

Eagle Forum

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Leading the pro-family movement since 1972
President: Phyllis Schlafly

"They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run, and not be weary; and they shall walk, and not faint." Isaiah 40:31.

ERA EXTENSION-RESCISSION CASE

The 2-1/2-year-old ERA Extension-Rescission Lawsuit finally was decided in Federal District Court in Boise, Idaho on Dec. 23. The Court voided the Time Extension voted by Congress in Oct. 1978, which means that ERA really died on Mar. 22, 1979, when the original 7-year time limit expired. The Court also upheld the right of states to rescind their earlier ratifications.

On Dec. 30, the National Organization for Women filed an appeal directly in the U.S. Supreme Court. No one knows how long it will take the Supreme Court to hear the appeal or how the Supreme Court will decide. The Supreme Court could affirm the lower court decision, or reverse it, or affirm one part and reverse another, or postpone hearing it for many months. Your prayers are requested for final victory.

Idaho Attorney General David Leroy, the lead attorney on the winning side, called the District Court ruling "among the most important constitutional decisions in this country's 200-year history." He praised the decision as a "proper, careful and correct defense of every state's role in amending the U.S. Constitution."

Phyllis Schlafly issued a statement which said: "This is a great victory for constitutional integrity, for fairness, and for a government by law rather than by the irrational demands of a special-interest group." She gave great credit to the Mountain States Legal Foundation for its tremendous and successful legal work in representing 19 Idaho legislators and 47 Arizona legislators who, together with the states of Idaho and Arizona, were the winning plaintiffs.

The ERAers received enormous publicity in attacking the decision. In order to avoid discussing the real issues in the case, the ERAers concentrated their fire on the religion of the judge and even on the right of any judge to decide the case. The religion of the judge is irrelevant, and the attack on his religion is shocking,

ERA status

38 states are needed for ratification by June 30, 1982; 35 voted to ratify*



* Includes states that later rescinded

since Article VI of the Constitution prohibits any religious test for any U.S. office.

The ERAers' attack on the right of any judge to decide the case is ridiculous, since their entire hope for an ERA victory depends wholly on getting a court to rule that the states of Nebraska, Tennessee, Kentucky, Idaho, and South Dakota must be counted as voting YES when they clearly have voted to be counted as voting NO. Each state should decide for itself how it wants to be counted.

Some newspapers echoed the hysterical attacks made by the ERAers on the court decision. The Washington Post, however, called it "good law" and a "valuable precedent." The Idaho Statesman in Boise, which had followed the case closely, editorialized: "We regret the apparent loss of the ERA, but we believe that was not the issue in Callister's ruling. The sanctity of the Constitution was the issue."

All those who contributed so generously to the funding of the ERA lawsuit can take special pride and joy in our victory. However the legal costs for the appeal and the educational and advertising costs in the unratified states will continue until June 30.

"Judge Slams Door on ERA"
 "Judge Deals ERA 2 Setbacks"
 "Decision Kills ERA's Slim Chances"
 "ERA Dealt Near-Fatal Blows"
 "Judge Upholds Original ERA Deadline"
 "Judge's Ruling Fatal Blow to ERA"
 "Judge Delivers Crushing Blow to ERA"

Feminist groups move aim to local elections

By Jon Margolis
 Chicago Tribune Press Service

WASHINGTON — The country's leading feminist organizations are ending the year by trying to work their way out of internal disarray and into elective politics.

Two groups — the National Women's Political Caucus and the National Abortion Rights Action League (NARAL) — will have new staff directors early next year, following two firings and one interim replacement.

Meanwhile both NARAL and the National Organization for Women (NOW) are planning to take a more active part in local political elections, especially those for state legislatures.

The Women's Political Caucus, which has always been political, is heading in the same direction.

"We're going for the state level in 1982," said Jan Katz, who speaks for the organization.

THERE ARE TWO reasons for this shift. Like other politicians, the women's activists have learned from the Republican Party's recent success in building from the bottom up, rather than the top down.

The other reason is that some of the big feminist fights may be decided in state legislatures.

One issue, of course, is the all-but-dead Equal Rights Amendment, which suffered another blow last week when a federal judge ruled that Idaho had the right to rescind its earlier ratification of the amendment, and that the deadline for its ratification had been unconstitutionally extended by Congress.

Even if that decision is overturned, the amendment will expire June 30 unless three more states ratify it, and feminists fear the court decision will hinder their efforts to get ratification votes in Georgia, Virginia, Oklahoma and Florida.

Sunday, December 27, 1981

● Susan Catania's race for Illinois lieutenant governor stirs national interest due to her support of ERA. Sec. 2 p. 3.

PRO-ERA LEADERS lost no time in announcing that they would appeal the decision and in questioning the "neutrality," in NOW President Eleanor Smeal's words, of Judge Marion Callister, whose decision would validate rescissions in five states.

Smeal and other ERA advocates say they fear that at the very least the Callister decision will demoralize ERA backers and give jittery state legislators an excuse for delaying action on the amendment.

ERA advocates retain some hope that the Illinois Legislature will ratify the amendment, and they see in one race a chance to put pressure on the lawmakers.

To push Illinois legislators into ratifying ERA, NOW is pouring money and other support into the long-shot primary campaign of Susan Catania, running for the Republican nomination for lieutenant governor.

THE THINKING IS that if Catania wins it would demonstrate the popularity of ERA.

Another state legislative battle that may be fought is over an amendment to allow states to outlaw abortions. NARAL is assuming that the amendment, proposed by Sen. Orrin Hatch (R., Utah), will be approved by Congress and sent to the states for ratification.

Opponents would have to stop ratification in only 13 states to block the amendment, and NARAL has targeted 17 states in which to fight. Illinois is not among them.

The organization will have the help of a politically knowledgeable new leader, Nanette Falkenberg, who is leaving the political staff of the American Federation of State, County, and Municipal Employees to become NARAL director.

FALKENBERG WILL replace Judith Widdicombe, who became interim director last summer after NARAL fired Karen Mullhausen.

Just this month the Women's Political Caucus fired its director, Carol Silverthorne.

Those were a few of the front-page headlines that greeted Americans on Dec. 23-24. It was a wonderful Christmas present after 10 years of weary work against ERA.

The ERAers complained against the timing of the decision. They have only themselves to blame. The decision should have come 1-1/2 years ago -- NOW stalled it for that long in their unsuccessful effort to disqualify the judge.

Many legislators are now saying that it is a waste of time to vote again on ERA. And it is. Why should legislators submit to the harassment of the women's libbers for another vote when it is clear that ERA will never pass?

The court decision didn't "kill" ERA. But what it did do is to give national publicity to the facts of the crooked, unfair time extension and the facts of the unfairness of the ERAers' efforts to count 5 states as voting YES even though they have rescinded. The greatest thing about news stories on the lawsuit is that, finally, the papers printed a truthful map of the U.S. showing the five rescinding states. Now that the American people know the facts about extension and rescission, they will never tolerate the tarnishing of our great U.S. Constitution by an illegal amendment. (Everyone knows that it is a political impossibility for ERA to get 8 more ratifications.)

The ERAers are apparently going ahead with their \$15 million advertising campaign and their lobbying in the crucial unratified states, so we must continue our efforts at maximum strength in order to keep "pushing the cadaver back into the coffin." Please continue your prayers, your donations, your letters, your lobbying, and your personal presence at the State Capitols in order to prevent any unexpected happening. We've lasted for ten years; we surely can last a few more months.

Thanks to all subscribers for your steadfast loyalty and support of our cause.

The above news story shows clearly what the ERAers are planning to do in the immediate post-ERA era. Pro-family Americans should be alert to see that the ERAers are not successful.