



Office of the City Clerk

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Legislation Text

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Chicago City Council March 15, 2023
Referred to the Committee on Health and Human Relations

RESOLUTION CALLING ON CONGRESS TO REMOVE THE EQUAL RIGHTS AMENDMENT RATIFICATION DEADLINE SO WE CAN SHATTER MORE CEILINGS

WHEREAS, As we celebrate Women's History with a dedication to often overlooked contributions-women and other marginalized genders-are reminded that awareness of their inequities and underrepresentation continues to be needed for the unforeseeable future; and

WHEREAS, On August 18, 1920, history was made when women were granted the right to vote in the Nineteenth Amendment-after 70 years and a 15-month ratification battle securing the women's suffrage amendment; and

WHEREAS, In 1923, history was ignited as Alice Paul began pursuit of the Equal Rights Amendment (ERA) by proposing her draft to Congress, stating "[m]en and women shall have equal rights throughout the United States and every place subject to its jurisdiction"; and

WHEREAS, After being introduced in every Congress for 49 years, the ERA finally passed in 1972, sending the proposed amendment to the states for ratification with a 7-year deadline that extended and expired; and

WHEREAS, Recently, as more women have been elected to government and years of Justice Ginsburg's continued efforts to establish full gender equality under the Fourteenth Amendment-a revival of gender equity has made its way back to the "nation's agenda"; and

WHEREAS, Even with these successes, a patchwork of state laws remains that endangers women's health, safety, reproductive rights, and freedoms under the law, and

WHEREAS, On January 31, 2023, a joint resolution was introduced in the House, providing that the Equal Rights Amendment was ratified and is thus, a valid constitutional amendment-calling into issue the implications and enforceability of such a resolution; and

WHEREAS, The Brennan Center's Women noted that, "the ERA would empower Congress 'to enforce gender equity through legislation and, more generally, the creation of a social framework to formally acknowledge systemic biases that permeate and often limit women's daily experiences"; and

WHEREAS, The Columbia Law School noted that Article V of the Constitution finds that "[a]uthority to propose and ratify amendments lies fully in the political process, in Congress, state legislatures and/or constitutional conventions;" and

WHEREAS, The Columbia Law School further elaborated that examples of legal uncertainties in previous amendments further support the joint resolution, especially as the 27th Amendment was proposed by the First Congress and then took more than 200 years to be ratified by 38 legislatures, but is now accepted as part of the Constitution; and

WHEREAS, During the U.S. Senate Committee on the Judiciary Hearing on February 28, 2023, S. Mona Sinha stated that "the vast majority of countries around the world recognize the pervasive harm arising from sex inequality and the need for express constitutional guarantees of equality on the basis of sex. The United States is a global outlier in not having a constitutional equality provision..."; and, now, therefore,

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BE IT RESOLVED, that we, the Mayor and members of the City Council of the City of Chicago, gathered here this 15th day of March 2023, do hereby call on the United States Congress to pass the House Joint Resolution Removing the Deadline for the Ratification of the Equal Rights Amendment and finally establish the long-awaited and much needed 28th Amendment as part of the Constitution and in furtherance of gender equity.

GILBERT VILLEGAS
Alderman, 36th Ward