations including the Pilot Club, the Georgia Federation of Business and Professional Women's Clubs, and the Georgia Legislative Forum. With her gentle spirit, absence of ego, and insatiable desire to promote leadership in young women, Taylor successfully bridged the seemingly insurmountable gap between feminism and "Southern lady." Intrigued with legislative matters, Taylor worked tirelessly behind the scenes on behalf of Georgia women.

Each CSW member served on one of four committees: Education and Counseling, Women Under the Law, Home and Community, and Employment Policies and Practices. Most committees met periodically to address pertinent issues while the entire commission usually met annually. The CSW's formal report, submitted to Governor Sanders in May 1965, contained dozens of recommendations, some directed at the Georgia

⁴"The Petite Women With Big Ideas," Citizen (Georgia Power Company, July 1979), p. 8, box 2 of 3, Mamie K. Taylor papers, GDAH.

⁵David Morrison, "The Equal Rights Amendment: How it Would Affect Georgia Law," Atlanta Constitution, 15 January 1977, 1-B.

legislature (equal pay for women), others at state agencies (improved educational opportunities), and still others at women themselves (increased attention to nutrition).⁶

Upon receipt of the report, Governor Sanders directed the CSW "to be a vital force for action as well as studying."⁷ The 1966 Georgia General Assembly passed House Bill No. 556, cosponsored by Representatives Mac Barber and George Busbee, establishing the CSW as a permanent government commission. In doing so, the legislature specified that commission members would serve without compensation at the pleasure of the governor and produce yearly reports. The act authorized the commission to conduct studies in the areas of "health and welfare of women, problems of the working woman, problems of the urban and suburban homemaker, and equal status for women."⁸ In the same year, the commission, with the aid of other groups, lobbied for and secured Georgia's Equal Pay for Equal Work Act.

Under Governor Lester Maddox, who took office in January 1967, approximately half of the women continued to serve on the CSW and Maddox named an equivalent number of new

⁶Report of the Governor's Commission on the Status of Women, April 1965, box 1 of 3, Mamie K. Taylor papers, GDAH.

⁷"PROGRESS REPORT," 18 March 1966.

⁸"Commission on the Status of Women," Georgia Laws 1966, No. 586 (House Bill No. 154), p. 605.

appointees. Mamie Taylor continued as chair and the four committee structure remained in effect. The CSW continued to secure a handful of legislative gains for women. Members also conducted seminars, made presentations to state agencies, and participated in the growing network of national and regional commissions on the status of women.

Through 1970, the CSW continued publishing yearly reports, though they became increasingly less ambitious. CSW activities in 1970 were limited to a few meetings of the executive and other committees, although according to chairman Taylor members participated in 1970 election activities.⁹ The CSW may also have been lulled into inaction by its reluctance to embrace the nascent but aggressive feminist crusade begun in the late 1960s. In a May 1971 letter to newly elected governor Jimmy Carter, Mamie Taylor showed considerable distaste for the new movement: "The new activism has become very militant. This is frightening, but it need not happen if state government honestly provides a commission composed of thinking and rational women dedicated to giving leadership in woman's struggle for equality."¹⁰

The ERA debate in the U.S. Congress and the amendment's subsequent passage on 22 March 1972 inspired women across

⁹Greg Fullerton to Jim Parham, 27 June 1972.

¹⁰Mamie K. Taylor to Governor Carter, 10 May 1971, box 3 of 3, Mamie K. Taylor papers, GDAH.

Georgia but apparently failed to attract the immediate attention of Jimmy Carter. A May 1972 internal memo to the governor indicated that most questions from Georgia women regarded 1) reestablishment of the Commission on the Status of Women, 2) Carter's position on ERA, and 3) women in state government. Amazingly, in the margin Carter asked "What is ERA?"¹¹

During the same month, commission members and the governor exchanged verbal barbs over the commission's inactivity. CSW member M. Louise McBee, associate dean of student affairs at the University of Georgia, said commission members traditionally had been reappointed by the newly elected governor; and Carter, elected in November 1970, had done nothing. Mamie Taylor shared McBee's feelings. Carter, a proponent of efficient government, initially responded that the CSW had been abolished under reorganization. He subsequently back-tracked to state that the CSW had been transferred to the new Department of Human Resources for administrative purposes only. Either unaware of or unimpressed by the commission's previous accomplishments, Carter called commission membership "just an honorary

¹¹Jan Tyler to Governor Carter, 12 May 1972, folder "Commission on the Status of Women" box 44, record group 80-1-6, GDAH.

thing."¹² A week later, Carter called the commission dormant.¹³ His criticism appears quite valid. The 1970 annual report, reflecting the last year of Maddox's administration, contained only the by-laws of the Interstate Association of Commissions on the Status of Women and a reprinted article by Dean McBee.¹⁴

Governor Carter then turned the controversy into an opportunity to give new life and a new role to the commission. Jackie Lassiter, charged with fashioning Carter's new commission, believed the previous members had been "too 'high-class' white and unrepresentative." She hoped for the inclusion of "more concerned black women and nonconventional 'activist' women." A consensus existed for a more heterogeneous commission composed of black and white, rich and poor, young and old,¹⁵ but Rosalynn Carter, a key player in

¹²Dick Pettys, "Carter Denies Women Panel Curb," Atlanta Journal, 11 May 1972, 6-A.

¹³Cathy Yarbrough, "Carter Claims Women's Commission Dormant," Atlanta Constitution, 18 May 1972, 5-B.

¹⁴Annual Report: Georgia Commission on the Status of Women, December 1970, box 1 of 3, Mamie K. Taylor papers, GDAH.

¹⁵An interim list of 35 potential names, dated 27 July 1972, indicated the list contained 4 blacks, 6 singles, 4 students, some professional women, and some homemakers. Folder "Commission on the Status of Women," box 44, record group 80-1-6, GDAH.

the selection of new members, agreed with Mamie Taylor's concern over the commission's activist orientation.¹⁶

Ms. Carter's opposition to women's activism is perhaps best revealed by her opposition to Gloria Steinem's participation in the rally planned to coincide with the opening of the 1974 Georgia legislature. Ms. Carter's opposition reflected the dislike many Georgia women had for the feminist editor and their perception of Steinem as a militant. Ironically, Ms. Carter's comments to the governor about Steinem led him erroneously to announce his wife's opposition to ERA.¹⁷

In August 1972, Carter appointed forty-five women to the commission, including black women, single women, and students. While not militant, it clearly contained more activists than its predecessors. Carter immediately informed them that he would ask the 1973 Georgia General Assembly to ratify the Equal Rights Amendment and asked for their help with the ratification effort. As a veteran of the Georgia legislature

¹⁶Greg Fullerton to Jim Parham, 27 June, 7 July, and 24 July 1972, folder "Commission on the Status of Women," box 44, record group 80-1-6, GDAH.

¹⁷Rosalynn Carter, First Lady From Plains, (Boston: Houghton Mifflin Company, 1984), 100-102.

Carter suggested commission members meet with their senators and representatives in their home districts.¹⁸

In anticipation of the 1973 General Assembly vote, Governor Carter asked attorneys Barbara S. Bent and Rose M. Higby to investigate the impact of the Equal Rights Amendment on Georgia laws. Their 1972 report, published and distributed by the CSW, was likely one of the first of its kind in the nation. It found that Georgia had relatively few discriminatory laws compared with other states.¹⁹ These were found primarily in such areas as jury service, prostitution, wills and inheritance, guardianship, torts, family support, and responsibility for children.²⁰ Specific examples included laws exempting women from jury duty, proscribing female prostitution, and requiring the husband to be responsible for the support of the family.

The new commission elected Dorothy Gibson as chairwoman and Jeanne Cahill as vice chairwoman. Gibson, a native of Los Angeles, had served on the board of the Fulton County Department of Children and Youth and the Georgia Committee on

¹⁸Tom Linthicum, "Carter Pushing Women's Rights," Atlanta Constitution, 12 August 1972, 12-D.

¹⁹William L. Chaze, "Equal Rights Amendment Would Change State Laws," Atlanta Constitution, 29 November 1972, 13-B.

²⁰Barbara S. Bent and Rose M. Higby, The Equal Rights Amendment and Georgia Law (Commission on the Status of Women, 1972), box 9, record group 80-1-30: "Special Assistant to the Governor for Social Program Matters Subject Files," GDAH.

Crime and Delinquency. Cahill, raised in Alma, Georgia, and Jacksonville, Florida, had a history of supporting progressive candidates and had worked in Carter's gubernatorial campaign. Both women were friends of Jackie Lassiter.²¹ The new commission established an ERA steering committee under the direction of Mamie Taylor and voted to make ERA its "immediate top priority."²²

The commission quickly became an effective voice for change on women's issues. At the urging of Rosalynn Carter, the CSW investigated and publicized the condition of women prisoners in Milledgeville and the dubious circumstances under which "undesirable" women received harsh sentences inconsistent with the petty crimes of which they were convicted. In early 1974, the commission published a groundbreaking study on rape and distributed 10,000 copies. Every Georgia sheriff, police chief, middle school principal, high school principal, and hospital administrator received a copy. According to Cahill, the greatest impact of the study was its discussion about the preservation of evidence in rape cases.²³

²¹Dorothy Gibson-Ferrey and Jeanne Cahill, interview by author, 6 March 1995, Atlanta, Georgia.

²²"The Battle of the ERA," 6 March 1973, folder "Commission on the Status of Women," box 44, record group 80-1-6, GDAH.

²³Jeanne Cahill interview.

In 1974, Governor Carter assisted commission efforts with a \$10,980 subsidy from the Governor's Emergency Fund. The CSW also received a \$37,000 grant from the Comprehensive Emergency Training Administration (CETA). Jeanne Cahill, who had been elected chairwoman in September 1973, resigned from the commission and Carter appointed her to the paid position of executive director. Fulfilling the grant requirement to focus on employment related issues, the commission published The Barriers to Female Equality in Employment in Georgia.

Despite its multifaceted effort, ERA remained a major focus of the commission. Gibson, Cahill, and others spoke almost weekly around the state on women's issues and the commission issued press releases that were published throughout the state. The commission met monthly, and Governor Carter replaced members who did not attend meetings regularly.²⁴

The commission did not act alone. Other women's organizations were attracting members in increasingly large numbers.

National Organization for Women

While the commission was an energized and energetic body, it had a restricted membership. One organization that filled

²⁴Ibid.

that void was the nascent National Organization for Women, and one of NOW's earliest and most successful chapters was in Atlanta.

The popularity of Betty Friedan's The Feminine Mystique and her new organization grew from the poignant exposé of the personal experience of so many women. In Georgia, Alice Young had dutifully dropped out of college to support her new husband as he completed his bachelors and masters degrees. In 1953 they moved to New York while he worked on his Ph.D. in particle physics. Four years later, they returned to Atlanta with three small children.²⁵

In 1965, when their youngest child entered the second grade, Young chose to complete the education she had previously placed on hold. Encouraged by her husband, "as long as it did not interfere with her household duties," Young enrolled at Georgia State College (now Georgia State University) where she found kindred spirits in Mu Rho Sigma, a social sorority designed specifically for married and previously married women.²⁶

Young knew of Betty Friedan and had heard of her book but thought it sounded "way out." Nevertheless, she eagerly attended a lecture by Friedan at the Unitarian Universalist

²⁵Alice Young, interview by author, 18 November 1994, Atlanta, Georgia.

²⁶Ibid.

Congregation of Atlanta, one of a number of Atlanta locations where Friedan promoted her book and her new organization.²⁷ Taking the initiative, Young became one of the earliest members of the Atlanta chapter of NOW. Of note in this group that claimed only twenty-one members in June 1968 were Eliza Paschall, Mamie K. Taylor, Drs. Annis and Henry Pratt, Sara Mitchell, Coretta Scott King, Marianne Albrecht, Mr. and Mrs. Charles Weltner, and Alice Young.²⁸

The Atlanta chapter of NOW attacked a number of issues in its pursuit of legal and economic equity for women and men. In August 1970, as the nation celebrated the fiftieth anniversary of woman's suffrage, Atlanta NOW sent a questionnaire to 200 Georgia candidates for political office. Issues covered by the survey included equal opportunities for women, free twenty-four hour childcare centers, repeal of all abortion laws, and elimination of stereotyping of women in the media.²⁹

National and local interest in women's liberation and NOW increased dramatically in 1970. Alice Young attributes this

²⁷Ibid.

²⁸"Present Members of NOW - June 1968," folder 1-01: "Early NOW, Atlanta, Records Collected by Eliza Paschall, 1966-1969 and n.d.," box 1, record group 75-443: "National Organization [of] Women, Atlanta chapter records, 1966-1981, 1987, and n.d.," Manuscripts Section, GDAH.

²⁹"Women," folder 1-02: "Early NOW, Atlanta, Records Collected in Notebook, 1969-1970," box 1, Atlanta NOW, GDAH.

to natural growth of the movement as more and more women learned about it. Young described the women in NOW as younger women, a majority of whom were single. Joyce Durand, who joined NOW in the early 1970s, characterized NOW membership as women who likely had college education and who had personally or professionally experienced discrimination or other forms of societal impediments.³⁰ But more importantly, Young described NOW members as "fearless, [women who] knew exactly what they felt and thought should happen, and didn't waver."³¹

One of these fearless women was Martha Gaines, 1970 president of Atlanta NOW, 1972-1974 coordinator for Georgia NOW, and the 1976-1977 NOW southern regional director. In 1969, Gaines had attended an orientation session for a new job. To get the audience's attention, the first speaker showed a picture of a Playboy centerfold. Outraged, Gaines gathered her things together and as she was leaving the room expressed her strong objection to the centerfold. When the surprised speaker indicated that no one had ever objected before, Gaines recognized a subtle distinction; no one had ever "voiced" objection before. The speaker apologized, seemingly resolving the matter.

³⁰Maria Getzinger Jones and Joyce Durand, interview by author, 26 April 1995, Atlanta, Georgia.

³¹Alice Young interview.

On the second day, a new speaker started by telling a rape joke. As Gaines once again gathered her things together, the room fell conspicuously silent. Again Gaines objected and again she was assured no one had ever complained before. Reflecting on these incidents a number of years later, Gaines believed it was this period when she first became known as "that bitch," or "that shrew MARTHA GAINES."³²

Gaines represented the new aggressive feminist. Tired of working behind the scenes and taking the meager concessions doled out by a male-dominated society, Gaines expected more. She cared less whether those in power considered her actions ladylike or proper. She insisted on what she knew was right.

Gaines was not alone. With increased popularity, NOW began weekly meetings at the YWCA in March, 1970. Two months later, the first Georgia chapter outside of Atlanta began meeting in Savannah. Atlanta NOW played an early role in getting ERA out of Congress. In 1970, NOW kept its members apprised of ERA's status as it moved through Congress. NOW Notes, the newsletter of Atlanta NOW, published the names and

³²Speech on notecards, folder 4, box 2, Martha Wren Gaines Collection, Emory University Manuscript Collection No. 669, Special Collections Department, Robert W. Woodruff Library, Emory University.

addresses of members of Congress and strongly encouraged members to write letters.³³

By 1972, membership in the Atlanta chapter had grown to over 300³⁴ and new chapters appeared in Lafayette, Augusta, Carrollton, Columbus, and Athens.³⁵ In August 1972, Atlanta NOW made a significant push for ERA. Dozens of NOW members staffed booths at major malls around Atlanta.³⁶ On 26 August, the 52nd anniversary of the ratification of the Nineteenth Amendment, 150 marchers turned out and listened to speeches from the leaders of NOW and the Women's Abortion Action Coalition.³⁷

Like the Commission on the Status of Women, NOW addressed a host of issues of importance to women. One of the earliest goals of NOW, both nationally and locally, was the liberalization of abortion laws. The status of efforts to repeal Georgia's abortion laws frequently appeared in NOW

³³Folder 5-01: "NOW Notes Newsletters 1969-1971," box 2, Atlanta NOW, GDAH.

³⁴Folder 1-10: "Membership Rosters, Mailing Lists, and Statistics, 1971-1974", box 1, Atlanta NOW, GDAH.

³⁵Board meeting, 21 June 1972, folder 2-1: "Board Meeting Minutes, 1971-1973," box 1, Atlanta NOW, GDAH.

³⁶"HELP US CELEBRATE flier," folder 7-15: "Equal Rights Amendment (E.R.A.) Activity Records, 1972-1979," box 3, Atlanta NOW, GDAH.

³⁷Barbara Casson, "150 March for Rights of Women," Atlanta Journal, 27 August 1972, 5-A.

Notes. When the Supreme Court ruled on Roe v. Wade in January 1973, it was actually ruling on a group of abortion cases argued before the court. The Georgia companion case, Doe v. Bolton, was brought by a Georgia woman who had been denied an abortion at Atlanta's Grady Memorial Hospital. Margie Pitts Hames, a member of NOW, argued the pro-abortion side. The U.S. Supreme Court decision overturned Georgia's 1968 abortion law that allowed a woman to get an abortion in the first trimester only if one of the following conditions was satisfied: if the mother's life was in danger, if the woman had been raped, or if the fetus would be born with severe mental defects.³⁸

With the abortion victory, the feminist movement had played an instrumental role in wresting ERA from Congress, ratifying it in twenty-two states, and liberalizing abortion laws, all within twelve months. The momentum clearly resided with the women's movement.

Coalitions for ERA

The Commission on the Status of Women and the National Organization for Women took leadership roles in the campaign for ERA. For many other organizations, ERA, although

³⁸Bob Fort and Gregory Jaynes, "State's Abortion Law Voided by U.S. Supreme Court 7-2," Atlanta Constitution, 23 January 1973, 1-A.

important, remained a secondary focus. These groups needed a means of channelling their efforts. Also, many individuals who supported ERA, lacked connections to any group actively promoting ERA.

In January 1973, a single loose coalition of organizations coordinated by Mamie Taylor began promoting ERA ratification in Georgia.³⁹ Little structure or direction but abundant conflict existed within the coalition. Many members strongly believed that the presence of socialists and lesbians would hurt the ratification effort. Other, more radical groups, strongly opposed any coalition that would hamper their tactics which they believed essential to create change.

In February, toward the end of the Georgia legislative session, the coalition worried that ERA might get stalled in a House committee. At a meeting at Taylor's home, all members decided to sign a letter asking that ERA be brought to the floor for a House vote. Representatives of the Atlanta Lesbian Feminist Alliance (ALFA) and the Georgia Women's Abortion Coalition agreed not to sign, recognizing that their connection with ERA might be damaging to the cause. According to Vicki Gabriner, "there was clear pressure on us to be silent members of the ERA effort, and we made it clear that it

³⁹Celestine Sibley, "Don't Fear Women and Guns," Atlanta Constitution, 14 January 1973, 21-A.

was in the interest of compromise and the ERA that we were acting."⁴⁰ The following groups signed the resolution:⁴¹

American Association of University Women (AAUW)
Atlanta City Council of Beta Sigma Phi
Business and Professional Women's Clubs of Georgia
Church Women United of Georgia (CWU)
Common Cause
Delta Sigma Theta Inc., Atlanta Alumnae Chapter
Georgia Commission on the Status of Women (CSW)
Georgia Federation of Women's Clubs
Georgia Women in Communications
Georgia Women's Lawyers Association
Georgia Women's Political Caucus
League of Women Voters (LWV) of Georgia
National Organization for Women (NOW)
North Georgia Conference, United Methodist Women
W.O.M.E.N. (Athens/University of Georgia)
Women's Alliance of Emory University
Young Women's Christian Association (YWCA)

Several days later, without notifying other members of the coalition, Taylor wrote another letter to the committee chairman asking that he hold ERA in committee. While few, if any, coalition members doubted Taylor's sincerity in doing what she felt was best (some felt she may have been coerced), many considered Taylor's action improper. Because it was so close to the end of the legislative session, ERA proponents failed to reverse the committee's decision to assign ERA to a subcommittee for further study. ERA was dead for 1973.

⁴⁰Vicki Gabriner to Gloria Steinem, 25 December 1973, folder 6, box 25, Martha Gaines collection.

⁴¹Resolution and cover letter requesting that ERA be brought to a House vote, 14 February 1973, folder 6, box 25, Martha Gaines collection.

In May, Martha Gaines, state coordinator for NOW, called another meeting of proponent groups at the midtown YWCA. Some factions still resisted any formal structure that would hamper the efforts by individual organizations. They did, however, continue to meet periodically under the name the Forum. Here, groups shared information and speakers such as Senator Sidney Marcus discussed strategy.⁴²

Dissatisfied with this unstructured approach, the moderate groups began to meet separately, leaving others to form their own organization. This group, Georgians for the Equal Rights Amendment (G-ERA), developed around the principles that supporting organizations had not enrolled all people in favor of ERA and that a coalition could more effectively organize activities on behalf of the amendment.⁴³ Since the moderate groups had drifted away, leadership for G-ERA came primarily from radical groups including the Socialist Workers Party and the Atlanta Lesbian Feminist Alliance. When NOW and the Georgia Women's Political Caucus (GWPC) became estranged from the structured groups, they also worked for and provided leadership for G-ERA.⁴⁴

⁴²Vicki Gabriner to Gloria Steinem, 25 December 1973, folder 6, box 25, Martha Gaines collection.

⁴³Martha Gaines to Georgia NOW members, December 1973, January 1974, folder 4, box 19, Martha Gaines collection.

⁴⁴Boles, The Politics of the Equal Rights Amendment, 76.

Splitting the original coalition failed to resolve the controversy. The event that made the controversy public was a march and rally scheduled for January 1974 to coincide with the reconvening of the Georgia General Assembly. The invited speaker was the outspoken and controversial feminist Gloria Steinem.

NOW and G-ERA were the primary sponsors of the parade. The decision to call it a parade was made explicitly to allay the concerns of those disinclined to support marches or demonstrations. At a 6 December planning meeting, to which all organizations in favor of ERA were invited, the LWV representative indicated the League would not support a march under any circumstances. According to Dorris Holmes speaking twenty years later, "it just isn't done."⁴⁵ AAUW and CWU refused to support a march in which Gloria Steinem participated. Other groups, notably the Girl Scouts and the Communication Workers of America, withdrew support for the parade because of a fear of being associated with socialists and lesbians. The Atlanta YWCA, the Atlanta Labor Council, and United Farm Workers also withdrew support.⁴⁶

At a 29 December meeting of the moderate groups Eliza Paschall, a member of a number of the groups involved in the

⁴⁵Dorris Holmes and Dorothy Tracy, interview by author, 22 March 1995, Atlanta, Georgia.

⁴⁶Vicki Gabriner to Gloria Steinem, 25 December 1973.

controversy, attended on NOW's behalf to try to smooth over the problems. In her report to Martha Gaines, Paschall indicated the groups wanted to develop a common "low-key" strategy but that actions by specific groups would not be curtailed if they acted in their own name. But at the meeting when Margie Hames asked if there were any groups "'which are a problem,' [Holmes] mentioned NOW by name, saying that Martha [Gaines] had said she 'cannot control her people'." Paschall expressed confusion about the coalition's concern over individuals acting on their own and ultimately concluded NOW was not welcome to participate in the structured group.⁴⁷

The conflict over the parade/march prompted the moderate groups to formalize themselves, and they formed the Council for the ERA. Member groups included:

- American Association of University Women
- American Civil Liberties Union
- Church Women United
- Commission on the Status of Women
- Communication Workers of America
- Federally Employed Women
- Feminist Action Alliance
- League of Women Voters of Georgia

In December 1973, the council unanimously elected Dorris Holmes as coordinator. Holmes, a long-term member of the League of Women Voters, began her involvement with ERA when, as a member of the Atlanta LWV board, she attended a

⁴⁷Eliza Paschall, "Report for M. Gaines, Ga. NOW Coordinator," folder 7-15 "Equal Rights Amendment (E.R.A.) Activity Records, 1972-1979," box 3, Atlanta NOW, GDAH.

convention of the Georgia League. On the agenda was the "Legal Rights of Women in Georgia" which appeared as a "non-recommended" item, meaning the state league had chosen not to adopt a position either for or against it. Following league protocol, a group formed to study the issue and make a recommendation to the board. Mary Long, president of the Atlanta LWV, asked Holmes to participate. When the group recommended support for the ERA, they actually preempted the national LWV that tardily endorsed ERA in 1972.⁴⁸

Holmes's participation in the LWV directly influenced her attitudes about the activities of the Council for the ERA. The league was a very disciplined organization which expected members to abide by league procedures. Furthermore, the league kept activities low-key and non-controversial. While Holmes believed that ALFA, NOW, and the socialists had every right to do what they felt best, she adamantly argued that controversy did not get legislation passed.⁴⁹

With this conviction, Holmes and other members of the council wrote Steinem and politely asked her to stay away from the parade/rally. While Holmes did not consider Steinem a radical, she worried about the effect Steinem's visit would have on the Georgia legislature. When a typical legislator's

⁴⁸Dorris Holmes and Dorothy Tracy, interview by author, 22 March 1995, Atlanta, Georgia.

⁴⁹Ibid.

first question is "where are you from little lady?," Holmes believed Steinem's northern ties would only aggravate the situation. In the end, Steinem agreed not to speak at the rally, but her meeting with G-ERA and the council's leadership failed to resolve their tactical differences.⁵⁰

The telephone became the council's primary organizing tool. Using a Watt's line provided by the national LWV, the council placed calls all over the state. With no newsletter of its own, the council relied heavily on member organizations to disseminate information on ERA. The efforts by these organizations in turn reflected the dedication of the ERA representative working on behalf of ERA. Holmes credits the Nurse's Association envoy and Janet Cukor of the AAUW as particularly effective. Member organizations also provided the funds used by the council, which grew steadily over time.⁵¹ Originally claiming a handful of organizations, ERA Georgia, the successor to the council, claimed forty-five member organizations with a membership of 150,000.

STOP ERA Committee of Georgia

While efforts to promote ERA in Georgia preceded congressional passage, significant local opposition awaited

⁵⁰Ibid.

⁵¹Ibid.

the January 1973 opening of the Georgia legislature. Opponents maintained a loosely structured organization of individuals promoted through personal contact in conservative and church organizations.

The national organization most actively opposed to ERA was STOP ERA, formed by Phyllis Schlafly in Alton, Illinois. As the wife of a successful attorney, Schlafly devoted herself to raising a family while immersing herself in conservative politics. A consummate organizer and an adept public speaker, Schlafly had written many books and headed Eagle Forum, the organization that launched STOP ERA.

Schlafly handpicked Kathryn Dunaway to lead STOP ERA in Georgia. Dunaway, the wife of John Dunaway, a successful attorney and a 1940-42 member of the Georgia legislature, was a long-time Schlafly friend. Both actively participated in the Federation of Republican Women; Schlafly had been president and Dunaway, vice-president.⁵²

Dunaway had a long history of right-wing political activism in Georgia. She supported Barry Goldwater's unsuccessful 1964 presidential bid and campaigned against the "so-called Civil Rights Bill" of 1964 which she called "10%

⁵²In a letter from Kathryn Dunaway to Senator Dirksen, dated 22 February 1967, Dunaway refers to herself as the third vice-president of the Federation of Republican Women, folder 25, box 1, collection No. 618: "Kathryn Fink Dunaway," unprocessed, Special Collections Department, Robert W. Woodruff Library, Emory University.

civil rights and 90% extension of federal control."⁵³ She opposed fluoridation of Georgia's water and warned of the threat of the United Nations to U.S. national security.

Dunaway chose Lee Wysong, her friend from the Cherokee chapter of the Daughters of the American Revolution (DAR), as her second in command. Wysong, widowed in 1964, ran a ceramics manufacturing business with her sons but found time to make trips to the Georgia legislature. Unlike Dunaway, STOP ERA was Wysong's first foray into the political arena. Wysong, an articulate woman who personified the Southern lady for whom she advocated, describes Dunaway as "dedicated, energetic, intelligent, [and] a driver--in a pleasant way."⁵⁴

Dunaway organized STOP ERA chapters in each congressional district of Georgia. She often appointed personal friends as chapter chairmen (chairman was preferred to chairwoman) and they in turn recruited their own friends. Wysong estimates the Atlanta group had 200-300 members while chapters outside Atlanta remained relatively small, usually with 20-25 members. They included homemakers, "working girls," widows, and a number of men.⁵⁵

⁵³Kathryn Dunaway to Mr. Weltner (22 March 1964) and Senators Humphrey and Mansfield (2 March 1964), folder 25, box 1, Kathryn Fink Dunaway collection.

⁵⁴Lee Wysong, interview by author, 4 March 1995, Atlanta, Georgia.

⁵⁵Ibid.

The outreach, however, was much greater than their meager membership suggested. Dunaway and Wysong traveled around the state speaking to groups organized by chapter chairmen. Many of these women were themselves consummate organizers. When Phyllis Schlafly visited Georgia, Mary Wing got over 400 supporters to attend an Augusta gathering. In the absence of a statewide newsletter or regular meetings, the STOP ERA Committee of Georgia made masterful use of the telephone. It kept STOP ERA connected and, along with letter writing and petitions, allowed constituents to lobby their own legislators.⁵⁶

Schlafly's national organization supported state chapters of STOP ERA in many ways. It held annual conventions, usually in St. Louis, to organize and energize ERA opponents. Numerous workshops outlined effective lobbying techniques and Schlafly provided a STOP ERA manual. Regular mailings and pamphlets detailed the apocalyptic consequences of ERA ratification.

Opponents used four primary arguments against ERA. Many argued that women deserved a privileged position in society. For example, women have a right to be protected by their husbands and exempt from military service. Others maintained that ERA was a "federal power grab" and an intrusion by the

⁵⁶Ibid.

federal government into matters that should be decided by the states. For instance, opponents believed ERA would "federalize" family law. Some ERA adversaries, citing the Fourteenth Amendment to the constitution and numerous laws proscribing discrimination against women in specific areas, claimed ERA was unnecessary. Finally, many feared that a vague ERA would be used in undesirable ways such as liberalized abortion laws, homosexual marriages, and unisex bathrooms.

These arguments found ready acceptance in Georgia, particularly in churches, the bastion of support for the STOP ERA movement. Many ministers in the male-dominated institution claimed that equality between men and women went against God's plan, which designated the woman as man's helper. Many churchgoers, both men and women, readily accepted the arguments that ERA would be used in pursuit of liberalized abortion laws and homosexual marriages. Nothing could be more abominable to God's divine plan for the family.

The church also augmented STOP ERA organizationally. Pulpits proclaimed the evils of ERA. Meetings following Sunday church services provided an opportunity for members to sign petitions or write letters to legislators. At critical times, if a legislator needed to hear from his constituents, a weekend could generate hundreds, and in some cases thousands, of signatures.

ERA opponents frequently contrasted themselves with their adversaries. In keeping with the genteel tradition that permeated the South, they believed that men should behave like gentlemen and women should act like ladies. This included dressing like a lady and acting like a lady. The "unladylike" aggressive tactics of proponents evidenced the consequences of women's liberation and ERA. Wysong also believed the libbers were mean-spirited and perpetually angry at men, whom they often and publicly blamed for the existing inequities in society. To the dismay of ERA proponents, many of the predominantly male legislators felt similarly as the battle moved to the Georgia General Assembly.

CHAPTER 3

THE FIRST CRUCIAL VOTES

While many groups worked for and against the Equal Rights Amendment, the ultimate ratification decision fell to the Georgia General Assembly. Unexpectedly, the ERA became a controversial political issue. Some legislators attempted to debate ERA on its merits but most discussions became exaggerated and anecdotal in an effort to sway votes. Soon, the constant harassing by both supporters and opponents of ERA annoyed many legislators. Some legislators acted like politicians rather than state leaders as they put their need to be reelected, future political agendas, and good old boy politics ahead of an impartial consideration of the pros and cons of ERA.

Ten months passed before any Georgia lawmaker could vote on ERA. The Georgia legislature, which meets for forty days each year, had adjourned before the amendment passed Congress on 22 March 1972. By the end of the year, twenty-two states had ratified the ERA and the momentum suggested ERA might sail through the ratification process.

The Georgia House of Representatives

Only two women served in Georgia's 180-member House of Representatives in 1973. Grace Towns Hamilton, a veteran of seven years, and Betty Jean Clark, a first-term representative, were both black. Although both supported ERA, neither played a significant role in the ratification debate.

At only the third meeting of the reactivated Commission on the Status of Women in November 1972, ERA coordinator Mamie Taylor indicated that 65 percent of the legislators had committed on ERA. Taylor encouraged CSW members to pressure uncommitted legislators and pushed for a unified effort by the commission just prior to the opening of the General Assembly in January.¹

As the legislative session began, opposition to ERA appeared unexpectedly. Many lawmakers, apparently unaware of any significant opposition, had told ERA proponents they would vote for ERA. According to Martha Gaines, "prior to January 13, the majority of our legislators - senators and representatives - indicated they would support ratification of the Amendment. However, about that time there surfaced some extremely active opposition [sic], using false, emotional arguments." The opposition must have had a religious

¹"Corrected Minutes: Commission on the Status of Women," 28 November 1972, folder "Commission on the Status of Women," box 44, record group 80-1-6, GDAH.

orientation as Gaines compared them to the Rev. Billy James Hargis's Christian Crusade.²

Shortly after the legislature convened, noted Atlanta Constitution columnist Celestine Sibley reported that Mamie Taylor had lined up George Busbee, House majority floor leader, to sponsor ERA.³ Two days later, on 16 January 1973, Representative Andy Roach from Canton introduced ERA and Speaker George L. Smith II assigned it to the Special House Judiciary Committee chaired by Roach. Critics later charged Busbee with abandoning ERA when it became controversial.

Both proponents and opponents tried to explain to representatives the pros and cons of ERA. They used similar methods: generating letters, phone calls, and personal visits to legislators. Opponents, however, proved more successful at encouraging members to write state officials. In a letter, Dorothy Gibson informed CSW members that Governor Carter reported that correspondence to lawmakers ran nine-to-one against ERA. She urged the 45 members to contact their legislators.⁴

²Martha Gaines to Atlanta YWCA Board of Directors, n.d., folder 6, box 25, Martha Gaines collection.

³Celestine Sibley, "Don't Fear Women and Guns," Atlanta Journal, 14 January 1973, 21-A.

⁴Dorothy Gibson to Commission members, 18 January 1973, folder "Commission on the Status of Women, box 44, record group 80-1-6, GDAH.

In early February, Roach scheduled hearings on ERA before his committee. At the hearings, ERA proponents took a defensive position. NOW's Martha Gaines charged opponents with playing on the fears of women and assured legislators that issues of privacy would be unaffected. Dorris Holmes, of the Atlanta League of Women Voters, testified that rape laws would remain on the books.⁵

As illustrated by the foregoing, many ERA opponents expressed concern that women would lose the special protection they had achieved. Phyllis Schlafly testified that women have the right to be protected by their husbands. She and Dr. Larry McDonald, John Birch Society president, expressed concern that women would be forced into the military. Baptist and Presbyterian ministers feared that ERA "would destroy the Christian family unit." Others branded ERA communistic and argued it would lead to homosexual marriages and legalized prostitution.⁶

Phyllis Schlafly's appearance may have had the greatest impact on lawmakers. According to Jeanne Cahill, Schlafly leaned across the table, looked into the eyes of the legislators, and said: "You men of Georgia know how to treat the ladies here so well. You are the envy of people across

⁵Kathryn Johnson, "Equal Rights - Pros and Cons Blast Away," Atlanta Constitution, 8 February 1973, 1-A.

⁶Ibid.

the nation. You are such gentlemen, you know that women need to be protected, and taken care of, and loved." According to Cahill, the men "ate it up," and many of them changed their minds. After Schlafly spoke, a legislator asked Cahill, "How does it feel to have two years of work undone in twenty minutes?"⁷

Lee Wysong believes that the demeanor and appearance of proponents worked against ERA. At the hearings, according to Wysong, the proponent side was "full of hippies, a great number of whom were flagrantly homosexual . . . I assume it just turned off legislators."⁸ Dorothy Tracy, an ERA supporter from the League of Women Voters, suggested that the radical fringe got publicity completely out of proportion to their numbers. At an ERA march, photographers refused to show league members with their children but instead zeroed in on the lesbians. When Tracy asked one photographer if he would please take pictures of wives and mothers, he replied, "[I] could, but the paper wouldn't print it."⁹

With ERA embroiled in controversy and rumors circulating that supporters disagreed about how to proceed on ERA, the proponent coalition unanimously passed a resolution requesting

⁷Interview with Dorothy Gibson-Ferrey and Jeanne Cahill.

⁸Interview with Lee Wysong.

⁹Interview with Dorris Holmes and Dorothy Tracy.

that ERA be brought to the House floor for a vote. On February 13, advocates sent their request to Speaker Smith, Majority Leader Busbee, and to all members of the House Special Judiciary Committee, including Chairman Andy Roach. The next day, Martha Gaines distributed copies of the resolution to supporting organizations on behalf of the coalition.¹⁰

Later that month, acting on the advice of several women including Mamie Taylor, Roach announced he would try to keep the ERA off the floor of the House. Taylor and the others believed a defeat in Georgia would have ill effects in other states. Roach later produced letters from the Georgia Federation of Women's Clubs and Business and Professional Women's Clubs requesting delay.¹¹ Ironically, Mamie Taylor represented both groups in the coalition.

Although pessimistic about ERA's chances, CSW Chairwoman Dorothy Gibson took strong exception to Roach's actions. She charged Roach with ignoring the resolution made two weeks earlier asking that the resolution be brought up for a House

¹⁰Resolution and cover letter requesting that ERA be brought to a House vote, 14 February 1973, folder 6, box 25, Martha Gaines collection.

¹¹"Last-ditch Bid To Get ERA Vote Is Defeated," Atlanta Constitution, 23 February 1973, 10-A.

vote.¹² After Roach succeeded in keeping ERA in committee, fifteen women's groups within the coalition passed a resolution condemning both Roach and Busbee who "demonstrated their insensitivity to the men and women of Georgia and the United States." ERA supporters charged Busbee with "reneging" on his sponsorship of the amendment. They also suggested Roach did "behind-the-scenes encouraging" to get the letters urging him to delay action on the amendment, a charge that Roach denied.¹³ An Atlanta Constitution editorial suggested that if Roach wanted to kill ERA he should be honest about it.¹⁴ As it was late in the session, Roach's action killed ERA for the session; the amendment would have to wait.

State chapters of NOW met in Chicago in May 1973 to map out an ERA strategy. The approach called for accountability of state legislators. Previously, advocates resisted pressing legislators on ERA fearing that ERA opponents would target those who took an early position in favor of ERA. Specifically, the NOW strategy called for: 1) an intensive political analysis of state lawmakers; 2) boosting ERA as the number one issue in state elections; and 3) requiring public

¹²Tom Sherwood, "Fifteen Citizen Groups Admit ERA Defeat," Atlanta Constitution, 22 February 1973, 15-A.

¹³John York, "Women Feel 'Tricked:' Rights Bill Not Dead Yet," Atlanta Constitution, 26 February 1973, 16-A.

¹⁴"Equal Rights," Atlanta Constitution, 24 February 1973, 4-A.

accountability for each legislator.¹⁵ Representative John Carlisle, an ERA proponent, took exception to the new methods. ERA advocates, he said, "are their own worst enemies." When a legislator failed to support ERA, proponents threatened to oppose the lawmaker in the next election.¹⁶

Georgians for the ERA (G-ERA) began preparing for the 1974 vote the preceding summer. They scheduled forums, conferences, and pickets and distributed leaflets. Over time, a number of groups, still dissatisfied with the loosely structured approach of G-ERA, drifted away. With the absence of other groups, G-ERA and NOW planned the parade to coincide with the opening of the 1974 Georgia legislature. Gloria Steinem agreed to speak at a planned rally and parade in which organizers invited all groups to participate. In December, the disagreement over how best to promote ERA reached a climax when LWV member Dorris Holmes asked Steinem not to participate. Holmes's interference in an activity which she had not planned nor in which she would participate outraged G-ERA and NOW activists. The split in the coalitions working for ERA became formal when the moderate groups elected Holmes as the coordinator of the new Council for the ERA.

¹⁵Cathy Yarbrough, "ERA Not Lost in Chauvinism - NOW Leader," Atlanta Constitution, 3 July 1973, 3-B.

¹⁶Kathy Tilley, "Sugar, Spice Urged for ERA," Atlanta Constitution, 26 October 1974, 1-C.

January 1974 was a difficult month for ERA proponents. First, the split over Gloria Steinem's visit became public. Then, Jimmy Carter announced that the governor's office had little influence on ERA, claiming that legislators look back to their districts on such matters. A few days later, Carter erroneously announced that his wife, Rosalynn, was against ERA. The next day, Rosalynn came to the capitol conspicuously wearing a pro-ERA button. On 25 January, the Special Judiciary Committee sent ERA to the floor of the House without recommendation. During the floor debate, Speaker Tom Murphy violated House rules by allowing former governor Marvin Griffin to address the body. Griffin derided ERA. Worse, when ERA sponsor Andy Roach spoke, he failed to urge its passage, but simply called ERA controversial, talked-about, and interesting and told its legislative history. Rep. Dorsey Matthews shouted "ERA stinks of 'commonism'."¹⁷

The House of Representatives defeated the ERA 104-70. Urban lawmakers generally favored the Equal Rights Amendment although not overwhelmingly. Whereas 39 percent of all representatives voted for the Amendment, 51.5 percent of the urban members did so.¹⁸ Atlanta, where 54 percent of the

¹⁷Celestine Sibley, "Bitter, 3-Hour Debate Ends in ERA Defeat," Atlanta Constitution, 29 January 1974, 1-A.

¹⁸For the purposes of this calculation, any Georgia county included in any Standard Metropolitan Statistical Areas (SMSA) is considered an urban county. In 1970, the SMSAs that

lawmakers voted in the affirmative, exceeded the level of support by other cities. Within Atlanta, Fulton and DeKalb counties boosted the city's margin of support as 65 percent voted "yes," and in the suburban areas of Clayton, Cobb, and Gwinnett, only 47 percent voted for the Equal Rights Amendment.

Georgia held elections for all major state offices in November 1974. The state constitution limited governors to a single consecutive term. As Jimmy Carter pursued presidential aspirations, Georgians elected George Busbee as governor and Zell Miller as lieutenant governor. They also elected a woman, Virginia Lee Shapard, to the all-male Georgia Senate.

The Georgia Senate

With ERA soundly defeated in the House, the debate shifted to the Georgia Senate in 1975. Politics again entered into the fray as two senators would use the defeat of ERA as a punitive means of settling political disputes.

On the advice of Bobby Rowan, a former veteran of the Georgia Senate, the Council for the ERA looked for well respected sponsoring senators preferably from outside the Atlanta area. Senators Peter Banks, a legislator from south

contained Georgia counties were Albany, Atlanta, Augusta, Chattanooga (Walker county is in the Chattanooga SMSA), Columbus, Macon, and Savannah.

of Atlanta, John Riley of Savannah, and Pierre Howard of Atlanta, all agreed to sponsor ERA.¹⁹

Other senators, however, got the jump on ERA advocates. Without discussing strategy with proponent groups, three first-term senators introduced ERA: Julian Bond, Horace Tate, and Lawrence (Bud) Stumbaugh. The Atlanta Constitution warned that Bond and Tate, both liberal blacks, could hurt ERA.²⁰ Julian Bond, though new to the Senate, was a stranger to neither the Georgia legislature nor controversy. In 1966, the Georgia House of Representatives refused to seat him after he accused the United States of committing murder in Vietnam and for urging blacks to dodge the draft.

When the three freshman senators introduced ERA, they also thwarted the efforts of Lieutenant Governor Zell Miller, who wanted to put together a coalition of senators as cosigners of ERA.²¹ Miller proved to be the proponents' staunchest supporter in the General Assembly. He spoke frequently on ERA and drew sharp criticism from all sides when he used his paid staff to work on ERA. Senator Paul Coverdell, another ERA proponent, claimed the Senate's paid

¹⁹Dorris Holmes and Dorothy Tracy interview and follow-up note from Dorris Holmes to the author, n.d.

²⁰Rex Granum and Frederick Allen, "Three Senators Dodge Miller Effort for ERA," Atlanta Constitution, 21 January 1975, 11-A.

²¹Ibid.

staff should be impartial, and Dorris Holmes questioned the sixties-like tactics promoted by Miller's aide.²²

STOP ERA was in full force during the 1975 General Assembly. It was present at the opening session and vowed to stay until the final ERA vote. Members buttonholed senators in the hallways as they worked to line up anti-ERA votes.²³ Dunaway hailed the efforts of one tireless worker, Mary Wing of Augusta, at a national STOP ERA meeting in Saint Louis:

How We Changed "Yeas" to "Nays" on ERA!

Augusta, Georgia's two senators were firmly in the proponents' camps until - - - -

Mary Wing, our sole known worker there, agreed to set up a full day's schedule for our spokesman, Beverly Adams, which included a presentation before the Kiwanis Club, T-V and newspaper coverage, a radio talk show, meetings at the library, and a private home to organize support.

The results were:

Within 10 days Mary secured 4,000 signatures on Phyllis' opinion polls and petitions, chartered a bus and brought 42 people to our capitol on February 11, for an open hearing which was well organized and attended (even by the Gays).

Immediately following the hearing this group met with their senators. And with courteous but firm tones "educated" them about the "birds and the bees", presented the signatures and earned a sweet victory by changing 2 "Nays" for "Yeas". The senator's question when they regained their composure was "Where have you all been? All we have heard was from 'Women Lib'."

²²David Morrison and Rex Granum, "Miller Aides' Work for ERA Hit," Atlanta Constitution, 11 February 1975, 10-A.

²³Claudia Townsend, "'Stop ERA' Forces Descend on Assembly," Atlanta Constitution, 16 January 1975, 6-A.

...So back to the "briar patch" went Mary & Company. Results: 2500 more signatures for February 17th, the day ERA was soundly defeated in the Georgia Senate.²⁴

ERA proponents, responding to the criticism from the 1974 vote, pursued a low-key strategy. According to legislative coordinator Cynthia Hlass, NOW had from five to twenty people at the capitol each day.²⁵ Lobbyists from other groups such as the League of Women Voters and Common Cause also worked on behalf of ERA.²⁶

Testimony before the Senate was as strident as it had been in the House of Representatives. ERA opponents warned that ERA would destroy the family and lead to homosexual marriages and the adoption of children by homosexual couples. ERA opponents drew parallels between ERA and recently inflicted wounds of the civil rights struggle. Beverly Adams, spokesman for STOP ERA in Georgia, claimed that ERA's vague and ambiguous language "could be interpreted by the courts the way the 14th Amendment has been: to promote things such as busing for racial balance and laws liberalizing the restrictions on abortion." Mr. E.D. Dunn, Jr., second vice-

²⁴Kathryn Dunaway, "Report of STOP ERA of Georgia," 10 October 1975, box 3, Kathryn Dunaway collection.

²⁵Alice Murray, "Close Vote on ERA Predicted," Atlanta Constitution, 8 February 1975, 8-A.

²⁶Claudia Townsend, "'Stop ERA' Forces Descend on Assembly," Atlanta Constitution, 16 January 1975, 6-A.

chairman of the American Party of Georgia, the party that carried Georgia in George Wallace's 1968 presidential bid, testified that ERA would lead to single-sex bathrooms, just as civil rights had reduced the number from four to two. Proponent testimony contained actual accounts of discrimination. One woman told how a doctor refused to treat her badly burned baby without her husband's permission.²⁷

On the eve of the vote, many proponents refused to predict victory but claimed the vote would be close. When the Senate voted, however, ERA lost 33-22. Clearly, the ERA opponents spoke the language senators wanted to hear. Equally clear, some senators felt voting for ERA would jeopardize their chance for reelection. According to Senator Stumbaugh, "I had some of my fellow senators, 5 or 6 come to me and say, 'we think the ERA is a good thing and philosophically I'm for it, but I won't get re-elected back home if I vote for it.'"²⁸

Other "political" factors also contributed to ERA's failure. After the vote, the Atlanta Constitution reported that three senators claimed that Culver Kidd and Hugh Gillis, part of the Senate's "Old Guard," urged senators to vote

²⁷Claudia Townsend, "Feathers Fly at ERA Hearing," Atlanta Constitution, 12 February 1975, 1-A.

²⁸"ERA Chances Zero, Sen. Stumbaugh Says," Atlanta Constitution, 25 April 1975, 3-C.

against ERA in defiance of Lieutenant Governor Zell Miller. Gillis, whom Miller refused to reappoint to the coveted president pro tempore position, and Kidd, angry over the impending dissolution of the Senate Economy, Reorganization and Efficiency in Government Committee, of which he was chair, wanted to punish Miller and reassert their authority in the Senate. Kidd and Gillis denied the charges as did Jack Stephens and Terrell Starr, who the Constitution reported changed their votes in response to efforts by Gillis and Kidd.²⁹

While some senators believed their votes reflected constituents' desires, NOW charged that Governor George Busbee had failed to follow through on a campaign promise to support ERA. According to Cynthia Hlass, "He never spoke for it. It is doubtful he wielded any influence because his two floor leaders, Al Holloway and Terrell Starr, voted against it." Hlass also lamented the numerous sexually suggestive comments that legislators made to ERA supporters.³⁰

Unlike the House of Representatives, the Senate vote did not show an urban bias. With 40 percent of all senators

²⁹Frederick Allen, "ERA Defeat Called Slap Against Miller," Atlanta Constitution, 19 February 1975, 9-A.

³⁰Sarah Cash, "How the ERA Battle Was Lost: Persistent Women Vow They'll Win the War," Atlanta Constitution, 2 March 1975, 4-G.

voting for ERA, the same percentage of urban senators voted for it. While Atlanta senators favored ERA by the same percentage, the thirteen senators from Fulton and DeKalb counties favored the amendment by 54 percent. Only one of the five senators from the suburban counties of Clayton, Cobb, and Gwinnett favored ERA. Like the house vote of the previous year, ERA won stronger approval in Atlanta's center city while suburban areas opposed it.

Birth of the Pro-Family Movement

In a short period of time, momentum had shifted away from the Equal Rights Amendment. At the national level fewer and fewer states ratified ERA. After twenty-two states passed ERA in 1972, only eight did in 1973, three in 1974 and one in 1975. Two states, Nebraska and Tennessee, voted to rescind their ratification. ERA's early momentum appeared to bypass Georgia all together. With their second victory in two years, ERA opponents in Georgia held the upper hand.

Under the able leadership of Phyllis Schlafly, a countermovement began to claim the momentum previously held by the feminist movement. In Georgia alone, STOP ERA attracted thousands of supporters. Their issues were clear--abortion, ERA, and homosexual rights all threatened the traditional family structure and women's privileged place in the family

and society. Opposition to ERA quickly became a lightening rod, the means to reclaim the primacy of traditional values.

Schlaflly wanted to eliminate any use of public funds to promote the feminist agenda. When First Lady Betty Ford, at the request of the Georgia chapter of NOW, called five Georgia Republican senators to urge them to vote for ERA, thirty-five protestors picketed the White House. Schlaflly also demanded a full accounting of all public funds used on behalf of ERA.³¹

As early as 1973, Phyllis Schlaflly initiated Operation SOW (Status Of Women).³² Many states had well funded commissions and when Georgia's CSW received funding from Governor Carter's emergency fund and a CETA grant, Schlaflly's forces were ready. Sharpest criticism from anti-ERA forces came in the summer of 1975. Kathryn Dunaway sent a letter to each member of the Georgia legislature during the 1975 special session outlining her complaints. Dunaway charged that having paid employees of the commission was in direct conflict with the "no compensation" clause authorizing its creation. Citing a code in U.S. law entitled "Lobbying with Appropriated

³¹Claudia Townsend, "Back ERA, First Lady Asks 5 Here," Atlanta Constitution, 15 February 1975, 7-A; and "1st Lady Efforts Protested," Atlanta Constitution, 15 February, 7-A.

³²Schlaflly to STOP ERA Chairmen, 26 November 1973, box 1, Kathryn Dunaway papers, Emory University.

Moneys" and provisions of the Hatch Act which limit the political activities of government employees, Dunaway took strong exception to commission employees lobbying for ERA. Referring to the investigations and dismissal of commissions in Indiana and Texas, Dunaway called for "the abolishment of S.O.W. in Georgia."³³

This attack on the commission occurred during the first six months of George Busbee's tenure as governor. As the CETA grant neared completion, CSW members worried about the financing of future projects. Subsequent to the CETA grant, the CSW hoped to receive annual financing from the Georgia General Assembly. Cahill, however, expressed concern that if the commission had to wait on the General Assembly, a lot of momentum would be lost. According to Cahill, neither Governor Busbee nor his staffers Tim Ryles and Tom Purdue responded to the commission's request for assistance or direction.³⁴ The Busbee administration discouraged the commission from getting involved in any new projects or reapplying for federal funds. It was instead told that new commission members would be appointed and it was up to them to decide what projects to

³³Dunaway to Members of the Legislature, n.d., folder "Commission on the Status of Women," box 6, record group 80-1-6, GDAH.

³⁴Jeanne Cahill interview.

pursue. But according to Cahill, "the new commission wasn't appointed and wasn't appointed."³⁵

Finally, on 20 September 1975, Busbee selected twenty-two women to serve on the commission. Only Mamie Taylor and a handful of others survived the Busbee purge.³⁶ A week later, Dunaway sent Busbee a letter thanking him for "withholding funds from the Commission on the Status of Women, which in reality has merely been an instrument used for lobbying and promotion of the passage of the controversial ERA."³⁷ In October, Busbee appointed Janet Todd, a member of his staff, to provide assistance to the commission. This announcement occurred the day after a group of women protested at the capitol charging Busbee with destroying the commission. Sara Ryan, "an official of Georgians for the Equal Rights Amendment charged that Busbee had 'knuckled under' to pressure from anti-feminist forces in letting the funding end."³⁸ A Busbee spokesman denied the charge.

³⁵Jean Tyson, "No New Funds, Women's Commission Loses Office, Staff" Atlanta Journal, 30 September 1975, 10-B.

³⁶"6 Women Renamed," Atlanta Journal, 20 September 1975, 3-A.

³⁷Dunaway to Busbee, 27 September 1975, folder 28, box 1, Kathryn Dunaway collection.

³⁸Prentice Palmer and Cliff Green, "Busbee Assigns Aide to Women," Atlanta Journal, 9 October 1975, 2-A.

Busbee's attitude toward the commission may be reflected in a letter from his executive secretary, Norman Underwood, to Janet Todd a couple of days before her appointment. Underwood advocated an idea he credited to Mamie Taylor. He suggested the CSW work on a compilation of distinguished women in Georgia history and solicited Todd's ideas on this or similar projects. Underwood's letter continued:

As you may know, we have appointed a new Commission on the Status of Women and terminated the financial support for the program and a great many women are mad at us who did not get in on the act. Therefore, we need some kind of projects to illustrate that our commission is going to function and be a viable commission in contrast to the previous one which made noise but did little.³⁹

Underwood's letter indicates willful termination of funding, distaste for an outspoken commission, a desire to choose the types of projects for the commission, and an interest more in appearance than substance.

In 1976, the new commission's major activity was the Georgia Women's Forum. The stated purpose of the forum was to:⁴⁰

- o Highlight the achievement and the status of women in all aspects of society.

³⁹Norman Underwood to Janet Todd, 6 October 1975, folder "Commission on the Status of Women," box 10, record group 80-1-30, GDAH.

⁴⁰Typewritten and partially handwritten CSW Annual Report, 10/75-12/76, box 2 of 3, unprocessed papers of Mamie K. Taylor, GDAH.

- o Determine the priority concerns of Georgia Women for state and national action.
- o Provide lines of communication and develop a cooperative spirit among Georgia's women's organizations, laying the network for future cooperative efforts.
- o Promote equality through understanding and cooperation.

The emphasis on "cooperation" likely reflected the turbulence of 1975. While most major women's organizations participated in the planning of the forum, state and local chapters of the National Organization for Women were noticeably absent. The purge of activism from within the commission perhaps extended to the more activist groups within the governor's reach. Or possibly, NOW chose to forego participation due to the less than ambitious agenda.

In 1975, a new congressional initiative provided additional fodder for the pro-family movement. Congress appropriated \$5 million for the national observance of the International Women's Year (IWY) in 1977. The National Commission, formed to plan activities for IWY, proposed the National Women's Conference in Houston in November 1977 as the culmination of IWY activities. As required by Congress, the conference would produce a list of recommendations presented to the president, and he or she in turn had 120 days to make suggestions to Congress. To provide input to the National Conference, the National Commission funded a meeting in every U.S. state and territory to generate recommendations.

Congress's action prompted the anti-feminists to charge again that the government actively funded and promoted the feminist agenda. The Citizens Review Committee for International Women's Year organized itself to serve as a watchdog group on IWY activities. Rosemary Thomson, who led the Citizens Review Committee, was also the leading witness in a lawsuit that charged IWY officials with lobbying for ERA, an activity specifically proscribed by Congress.⁴¹

In Georgia, Kathryn Dunaway worked her way onto the Georgia Coordinating Committee on the Observance of International Women's Year. When the committee announced its plan for a statewide meeting to draw up recommendations for the National Conference, Dunaway unsuccessfully called for its cancellation.⁴² The anti-feminists did succeed in getting Lee Wysong and Beverly Adams appointed to the thirty-member Georgia delegation.

Nationally, Schlafly's forces claimed 20-25 percent of the 1400 delegates elected at state conventions. Lacking a majority, Schlafly organized the National Pro-Family Rally to

⁴¹Lyn Martin, "Push for Rights, Women Urged," Atlanta Constitution, 7 May 1977, 3-A.

⁴²"'Women's Year' Plans Off To A Shaky Start," Atlanta Constitution, 3 March 1977, 10-B.

coincide with the National Women's Conference in Houston.⁴³ Over 10,000 attended. The orthodox Christian view dominated these proceedings as speaker after speaker claimed religious justification for their positions: A "reformed" homosexual claimed homosexuality "is an abomination unto God." A 31-year old homemaker traveled to Houston because her minister assured her "that ERA is anti-family, anti-God, and anti-country." Ms. D. J. Fulton came because she "is a supporter of the family and believes in God's law."⁴⁴

The National Women's Conference made a total of twenty-five recommendations including a call for the passage of the Equal Rights Amendment and a Gay Rights resolution. The Pro-Family Rally, however, rivaled the Conference in attendance as well as enthusiasm. ERA, the embodiment of all of the evils that the anti-feminists believed hurt the family, never regained its early momentum.

⁴³Marcia Kunstel, "Women 'Arming' For Houston," Atlanta Constitution, 13 November 1977, 6-A.

⁴⁴Carole Ashkinaze, "God Stronger Than Carter, STOP-ERA Leader Declares," Atlanta Constitution, 20 November 1977, 12-C.

CHAPTER 4

ERA IN AGONY

Following its 1975 defeat in the Georgia Senate, ERA forces had to wait until 1980 before the General Assembly again considered the amendment. In the intervening years, advocates tried to find the necessary votes, and each year they decided to avoid another defeat. Nationally, ERA proponents tried to retake the momentum, some through a new bipartisan organization, ERA America, and others through a boycott of convention cities in unratifying states. Most supporters, particularly in Georgia, hoped that newly elected president Jimmy Carter would provide the necessary spark for final ratification.

In Georgia, a new group of women leaders and state organizations became active on ERA, and more radical groups faded from the local scene. ERA Georgia, People of Faith for ERA in Georgia, and a revived Georgia Women's Political Caucus paralleled new national initiatives. Each group worked diligently and remained optimistic. But the STOP ERA Committee of Georgia also persevered and attracted new interest. Spinoff groups such as Women Who Want to be Women (WWWW) and Mothers on the March (MOM) became more active.

Ultimately, the Georgia legislature dealt ERA a crushing defeat.

ERA In Waiting

Georgia ERA proponents vowed to continue the struggle after the 1975 Senate defeat. Betty Friedan, accompanied by Kate Millett, author of Sexual Politics and the intellectual force behind the feminist movement, addressed a state capitol rally numbering from 1500 to 3000 people.¹ G-ERA and the SWP called for the 1976 passage of ERA, but moderate groups preferred to avoid a third defeat and focused their efforts toward an all-out fight in 1977. These groups found support from ERA America, a new national bipartisan organization headed by Democrat Liz Carpenter and Republican Elly Peterson. At a local speaking engagement, Carpenter and Peterson received thunderous applause from 400 members of the Atlanta Junior League.²

The National Organization for Women pursued punitive measures against states that failed to ratify the ERA. Their national boycott targeted major convention cities in

¹Tom Baxter, "Women Rally To Encourage ERA Passage," Atlanta Constitution, 11 January 1976, 2-A. Rally organizers reported 3000 in attendance; newspaper reporters estimated half that number.

²Carole Ashkinaze, "Junior League Cheers ERA Talk," Atlanta Constitution, 10 November 1976, 7-B.

unratified states including Atlanta, Chicago, Las Vegas, Miami, and New Orleans. The Democratic Party, American Political Science Association, National Educational Association, LWV, Women in Communication, AAUW, and the Coalition of Labor Union Women quickly passed resolutions against meeting in Atlanta.³

The optimism for ratification continued in 1977. Lieutenant Governor Zell Miller believed that nine newly elected Georgia senators could give ERA the necessary votes.⁴ Atlanta mayor Maynard Jackson declared two Equal Rights Amendment Ratification Days in the city. Many proponents expected the president-elect, Jimmy Carter, to use his influence in the Georgia effort.⁵

The optimism was short-lived. STOP ERA members once again swarmed the halls of the reconvened 1977 Georgia legislature, and informal polls showed virtually no change in the Senate vote count. Proponents requested that ERA be assigned indefinitely to a Senate subcommittee. Bill Shipp of the Atlanta Constitution took George Busbee to task over ERA:

Gov. George Busbee could decide to keep his word to the League of Women Voters and put a little

³Ibid.

⁴Jim Merriner, "ERA Forces Line Up Amendment Support," Atlanta Constitution, 4 January 1977, 10-A.

⁵Valerie Price, "Big Push on ERA Set Here," Atlanta Constitution, 6 January 1977, 7-A.

pressure on his friends in the legislature to approve ERA. After all, the league kept its word and campaigned vigorously and successfully for passage of a state constitutional amendment that allows Busbee to succeed himself as governor. . . . Although he said in his election campaign that he favored ERA, Busbee didn't even mention the Equal Rights Amendment in his [1977] State of the State address. His supporters in the legislature took that as a tip that he wasn't interested. His right-hand man in the Senate, Al Holloway, is leading the fight against the amendment. And his Senate floor leader, Terrell Starr, has advised some senators to vote against it.⁶

ERA continued in the doldrums in 1978. While Governor Busbee endorsed ERA in his 1978 "State of the State" address, he did so the same day lawmakers abandoned efforts for the year. Al Holloway, nevertheless, proposed a state Equal Rights Amendment. He submitted it to overcome convention planners' objections to Georgia's failure to ratify the national ERA. Holloway subsequently withdrew his proposal when proponents expressed concern that it would hamper ratification of the national ERA, and opponents claimed "baby ERA" would have the same effects as its federal counterpart.⁷

Another setback for ERA proponents occurred when Eliza Paschall, the long-time civil rights activist and feminist, astonishingly changed her position on ERA and called it a fraud. According to Paschall, she began to rethink the ERA

⁶Bill Shipp, "A Lesson for the League," Atlanta Constitution, 14 January 1977, 4-A.

⁷David Morrison, "Holloway Does Switch on ERA," Atlanta Constitution, 10 January 1978, 6-A.

after the National Women's Conference in Houston, in part due to the high lesbian participation. "And suddenly it hit me. It was just a symbol. We didn't need it." Paschall claimed she still was an advocate for women's rights but then asked a thought provoking question. Could a woman be anti-ERA and pro-women's rights?⁸

Paschall's change of mind, however, went beyond ERA. In February, she joined forces with STOP ERA to oppose a displaced homemakers bill sponsored by second-term Representative Eleanor Richardson. The bill proposed an investigation of the plight of those women, who, after having spent their lives raising a family, suddenly found themselves in the position of needing a job. It called for a study "to determine the extent of the problem" and the drafting of a plan by which the Department of Human Resources might offer assistance in such areas as job counseling, placement, financial management, and health services on a limited and experimental basis. Because the plan would have been drafted by an ad hoc advisory council, it would cost the state nothing.

The bill easily passed the House without dissent. Consideration before the Senate, however, became stalled after

⁸Carole Ashkinaze, "Can You Be Against ERA and Favor Women's Rights?" Atlanta Journal & Constitution, 4 March 1978, 3-B.

Dunaway's STOP ERA committee flooded Senator Pierre Howard's Human Resources Committee with letters urging its defeat. Each letter contained a copy of a 10-point tract, authored by Dunaway and Paschall, which called the bill vague, referred to unspecified cost, and questioned the need for such a bill. Richardson countered that the bill only set up a study at no cost to the state. Howard's committee referred the legislation to a subcommittee for "further study" which, according to columnist Carole Ashkinaze, was "a time-honored tactic for delaying indefinitely any bill that seems too hot to handle." In the emotional rhetoric, both sides in the debate claimed they were pro-family.⁹

The coalition supporting ERA took on new leadership in 1978. ERA Georgia (gEoRgiA)¹⁰ became incorporated and replaced the Georgia Council for the ERA. The membership elected Joyce Parker, a product of Leadership Atlanta and a person who had the homemaker appeal, as its first president. ERA Georgia's expanded membership included individuals who were not associated with proponent groups and involved members of NOW. The state-wide organization reached beyond Atlanta by

⁹Carole Ashkinaze, "Brewing Up A Tempest In A Crockpot," Atlanta Journal and Constitution, 18 February 1978, 3-B.

¹⁰This logo was the idea of Janet Cukor of AAUW.

creating a field network with 95 organizers across the state.¹¹

ERA Georgia was not the only new initiative. In late 1979, Daphne Faulkner, ERA coordinator for North Georgia Conference United Methodist Women and an active member of ERA Georgia, founded the state chapter of People of Faith for ERA. Faulkner recognized that the primary opposition to the ERA came from church groups which claimed that religious people opposed ERA. Faulkner, however, rejected a literal interpretation of the Bible and her personal Christian faith motivated her to work for a just society free from oppression.¹²

Faulkner recruited others into People of Faith. Margaret Curtis, a Presbyterian and former Southern Baptist, who had worked diligently for ERA for many years, first entered the ERA debate when she read a Georgia legislator's comment that God had created men equal, not women. Offended by this, Curtis rushed off a letter to the editor, a publicity technique that soon became her trademark.¹³

¹¹Joyce Parker, interview with author, 8 May 1995, Atlanta, Georgia.

¹²Daphne Faulkner and Margaret Curtis, interview with author, 11 April 1995, Atlanta, Georgia.

¹³Ibid.

Although receiving few invitations, Faulkner and Curtis spoke at churches around the state. They soon recognized the difference between a denomination's endorsement of ERA and the local church's recalcitrance. Many churchgoers simply took their minister's word that ERA was evil and many ministers complied with this complacency by never encouraging congregants to think for themselves. Faulkner and Curtis considered fear and ignorance their greatest adversaries.¹⁴

Most speaking engagements were pleasant enough, but a few turned ugly. Some opponents charged Faulkner and Curtis with doing the devil's work. Opponents who equated feminism with lesbianism called Curtis, a married mother of four, a lesbian. Despite the hostility, both Faulkner and Curtis describe their work on ERA as a wonderful but painful experience.¹⁵

People of Faith for ERA in Georgia had supporters throughout the state but only a few hundred members. Many others feared speaking out on ERA and getting embroiled in controversy. Most members also belonged to ERA Georgia. People of Faith conducted church services, prayer vigils, and fundraisers. Sonia Johnson, the Virginia Mormon excommunicated for her pro-ERA view, occasionally visited the

¹⁴Ibid.

¹⁵Ibid.

state at the invitation of People of Faith for ERA. According to Curtis, "She was the first real alert we had to the emergence of the religious right in politics. She identified the enemy. She fired us up; she was so energetic."¹⁶

Just as many local and state groups looked to their national counterparts for financial and organizational assistance, many Georgia ERA proponents looked to Washington for political leadership. Jimmy Carter, elected president in 1976, was both a native son and a human rights advocate.

Presidential Politics and Amending the Constitution

No prescribed role exists for the president in the process of amending the U.S. Constitution. A proposed amendment must first pass Congress with a two-thirds majority of each body, and three-fourths of the states must then ratify it for it to become the law of the land. After ERA left Congress for state ratification, two issues brought ERA back to Washington: (1) some states voted to repeal their favorable ERA votes; and (2) Congress extended the deadline for ratification. These highly controversial matters, along with presidential lobbying for ERA, were as hotly debated as ERA itself.

¹⁶Ibid.

Jimmy Carter became the seventh successive president to support the Equal Rights Amendment. Responding to questions while campaigning for president, Carter described himself as an enthusiastic supporter of the ERA.¹⁷ Carter's enthusiasm outpaced his activism, but he nevertheless exceeded his predecessor, Gerald Ford, in his support for ERA. When asked if he would make phone calls to help the ERA effort in Illinois, Ford responded, "Well I think [my wife] Betty does a fine job in this effort. I of course, voted for [the] Equal Rights Amendment when I was in Congress. My record is clear . . . I suspect she can speak for the both of us."¹⁸

The Carter administration's coordination of ERA efforts initially fell to the Office of Public Liaison (OPL) and its controversial and outspoken director, Midge Costanza. OPL was a holdover from the Ford administration and had the responsibility of keeping the president informed on a variety of issues, typically minority issues, of concern to the American public. With a staff of fourteen and responsibility for scores of issues, OPL possessed limited effectiveness on any given matter. OPL's efforts on ERA were negligible.

¹⁷The Presidential Campaign 1976, vol. 1, (Washington: United States Government Printing Office, 1978), 94.

¹⁸Ibid., vol. 2, (Washington: United States Government Printing Office, 1979), 8.

During his first two years as president, Carter provided support to ERA ratification primarily by giving it national exposure through speeches and interviews. While Carter made a few unsolicited remarks for general audiences, he delivered the vast majority of his ERA endorsements to women's groups. Carter continued this equivocal behavior, traveling to Illinois in 1977 personally to lobby state legislators,¹⁹ but failing to mention ERA in his first State of the Union Address in January 1978.²⁰

Carter relied heavily on others to carry the banner of ERA. This included administration officials as well as family members. When Indiana ratified the ERA two days before Carter's inauguration, it was Rosalynn Carter who called Senator W. Wayne Townsend to urge his support.²¹ Ironically, Indiana became the last state to ratify the Equal Rights Amendment.

Judy Carter, the Carter's daughter-in-law, became the administration's de facto spokesperson for the ERA. She wrote

¹⁹"ERA Activity by Carter Administration," n.d., folder "Administrative Activities [2]," box 27, Sarah Weddington Collection, Jimmy Carter Library.

²⁰Public Papers of the Presidents: Jimmy Carter, (Washington, United States Government Printing Office, 1977-81).

²¹"Mrs. Carter Intervenes in Indiana ERA Vote," New York Times, 20 January 1977, 19.

newspaper articles and traveled to critical states.²² Many of President Carter's supporters criticized his overreliance on Rosalynn and Judy Carter, despite their strong advocacy. These backers believed that the president, himself, should get more involved in ERA.²³

As the 1979 deadline for ERA ratification approached, Washington again turned its attention to ERA through the issues of rescission and extension. Rescission was the vote by a state to repeal its ratification of ERA. Nebraska did so in 1973, Tennessee in 1974, Idaho in 1977, and Kentucky in 1978. Should these state be counted as ratifying states or nonratifying states? Since states that voted against ratification could later change their vote to the affirmative, did the reverse hold true? With ERA stalled at just three states short of the needed thirty-eight, the four that had voted to rescind would be critical.

Precedence existed on state rescission of constitutional amendments. Assistant Attorney General John Harmon indicated that the issue had been raised during ratification of the Fourteenth Amendment. At that time, Congress decided against a state's right to rescind its affirmative vote. Harmon

²²"Passage of the ERA: A Summary of the Efforts of Jimmy Carter," folder "Administration Activities [1]," box 27, Sarah Weddington Collection, Jimmy Carter Library.

²³Burton Kaufman, The Presidency of James Earl Carter, Jr. (Lawrence: University of Press in Kansas, 1993), 112.

pointed out, however, that while congressional records listed rescinding states in the final tally affirming the Fourteenth Amendment, they were unnecessary for ratification.²⁴ In October 1978, the Senate voted 54 to 44 against recognizing the actions of rescinding states.

A second controversy developed around the proposed ERA extension. Proponents, recognizing that ERA had stalled, sought an additional seven years to get the additional three states to ratify. Opponents charged that ERA supporters wanted to change the rules in the middle of the game.

In September 1977, Deputy Counsel Margaret McKenna requested a decision from Assistant Attorney General John Harmon regarding the constitutionality of an extension.²⁵ Harmon concluded no strong argument existed against a congressional extension.²⁶ Congress, however, expressed reservations about an extension. When Senate Majority Leader Byrd refused to schedule a vote on the extension during the

²⁴John M. Harmon, acting Assistant Attorney General to Robert J. Lipshutz, Counsel to the President, 15 February 1977, folder "Equal Rights Amendment, 1-10/77," box 126, McKenna Series, Office of the Counsel Collection, Jimmy Carter Library.

²⁵Margaret McKenna to John Harmon, 14 September 1977, folder "Equal Rights Amendment, 1-10/77," McKenna Series.

²⁶Robert Lipshutz and Margaret McKenna to President Jimmy Carter, 31 October 1977, folder "Equal Rights Amendment, 1-10/77," box 126, McKenna Series.

fall 1978 session, the National Women's Political Caucus started a campaign on behalf of the extension. They held a rally in September and urged members to send mailgrams to their senators and to Senator Byrd. NWPC members urged President Carter and Vice President Mondale to put pressure on Senator Byrd.²⁷

Sarah Weddington, the Texas attorney who successfully argued Roe v. Wade before the Supreme Court, coordinated the administration's efforts on ERA. As a special assistant to the president beginning in September 1978, Weddington led the effort to extend the ERA ratification deadline. When Congress pushed the deadline back to 30 June 1982, a thirty month extension, Weddington credited Carter and Mondale with personally changing seven "no" votes into critical "yes" votes.²⁸ Other administration officials credited Weddington's determination for ultimate passage.²⁹

²⁷"ERA Call to Action," 21 September 1978, folder "Equal Rights Amendment 11/77-1/79," box 126, McKenna Series.

²⁸"Sarah Weddington," Exit Interview Collection, Jimmy Carter Library.

²⁹Christine Lutz, "FEMALE TROUBLES: Jimmy Carter, the Office for Women's Affairs, and the Feminist Movement," (unpublished seminar paper in the hands of the author).

After winning the extension, Weddington turned her attention to the unratified states.³⁰ Apparently, the need for the extension jolted the Carter administration into greater action. Many administration officials hailed from Georgia and knew the Georgia legislature, but familiarity failed to translate into influence.

The Georgia Legislature

It appeared ERA's chances in Georgia improved in 1980. Even STOP ERA chairman Kathryn Dunaway indicated ERA proponents had made progress. She credited advocates for new initiatives in small towns but added STOP ERA both preceded them and followed them.³¹ Representative Cathey Steinberg, elected in 1976, became the House's most vocal proponent. Her ERA sponsorship broke the tradition that had forced ERA proponents to seek out male legislators to advocate on their behalf. Proponent groups also enjoyed a close working relationship with a legislative sponsor, a luxury they had never enjoyed.³² Steinberg claimed more legislators listened to pro-ERA arguments but indicated she preferred to have

³⁰The Weddington Collection in the Jimmy Carter Library contains one or more folders for each of the unratified states.

³¹Carole Ashkinaze, "ERA: The Strategy," Atlanta Constitution, 11 January 1980, 1-C.

³²Joyce Parker interview.

another four months to make the most out of the momentum, as counting definitive "yes" votes still proved elusive.³³ When the ERA favorably emerged from the Senate Committee, some proponents speculated that ERA had a chance at passing.³⁴

The movement in the Senate, however, caught presidential ERA-watchers by surprise. Nevertheless, the Carter administration pulled out all the stops. Both President and Mrs. Carter called senators in Georgia trying to garner enough votes. Herky Harris, assistant director of the Office of Management and Budget and a former longtime Georgia lobbyist, visited Georgia and personally lobbied over fifteen senators. Other administration officials with ties to Georgia did likewise.³⁵

STOP ERA was also in full force. Legislators found themselves literally surrounded by ERA opponents. In the end, little had changed. The Senate defeated ERA 32-23, only a single vote gain since the 1975 Senate vote.

ERA proponents appeared undaunted by the failure in the Senate. After the 1980 elections swept Ronald Reagan into the

³³Carole Ashkinaze and Fran Hesser, "ERA Proponents Find Fewer Deaf Ears This Session," Atlanta Constitution, 11 January 1980, 1-C.

³⁴Jerry Schwartz, "Senate Committee Backs ERA By 4-1," Atlanta Constitution, 17 January 1980, 1-A.

³⁵Vicki Perlman, "ERA Seems Doomed in State Senate," Atlanta Constitution, 20 January 1980, 1-A.

presidency and a host of conservatives on his coattails, ERA Georgia president Joyce Parker declared that all state pro-ERA legislators reclaimed their seats even though many opposition candidates ran on anti-ERA platforms.³⁶

ERA supporters in Georgia also expected to receive financial assistance through the Georgia Association of Educators and the National Women's Political Caucus (NWPC). A very capable Linda Hallenborg led the NWPC's state affiliate, the Georgia Women's Political Caucus (GWPC). In January 1981, attorney Iris Mitgang, head of NWPC, spoke to 100 women about political organizing. At the same meeting, Representative Cathey Steinberg explained how she learned not to take umbrage when a fellow lawmaker called her "honey." Later that same month, People of Faith for ERA in Georgia invited Sonia Johnson back to the state. On 20 January, 200 ERA supporters marched to the state capitol carrying a pink and blue ribboned banner stating "We'll Still Be Women - Pass ERA."³⁷

During the 1981 legislative session, lawmakers introduced more than forty bills aimed at improving women's status in Georgia. One proposal would have recognized a homemaker's

³⁶Carole Ashkinaze, "ERA Backers' Claim 'Progress' In Georgia," Atlanta Constitution, 13 December 1980, 3-B.

³⁷Carole Ashkinaze, "ERA Proponents Treat Ga. Legislators," Atlanta Constitution, 20 January 1981, 1-C.

contributions in alimony proceedings. Another, introduced by Representative Eleanor Richardson, would have repealed the section of Georgia Law that made the husband the "head of the family" and his "wife subject to him." Senator Roy Barnes, who opposed ERA because he felt it transferred too much power to the federal government (for example, control over divorce laws), sponsored a bill to provide assistance to victims of domestic violence. Lee Wysong found Barnes's legislation "very objectionable in that it would put us in the position of having to protect anyone who lives with somebody else and gets beaten up once in a while. . . I certainly don't think that's the responsibility of the state."³⁸

Georgia lawmakers passed the domestic violence bill and recognized the homemaker's contribution to the marriage. The repeal of Georgia's head-of-household law, however, became so watered down in committee that Richardson withdrew it for the year.³⁹

When George Busbee declared once again that he would do all he could for ERA, Atlanta Constitution columnist Bill Shipp again took him to task: "If you really went to bat for the ERA, the speaker of the House, the president of the

³⁸Carole Ashkinaze, "STOP ERA Tries To Take Up The Slack," Atlanta Constitution, 22 January 1981, 1-C.

³⁹Carole Ashkinaze, "Some Women's Bills Pass Though ERA Not Ratified," Atlanta Constitution, 29 March 1981, 12-B.

Senate, and the entire press gallery would drop in a dead faint." Shipp further derided Busbee, who failed to appoint one woman as a department head, to the Supreme Court, or to the Georgia Court of Appeals.⁴⁰

Late in the year, ERA Georgia sponsored a radio advertising campaign promoting the Equal Rights Amendment. The STOP ERA Committee of Georgia, claiming they had no funds and using an FCC policy requiring stations to present opposing viewpoints regardless of their ability to pay went to the airwaves free of charge.⁴¹

At the beginning of the 1982 legislative session, the GWPC and ERA Georgia announced the results of three separate polls recently conducted on the ERA. One poll, conducted by a political science professor at Agnes Scott, found strong support for ERA in the districts of ERA opponents and in those of undecided legislators. This finding is curious when contrasted with the claims of many legislators that their mail ran over 90 percent opposed to ERA. Clearly, constituent mail failed to reflect the district as a whole. Two other polls reported that most Georgians favored the amendment and found

⁴⁰Bill Shipp, "Busbee: Workhorse Or No-Show Horse," Atlanta Constitution, 21 October 1981, 4-A.

⁴¹Tracy Thompson, "Argument Over ERA Raging in Atlanta Radio Advertising," Atlanta Constitution, 8 December 1981, 8-A.

an even larger margin of support when researchers read the ERA to the respondent without identifying it as such.⁴²

At the beginning of the 1982 session, Representative Rudolph Johnson introduced a rule change to the House Rule Committee that would require Georgia to pass ERA with 120 votes instead of a simple majority. Six years earlier, Phyllis Schlafly had sent House Speaker Tom Murphy a confidential letter outlining a similar approach that would require Georgia to ratify ERA with a three-fifths majority.⁴³ When the House Rules Committee refused to implement Johnson's change, one ERA opponent quipped, "We want to whup it fair and square."⁴⁴

Sentiment ran high in anticipation of Georgia's last chance to pass the Equal Rights Amendment. Hundreds of ERA backers descended on the capitol. Jimmy and Rosalynn Carter and Gerald and Betty Ford issued a joint letter urging reluctant legislators to vote for ERA.⁴⁵

⁴²Carole Ashkinaze, "Polls Indicate ERA Opponents Out of Step With Constituents," Atlanta Constitution, 8 January 1982, 15-A.

⁴³Phyllis Schlafly to Speaker Tom Murphy, 5 January 1976, folder 15, box 1, Kathryn Dunaway collection.

⁴⁴Fran Hesser and Carole Ashkinaze, "ERA Opponents In House Object To Rule Change," Atlanta Constitution, 14 January 1982, 17-A.

⁴⁵Carole Ashkinaze, "Carters, Fords Join in Push For ERA," Atlanta Constitution, 18 January 1982, 1-A.

ERA opponents maintained a low profile at the capitol but continued to gather signatures at an unprecedented rate. When weather threatened their efforts to get petition signatures to Atlanta, they used Greyhound buses to deliver blank petitions around the state on Friday and return them to Atlanta the following Monday. According to Lee Wysong, using this method, STOP ERA delivered 20,000 signed petitions to Georgia legislators.⁴⁶

The House overwhelmingly defeated ERA 116 to 57. Supporters were crushed. The Atlanta Constitution reported that Representative Richard Chamberlain, an ERA opponent, had distributed copies of an Idaho judge's ruling which found the ERA extension unconstitutional and a poll indicating that 39 percent of those surveyed felt ERA unnecessary. The newspaper also said Representatives Joe Frank Harris, Randy Kaarh, Richard Chamberlain, and Douglas Vandiford had lobbied vigorously against ERA.⁴⁷

Joyce Parker claims Speaker Tom Murphy lobbied for ERA's defeat. According to Parker, Murphy's choice for the 1982 gubernatorial race was Representative Joe Frank Harris. Murphy let it be known that legislators should make Joe Frank

⁴⁶Lee Wysong interview.

⁴⁷Carole Ashkinaze, "House Crushes ERA 116-57," Atlanta Constitution, 21 January 1982, 1-A.

look good and indicated committee appointments were in the balance.⁴⁸

On 30 June 1982, the unratified Equal Rights Amendment passed into U.S. history. The following November, voters elected Joe Frank Harris governor of Georgia.

⁴⁸Joyce Parker interview.

CHAPTER 5

CONCLUSION

From a map of unratified states (see Figure 1), it is easy to see that the Equal Rights Amendment failed because of southern opposition. Other than the three western states of Arizona, Nevada, and Utah, and the political anomaly of Illinois, which required a three-fifths supermajority to ratify U.S. constitutional amendments, the South claimed the remaining eleven nonratifying states.

The struggle over ERA in Georgia involved three distinct contingents: proponents, opponents, and legislators. These groups debated ERA in an environment dominated by southern history and culture. This milieu affected the personal values of the participants and the very nature of the discourse. While southern culture is most visible among ERA opponents and legislators, it also contributed to animosity among proponents. In the debate, each group raised numerous issues, many of which were modern manifestations of age-old struggles.

ERA Proponents

Most staunch ERA proponents represented dozens of diverse women's organizations. Many groups preceded the feminist movement while others grew out of it. Predominantly white

middle-class women lacking political experience, they nevertheless represented a diverse group of interests. More importantly, their differing life experiences and affection for southern gentility contributed to sharp disagreements about the best way to achieve ERA ratification.

Many southern women believed in promoting gender equality within the existing power structure. They advocated a disciplined, low-key strategy for informing and persuading the male-dominated Georgia legislature about the benefits of ERA. These conservative feminists sought to avoid offending legislators, believing that doing so would doom their cause. A lawmaker's claim that confrontational tactics hurt ERA's chances confirmed their beliefs.

Many more women, reflecting their southern heritage and gentility, feared dramatic change and found militant and accusatory rhetoric distasteful. They balked at terms such as revolution or patriarchy. They wanted equal rights but not women's liberation as popularly defined. They served as a less visible constituency for conservative feminists.

Aggressive or radical feminists did not ask for legal equity but demanded it. Having personally experienced discrimination, they became impatient with the intransigence of legislators whose sexist views often offended and angered them. They held effective rallies, marches, and demonstrations, raising the consciousness of the masses and

making demands on the Georgia legislature. Other groups denied access to the legislative process, such as lesbians and socialists, participated with the radical feminists.

According to political scientist Diane Fowlkes, both approaches have a role in movement politics.¹ Reformers need advocates familiar with the legislative process and knowledgeable about lobbying lawmakers. Effectiveness, however, requires an active constituency. By staging rallies, parades, and even demonstrations, other reformers publicize problems and create a large constituency capable of putting political pressure on reluctant legislators.²

In Georgia, at least during the early ERA debates, the conservative and radical feminists disagreed on much. Instead of complementing each other and speaking with a single unified voice, they, at times, worked at cross purposes. The conservative feminists opposed rallies and national speakers, fearing they would give legislators the excuse they needed to oppose ERA. They gave credibility to legislators' complaints about abrasive feminists, many of whom simply stood firm and

¹Movement politics refers to the activities by a group previously excluded from power. As outsiders, they derive political strength by grass-roots organizing--by creating a movement.

²Diane Fowlkes, interview by author, 6 April 1995, Atlanta, Georgia.

refused to indulge a lawmaker's sexually suggestive comments or use of the term "honey."

Radical feminists also failed to recognize their role in movement politics, particularly in a southern state. By allowing homosexual and abortion advocates to share the stage at ERA rallies, they limited their effectiveness; they literally overwhelmed a population struggling to embrace gender equality. Particularly with a media slow to embrace feminist ideology and in search of sensational stories, Georgia feminists had but one chance to make a first impression.

ERA Opponents

The feminist movement, as do all efforts for social change, created a countermovement. The leadership for this countermovement, particularly Phyllis Schlafly and Kathryn Dunaway, were well grounded in the pro-God and pro-country underpinnings of the Goldwater Republican campaign of the 1960s. ERA opponents adeptly added pro-family arguments to their conservative agenda. Versed in the apocalyptic jargon of the threat of communism and civil rights, they prophesied the malevolent consequences that ERA would promote. They made abortion and homosexual rights synonyms of ERA.

Southern culture provided fertile soil for the flowering of conservative politics. At its foundation rested a

lingering hierarchical social order rooted in its antebellum past. While women and men had distinct and valuable roles, gender inequality was an integral part of this system. Safeguarding a woman's virtue from worldly vices dominated southern society. Protecting her delicate nature remained a gentlemanly task and obligation.

The South's aversion to the federal government imposing its will on an unreceptive region also contributed to ERA opposition. The Civil War was one hundred years in the past, but the civil rights movement created new strife and aggravated old wounds. Even for those who came to embrace civil rights, the imposition of busing and affirmative action represented but contemporary examples of federal policy gone awry.

The most important institution providing followers for the countermovement was the southern church, grounded in religious orthodox teaching. Church members considered gender equality a departure from the literal word of God. Linking ERA to abortion and homosexual rights convinced most that ERA was the work of the devil. Ministers of southern churches preached the infallible word of God, and simple admonishments of ERA sufficed to generate thousands of ERA opponents eager to do God's will.

Shrewd conservative planners "educated" southerners about ERA. For many southerners, the apocalyptic pronouncements

about unisex bathrooms, elimination of rape laws, and the responsibility of all wives to provide 50 percent of a family's financial support, cultivated fear of lost privacy, lost virtue and financial havoc.

Georgia's Political Leaders

Southern culture also permeated the Georgia legislature. Many legislators simply opposed gender equity. Others still fumed over concessions to civil rights. These lawmakers, as political leaders, represented the culture with which they were familiar and opposed legislation that threatened their traditions.

Many members of the Georgia legislature, however, responded to a more immediate calling--the need to be reelected. It is significant that a majority of the legislators had committed to support ERA before it became controversial. ERA suffered the same fate as the displaced homemakers bill that sailed through the House and became stalled in the Senate only after a major letter writing blitz by STOP ERA.

ERA opponents claimed that lawmakers changed their minds after learning about the consequences of ERA. It is more likely, however, that some legislators were glad to find a constituency that shared their personal beliefs. Others genuinely felt their reelection chances threatened by a vocal

opposition; these legislators feared that a small but outspoken minority could threaten their return to the statehouse.

Many lawmakers, when challenged, tried to justify their opposition. Complaints about abrasive ERA advocates showed their distaste for women who spoke their minds and acted "unladylike." It also demonstrated more concern for appearance than substance.

ERA proponents also suffered from a lack of political leadership. Governor Carter, slow to embrace the feminist cause, gave limited advice but eventually supported feminists through the Commission on the Status of Women. As president, Carter's push on ERA came late in his presidency and proved no match for the conservative upsurge that elected Ronald Reagan in 1980.

In the Georgia legislature, Zell Miller and George Busbee, both ERA proponents, provided the contrast between a lawmaker who worked for legislation he believed in and one who chose to put his political capital behind issues that were less controversial and had the best chances of winning. Zell Miller heartily embraced ERA, fervently pursued its ratification, and suffered a political slap-in-the-face. In contrast, George Busbee proved he was no workhorse³ on ERA.

³In his gubernatorial campaign, George Busbee claimed he was a workhorse and not a showhorse.

Victory is not always measured by success or failure in the statehouse. Joyce Parker claimed ERA proponents may not have changed the votes in the Georgia legislature, but ERA proponents changed Georgia.⁴ As Daphne Faulkner later watched a stream of women enter a class at Emory University's Candler School of Theology, she thought to herself "I may have had a little bit to do with that."⁵ And no doubt, she did.

⁴Interview with Joyce Parker.

⁵Interview with Daphne Faulkner and Margaret Curtis.

APPENDIX

HISTORY OF ERA IN GEORGIA

- 1972 U.S. Congress passed ERA.
- 1974 House defeated ERA 104-70.
- 1975 Senate defeated ERA 33-22.
- 1978 Senate defeated bill to recognize vote of rescision.
U.S. Congress extended ERA ratification deadline
until 30 June 1982.
- 1980 Senate defeated ERA 32-23.
- 1982 House defeated ERA 116-57.
ERA passed into U.S. History.

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