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The Basic Facts: Equal Rights Amendment - HJ 579

The ACLU of Virginia strongly supports ratification of the federal Equal Rights Amendment (ERA) because it is critical to ensure that government actions based on sex cannot be taken in the absence of a compelling governmental interest.

- Since it was passed by Congress and sent to the states in 1972, 37 states have ratified the Equal Rights Amendment (ERA). One more state is needed for passage. Virginia should be that state.
- Women's rights are civil rights. Women still face barriers to equality, like wage gaps and high rates of gender-based violence. The ERA is a step toward addressing these issues.
- 81 percent of Virginians support ratification of the ERA.
- Currently, courts review sex-based discrimination with a lower level of scrutiny than race-based discrimination. The ERA would impose the highest level of scrutiny in sex-based discrimination cases, protecting women and men equally.
- The ERA would not ban sex-based legal distinctions. It would only ensure these distinctions are only put in place when necessary to meet a compelling government interest.
- Existing laws against sex-based discrimination are subject to the whims of Congress and the courts. A constitutional amendment offers the most powerful protection.