Why a Woman Was Against Her Own Equality: Understanding Phyllis Schlafly's Opposition to the Equal Rights Amendment

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Why a Woman Was Against Her Own Equality: Understanding Phyllis Schlafly’s Multifaceted Opposition to the Equal Rights Amendment

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Two thousand women rallied together outside of the White House in Lafayette Park on June 30, 1982, the day the Equal Rights Amendment died.\(^1\) The ERA, which would make discrimination on the basis of sex unconstitutional across the United States, fell just three states short of being ratified into the Constitution. These women mourned the loss of their inclusion into their government’s most foundational document as others like them across the country took to the streets in protest. As they demanded their full social, political, and economic equality be required by national law, one woman took to a stage only two miles away from Lafayette Park. The hotel’s reception hall was packed with fourteen hundred people clapping for her, celebrating the defeat of equality for those like her.\(^2\) Phyllis Schlafly grinned triumphantly from the podium, thanking the crowd for their support of her hand in killing the ERA.\(^3\)

“Women can do anything they want to do,” Schlafly said in her speech at the party she put on while feminists held a funeral for an amendment they believed could enshrine this same sentiment into the U.S. Constitution.\(^4\) For her, “anything” meant doing everything she could to stop the ratification of the Equal Rights Amendment. Phyllis Schlafly, a woman against women’s equality making claims of female empowerment while using that power against women, founded organizations representing these interests and became a political force in her own right.

As the Equal Rights Amendment began to gain momentum in the early 1970s, Schlafly became the face of conservative women across the country, the woman anti-ERA men could

\(^2\) Ibid.
\(^3\) Phyllis Schlafly, “Over the Rainbow Dinner Celebrating the Final ERA Victory,” Over the Rainbow Dinner (June 30, 1982).
\(^4\) Ibid.
point to in defense when called misogynists, and the leader of a prominent right-wing movement against second-wave feminism’s growing current. She gained fame as an author of books about the Republican party and its ideologies, founded a conservative interest group called the Eagle Forum which proclaims to have been “leading the pro-family movement since 1972,” and fostered the opposition that ultimately led to the ERA’s demise all within a little over a decade. This primed Phyllis Schlafly to enter the ‘80s as a notable Republican appointed to the Commission on the Bicentennial of the U.S. Constitution by President Reagan. She left a lasting impact on America’s political landscape that prompted *Ladies’ Home Journal* to name her among the hundred most important women of the twentieth century.\(^5\)

With the notoriety she gained from the opposition she garnered against the ERA, Phyllis Schlafly should be studied in an attempt to understand her ideas to get a more complete story of the feminist movement and ultimately women’s history. Why would Schlafly, and by extension the anti-ERA women she represented, oppose an amendment widely understood to make progress toward achieving gender equality for women such as herself? This analysis will assert she denounced the Equal Rights Amendment on the basis that it would hurt women in their God-given roles as homemakers, give the federal government excessive powers, and become unnecessary since women were already equal to men before the law in the ways that mattered.

Other scholars have largely focused on feminist movements when discussing women’s effect on politics, but have only more recently begun examining conservative women’s opposition to feminist agendas. Most notably, Donald T. Critchlow is credited with examining Schlafly not solely through the context of combatting the ERA, but as a legitimate political

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\(^5\) All of this information can be found at “Phyllis Schlafly Bio - Founder of Eagle Forum,” Eagle Forum, accessed December 5, 2019, https://eagleforum.org/about/bio.html)
leader independent of her opposition’s cause. Jane DeHart and Jane Mansbridge have also made important contributions to the study of right-wing women’s ideologies, similarly using Phyllis Schlafly as a case study in their work. However, some historians largely focus on a singular part of her argument when defining Schlafly’s opposition. An example of this is David Marley who argues in his work, “Phyllis Schlafly’s Battle Against the ERA and Women in the Military,” that her case against the amendment was largely centered around women joining the draft.

This study examines Schlafly’s ideas to understand her reasoning in opposing the ERA. It asserts she based this contention on her beliefs that this law would hurt women in their gendered roles in the domestic sphere, provide the federal government with boundary-stepping powers, and become nullified by pre-existing laws protecting women. While these three pillars make up the fundamentals of Schlafly’s dispute with the amendment, the most foundational piece was her belief that it threatened women in their roles within families and home life.

This argument is supported by Phyllis Schlafly’s interviews in which she discussed her anti-ERA agenda as well as secondary books and articles researching conservative women’s stance against feminist movements. Specifically, this analysis is based mostly on two televised interviews aired in the early 1970s prior to the ERA’s defeat, a speech given directly following the amendment’s failure, and another interview from 2011. In these sources, Schlafly tried to appeal to the audience in an attempt to gain their support and spoke of her reasoning behind

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6 Donald T. Critchlow, *Phyllis Schlafly and Grassroots Conservatism: a Woman’s Crusade* (Princeton, NJ: Princeton University Press, 2008) is an example of his work considered to have an innovative understanding of Phyllis Schlafly.


establishing a national anti-ERA movement. A photo and newsletter produced by Phyllis Schlafly’s anti-ERA organization, targeted to its members and designed to recruit more, also support this analysis. These primary sources inform this argument with many of her own words, public opinions, and expressed beliefs aiming to explain her view and encourage others to subscribe to it. Additionally, seven secondary sources cultivated and created by historians are referenced throughout this paper to give credit to their analysis or the use of other primary sources found within their works.

To prove that Phyllis Schlafly’s argument is multidimensional, this paper will focus on three of her most prominent points that persuaded men and women alike across the country to oppose the Equal Rights Amendment. First, the paper will analyze her go-to argument, largely based on her beliefs instead of objective fact, that it would hurt women in their God-given roles as wives and mothers which would furthermore hurt the family structure. She also based her contention on the dangers of what she considered to be loose language used in the amendment as well as the excessive powers this could provide the federal government with. Building upon this piece of Schlafly’s reasoning, the paper will then discuss why she believed this expanse in powers was ultimately unnecessary due to her understanding that existing legislation outlawed sex discrimination and actually aided women where it was present. In understanding Schlafly’s methodology and rationale behind stopping the ratification of the ERA as it returns to contemporary political discourse, insight gained from the past can better inform the present.

“For God, Home and Country.”: Schlafly’s Claims of The ERA’s Attack on Housewives

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The most prevalent argument Phyllis Schlafly made against the amendment was the belief that the ERA would hurt women in their role as mothers and wives which she believed would harm the family structure as a whole. She claimed laws requiring husbands to financially support their wives, allowing women to fulfill their role as homemakers and care for children instead of sustaining a career, would be negated by the amendment. She based this argument on the religious belief that women were created with the ability to have children so laws should reflect this God-given role, making the ERA an “attack on the rights of the wife” according to Phyllis Schlafly.\textsuperscript{10} She argued that the Equal Rights Amendment would ultimately fail to help women as it would nullify laws on the basis of sex discrimination which protected women’s religiously rightful role as mothers and wives, thus threatening the family.

Schlafly maintained that women’s primary and most important responsibility is their positions as mothers and wives as these roles offered protections under the law and “the right to be a full-time homemaker” which Schlafly claimed the ERA jeopardized.\textsuperscript{11} She declared that “marriage and motherhood give a woman new identity and the opportunity for all-round fulfillment as a woman” and called these roles “the most reliable security the world can offer.”\textsuperscript{12} Schlafly based this analysis on laws she claimed existed in every state requiring husbands to financially support their wives, allowing women to stay out of the workforce and in the home. While the existence and legitimacy of these laws in the 1970s was disputed and disproven, nonetheless, in a televised debate with a prominent proponent of the ERA, Schlafly continued to argue, “One of the first things that the equal rights amendment would do is to invalidate the state

\textsuperscript{10} DePue, “Interview with Phyllis Schlafly,” 137.
\textsuperscript{12} Ibid.
laws that make it the obligation of the husband to support his wife.”

This preyed upon female fears that absolving men of this responsibility to provide support for their families would “create incentives for divorce.” Moreover, this invoked fear of a post-ERA America in which children would be forced into government-funded daycares where loyalty to the state would supplement familial bonds. In this regard, Schlafly was able to exploit women’s gendered role in families and fears of absent fathers and motherless children she claimed could be blamed on the ERA.

Schlafly often emphasized the importance of these laws that required men to support women and structured this argument from a stance of religious righteousness and traditionalism. When elaborating on her organization’s values of traditional marriage and gender roles shaping her political activity, Schlafly said, “The feminists think that women having babies and being expected to take care of them is an example of the oppression of women in our patriarchy. Nevertheless, that’s the way God made us and there’s nothing you can do about that, so it’s, I believe right and proper, to have laws to compensate for that.”

This stance relies on a religious idea of creation and pitting “unrealistic” feminists against the natural order to justify gender discrimination. Schlafly and other opponents of the ERA contended that men and women were divinely created differently so the sex-neutral society posed by the amendment represented a direct attack on these God-given differences that antifeminists regarded as the source of women’s power and identity. The same sentiment was seen in an image from the early 1970s depicting a member of Schlafly’s organization, STOP ERA, campaigning against the amendment.

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13 Schlafly, “Phyllis Schlafly interview on The Phil Donahue Show discussing the ERA” (video).
16 DePue, “Interview with Phyllis Schlafly,” 137.
17 This analysis is derived from Marshall, “Ladies against Women,” 356.
“for God, Home, and Country.” 18 This slogan demonstrates both the religious undertones of Schlafly’s argument and that of her organizations and supporters as well as their claims that they have the best interest of the domestic sphere and the country at large in mind. This foundational religious component is important in understanding not only Schlafly’s personal strife with the Equal Rights Amendment, but the core reasoning behind the anti-ERA resistance she led.

Schlafly argued that the Equal Rights Amendment specifically targeted mothers and wives, harming families by threatening their divinely determined gendered roles in households across the country. By basing this argument against the ERA on traditionalism and religious beliefs, she appeals to her conservative audience’s values to gain their support against the amendment. This component of Schlafly’s opposition is important in understanding the context of her argument as well as how she was able to spread her message to a wide audience in order to defeat the Equal Rights Amendment.

“Who Hid the Sex in Six?” 19: Schlafly’s Gripe with the Federal Government

Building upon this world-view, Phyllis Schlafly argued against the Equal Rights Amendment on the basis that it would transfer powers from the states to the federal government with too much left to interpretation. One aspect of this reasoning is the vague phrasing of the amendment, albeit characteristic of constitutional edits. Schlafly understood this to mean that the ERA would require the government to use its newfound powers to financially support causes she deemed to be immoral. Schlafly asserted that the ERA’s adoption into the country’s Constitution would provide the U.S. government with excessive powers and enabling the federal sector to spend taxpayer money on things she did not support including abortions and same-sex marriage.

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19 This title is taken from a primary source featured in Jane J. Mansbridge, Why We Lost the ERA (Chicago, IL: Univ. of Chicago Press, 1995), 137.
Schlafly contended that Article II of the Equal Rights Amendment which states “Congress shall have the power to enforce, by appropriate legislation, the provisions of this article,” would grant the U.S. government excessive power by federalizing laws she believed should be within the jurisdiction of the states. While this clause is customary for amendments, Phyllis Schlafly and other anti-ERA women took issue with it. In 1974, on a broadcast television show, the conservative leader said, “This would move up to the federal level everything to do with marriage law, property law, divorce, child custody, prison regulations, insurance rates, protective labor legislation, any type of legislation that makes a difference between a man and woman.” Schlafly opposed the states losing power according to her interpretation of the ERA since, as a conservative, she was a proponent of small government. This allowed Schlafly to gain support from right-wing Americans, rallying them to her cause under the guise that the ERA would provide the federal government with excessive power.

With this extension of federal powers, Phyllis Schlafly argued that the phrasing of the Equal Rights Amendment would allow the ERA to largely be left to interpretation, fearing that it would enable the government to support activity she deemed immoral such as abortions at the taxpayers’ expense. Historian Jane Mansbrige supported Schlafly’s understanding by citing both proponents and opponents of the ERA claiming it would make funding for medicaid abortions manditory, one of the conservative leader’s most prevalent arguments against adopting the amendment. While reflecting on the contention in 2011, Schlafly explained, “since abortion

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21 Phyllis Schlafly, interview by Phil Donahue, “Phyllis Schlafly interview on The Phil Donahue Show discussing the ERA” (video), The Phil Donahue Show, May 1, 1974, accessed November 18, 2019, https://www.youtube.com/watch?v=IIIBZADNG98Q&feature=youtu.be.
22 Mansbridge, Why We Lost the ERA, 124.
happens only to women, if you deny taxpayer funding for abortion, you have discriminated on account of sex within the meaning of ERA.”23 This encapsulates her objection to the amendment on the basis that it leaves room for interpretations which would require that the federal government spend taxpayer funds on providing abortions which Schlafly and other conservatives were adamantly against.

Schlafly based her argument that the ERA would also legalize same-sex marriage on similar contentions with the document’s phrasing, leaving the interpretation up to federal courts and government. When discussing how the amendment would ban discrimination on the basis of sex, she posited, “Are we talking about the sex you are or the sex you do? We don’t know. Leave that up to the Supreme Court.”24 She called this loose wording a “blank check to the Court to define it most any way they want,” taking issue with how that could possibly include outlawing discrimination against women and LGBTQ+ people alike.25 Schlafly applied this reasoning again in a newspaper from her organization, STOP ERA, titled “Who Hid the Sex in Six?” in reference to the Equal Rights Amendment. The paper captioned a photo of two men hugging at New York City’s Pride Parade:

“What does the word ‘sex’ [in the language of the ERA] mean? The sex you are, male or female, or the sex you engage in, homosexual, bisexual, heterosexual, or sex with children...or whatever?... One thing is for sure: Militant homosexuals all over America have made the ERA issue a hot priority. Why? To be able finally to get homosexual marriage licenses.”26

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24 Ibid., 134.
25 Ibid.
26 Mansbridge, Why We Lost the ERA, 137.
Not only is this criticism glaringly offensive in its language and equation between non-heterosexual couples and pedophiles, but it demonstrates the reasoning behind this challenge to the amendment. This fear-mongering exemplifies the way Schlafly and her organization of ERA opponents exaggerated its effects to support their narrative and spread their message.

While Phyllis Schlafly hotly debated the ratification of the Equal Rights Amendment on many fronts, some of her most impactful criticisms of the law include her beliefs that its loose language would transfer unnecessary powers to the federal government and allow for federally-funded and legalized abortion and same-sex marriage. By granting the U.S. government’s branches with the power to interpret and enforce the ERA, Schlafly advocated that the amendment expanded the federal sector gratuitously. In the ERA’s language banning discrimination on the basis of sex, Schlafly contended that this would surpass women’s rights to economic, social, and political equality and instead require taxpayers financially supported abortions and states to recognize LGBTQ+ rights. This analysis of these aspects of Phyllis Schlafly’s argument against the ERA allow for an enhanced understanding of her perspective and, by extension, the conservative, anti-ERA women she is supported by and represents.

“I never felt second-class.”27: Schlafly’s Belief Women Were Already Equal Before the ERA

Not only did Phyllis Schlafly claim the Equal Rights Amendment would provide the government with more power than necessary, she argued altering the Constitution was unnecessary all together. Feminists often cited the most hurtful afronts of gender discrimination

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as sexism in the workplace and schools, which Schlafly asserted were already prohibited by existing federal acts thus making the ERA’s addition unwarranted. Moreover, Schlafly believed that, where gender discrimination existed within laws, it often served to protect women. Phyllis Schlafly claimed the ratification of the Equal Rights Amendment was unnecessary since she believed discrimination on the basis of sex was largely non-existent across the country due to present legislation, but often favored women when it was implemented.

According to Schlafly, discrimination on the basis of sex was already a non-issue. In the *Phyllis Schlafly Report*, a monthly newsletter sent to the political leader’s followers across the nation, she wrote that gender equality was a noble cause, but “to resort to the Equal Rights Amendment...is about as unwise as using an atomic bomb to exterminate mice.” This exemplifies her view of the law as an extreme measure. Reflecting on this period of her life spent combating the Equal Rights Amendment across the country, Schlafly remembered attending forty-one state legislature hearings over a decade. She reported that she could only recall one instance of a prejudiced law that could be remedied by the ERA. In North Dakota, wives could not make wine without their husband’s consent. “Now for this we need to change the U.S. Constitution? You’ve got to be kidding,” Schlafly exclaimed, emphasizing her understanding that the Equal Rights Amendment was a radically drastic approach to mitigating a trivial problem.29

Schlafly attributed what she perceived to be the end of impactful gender discrimination to legislation that pre-dated the ERA, making the amendment redundant. This position undermines one of the feminists’ most effective defenses on behalf of ratifying the ERA: their idea that it

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29 DePue, “Interview with Phyllis Schlafly,” 138.
would challenge and eliminate gender discrimination in work. To counter the implication that the law would make unequal pay for equal work unlawful, Schlafly said, “The ERA does not prohibit discrimination by private industry. It only prohibits discrimination by the United States or any State.”30 She bolstered this with the elaboration that, “Federal laws guarantee equal pay for equal work. ERA doesn’t give women any opportunity or any right they don’t already have.”31 Schlafly argued that relying on existing laws like the Civil Rights Act and the Equal Employment Opportunity Act could achieve gender equality without passing the ERA.32

Phyllis Schlafly made a similar defense in favor of using preexisting legislation against feminist claims that the ratification of the Equal Rights Amendment would bring gender equality to schools as well. In response to a feminist proponent of the ERA, Schlafly said, “The Education Amendments of June 1972 already did everything you want to abolish discrimination in any school from preschool to graduate level which receives any federal funds...these laws have abolished all legitimate need that there may have been for the Equal Rights Amendment.”33 This argument further substantiates her claim that the ERA was unnecessary due to laws that already prohibited discrimination on the basis of sex by providing another example of legislation that already protected women in places of education as well as professional spheres in the way supporters of the ERA claimed the amendment would.

31 Ibid.
32 Mansbridge, Why We Lost the ERA, 111.
Schlaflly also argued that where prejudice on the basis of sex was present within laws, it protected women with an example being the Selective Service Act requiring men to sign up for the military draft. In a televised debate with proponents of the ERA, Schlaflly asserted, “ERA won’t give women anything they haven’t already gotten or have a way of getting. In fact, it’ll take away from women some of the most important rights and benefits and exemptions we now have. A glaring example is the matter of the draft.”34 This shows Schlaflly believed the ERA would ultimately hurt women by making beneficial exceptions on the basis of their gender sex-neutral. Schlaflly often used conscription as a scare tactic, saying “if [excluding women from the draft] is discrimination then we’re for it.”35 In the same interview, Schlaflly said, “Look at the present drive to reinstate the military draft. Aren’t we lucky we don’t have the ERA or it would be requiring the drafting of our daughters.”36 When a proponent of the amendment said that was beside the point, Schlaflly insisted “it is the point.”37 This demonstrates how important this argument was to Schlaflly’s debate, bringing up the conscription of women time and time again to show the damage the ERA could do, and how foundational it was in building support for her countermovement against the law. In fact, Schlaflly said she would accept a revised ERA that would not deprive women “of any rights, exemptions and benefits they now possess,” showing how affronting the threat to discriminatory laws Schlaflly believed benefitted women was to her.

38 This point was among Schlaflly’s most influential in garnering support for her anti-ERA

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34 Ibid.
35 Schlaflly, “Phyllis Schlaflly interview on The Phil Donahue Show discussing the ERA” (video).
36 Ibid.
37 Ibid.
movement since it exploited fears that women would be drafted into the military due to claims
the law would outlaw discrimination in the Selective Service Act.

Phyllis Schlafly asserted that it was even more unnecessary due to a lack of gender
discrimination, previously implemented laws similar to the ERA, and the threat it posed to
discriminations between men and women that protected the latter. Schlafly was fond of saying
“Women were honored until the women's liberation movement came along and told them they
were second-class citizens...I never felt second-class,” epitomizing her belief that the ERA was
essentially useless, posing the idea that it is really feminist ideology hurting women more than
the status quo of treating men and women differently.\textsuperscript{39} This is expressed in her contention that
there were no laws discriminating against women to the extent necessary to amend the
Constitution, but legislation had already been enacted thus negating the ERA’s impact and
making the amendment a potential threat to protections women had on the basis of their sex. In
understanding yet another aspect of Schlafly’s argument against the ERA, it becomes clear that
her debate was more complex than dismissing her and her anti-ERA followers gives credit for.

Taking into account these three foundational facets of Phyllis Schlafly’s opposition to the
Equal Rights Amendment, it is undeniable that she formed a developed argument against its
ratification and fostered a united resistance credited with the law’s ultimate failure. She based
this contention on beliefs that the legislation would threaten the domestic sphere by undermining
gender roles in families provide the federal government with too much power with its loose
language, and hurt women by revoking protective laws while ineffectively combatting any
discrimination. These attacks against the ERA appealed to conservative ideals, providing

\textsuperscript{39} Griffis, “The Heart of the Battle is Within,” 27.
right-wing women with a political leader representing their beliefs and traditionalist men with an example of an anti-ERA woman to defend against accusations of misogyny.

Attempting to understand the key tenants of Phyllis Schlafly’s issues with the Equal Rights Amendment not only legitimizes her as a prominent political figure, but recognizes that, while the ERA was and still is in the midst of a gendered debate, this does not mean that it is simply men versus women. This is to say that, on a grander scale, women’s history and participation in politics into the present day did not begin and has not ended with feminists and their leftist movements. In fact, establishing Phyllis Schlafly as a figure worth being understood rather than disregarded as a contradiction does exactly that by acknowledging the complexity of her argument and, furthermore, the women she represented. A two-dimensional depiction of women only in the context of feminist agendas throughout history not only misrepresents them as a group, but fails to understand the insight they offer in contemporary politics, especially as the ERA re-enters discourse and Schlafly’s sentiments can be heard echoing through the debates.
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