

SENATE MAJORITY LEADER ANNOUNCES VOTE ON EQUAL RIGHTS FOR MEN AND WOMEN AMENDMENT

(Senate Joint Resolution 80)

WHY THE HAYDEN RIDER MUST NOT BE ADDED TO THE AMENDMENT

I

Vote May Be  
Taken In Next  
Few Weeks On  
Equal Rights  
Amendment

Senator Lyndon Johnson, Majority Leader of the United States Senate, announced in the Congressional Record of January 16, 1958:

"At any time during the next few weeks, any of the following bills may be taken from the calendar and considered:.....  
S. J. Res. 80, Constitutional Amendment on Equal Rights..."

II

How You  
Can Help

The Senate twice adopted the Equal Rights Amendment by the required two-thirds vote - in 1950 and in 1953 - but both times victory was turned into defeat by opponents who succeeded in having attached to the Amendment a nullifying Rider, known as the "Hayden Rider", after Senator Hayden, who proposed it. Enough Senate votes are pledged again this year to ensure the two-thirds majority, but there is danger that enemies will try again to defeat the purpose of the Amendment through the addition of the Hayden Rider. There is little time left in which to work before the probable taking of the vote in the Senate. But the adding of the Hayden Rider can be prevented if every woman who cares about equal rights for women will make certain of the vote of her own two Senators. Ask your two Senators to vote for Senate Joint Resolution 80 and against the Hayden or any similar Rider. Write to them, or telegraph them, or see them, without delay. Ask your family and friends to do the same.

III

Present Status  
Of Equal Rights  
Amendment

President Eisenhower recommended the Equal Rights Amendment in a Presidential Message to Congress, January 16, 1957, at the opening of the present (85th) Congress. The Assistant to the President, Mr. Sherman Adams, wrote to the National Woman's Party, September 12, 1957:

"The President, in his January Budget Message to the Congress, recommended a Constitutional Amendment to ensure equal rights for women. I want to assure you of the President's continued interest in this important subject, and his hope that the Congress will take appropriate action on the matter at the earliest possible date."

Both major political parties have endorsed the Amendment in their National Platforms. The Senate and House Judiciary Committees, made up of prominent jurists, have approved the Amendment. Thirty-seven Senators and two-hundred and forty-two Representatives have given their names as official sponsors. Practically all women's organizations that are working to raise the position of women have united in support of the Amendment.

IV

Text Of Equal  
Rights Amendment

The Amendment, as now before Congress, (Senate Joint Resolution 80; House Joint Resolution 127), reads, in its main article:

"Section 1. Equality of rights under the law shall not be denied or ~~be~~ abridged by the United States or by any State on account of sex."

This wording follows the well-tested wording of the Equal Suffrage Amendment. The wording has been approved by the Senate Judiciary Committee of every Congress beginning with 1943, including the present Congress.

VPurpose Of  
Equal Rights  
Amendment

The Amendment was introduced in Congress at the request of organizations representing some millions of women. Its purpose is to complete the liberation of women begun by the Suffrage Amendment, which gave the vote to women, but nothing more. The Equal Rights Amendment would give equality in civil and economic rights, just as the Suffrage Amendment gave equality in voting rights. It would lift women out of the sub-citizen class and make them the equal of all other citizens under the law.

VIText Of The  
Hayden Rider

At this moment in the history of the Equal Rights Amendment, when success seems in sight, comes the threat of the Hayden Rider. The Rider reads:

"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."

VIIMeaning Of  
The Hayden  
Rider

The Rider would accomplish exactly the opposite of what the <sup>Equal Rights</sup> Amendment is designed to accomplish. The Rider would be a positive detriment to the cause of equality for women, because it would write into the Constitution a declaration of the inequality of the sexes instead of a recognition of the principle of the equality of the sexes.

Alma Lutz, historian of the Woman Movement, author of works on Emma Willard, Elizabeth Cady Stanton, and other pioneers, summarized the objections to the Rider in a letter to newspapers:

"The benefits mentioned in the Hayden Rider can be widely and variously interpreted, and could be interpreted so as to restrict women's right to work and their right to education, so as to bar them from certain occupations and professions, and to make illegal the employment of married women. Women are better off without the Equal Rights Amendment if it is to be crippled or qualified by the Hayden Rider."

Another historian of the Woman Movement, Marjorie Longwell, California State Chairman of the National Woman's Party, wrote:

"The Hayden Rider is a road-block on woman's path to progress. It pretends to give equal rights without equal rights, if such COULD be."

Much has been said, much has been written, about the Hayden Rider, but it is all summed up in a "Jingle" by a woman printer, a member of a Typographical Union, Fannie Ackley, who wrote - out of a life-long experience in earning a living for herself and others:

"The point vital in this jingle  
Is that women wed or single  
Should regard the Hayden Rider  
As the fly regards the spider."

VIIIOrigin Of The  
Hayden Rider

The origin of the Rider remains somewhat of a mystery. The "Daily Worker", of New York, organ of the Communist Party, came forth in support of the Rider when it was first introduced, and it was the only paper to do so, as far as is known. Elizabeth Gurley Flynn, of the National Committee of the Communist Party, wrote in the "Daily Worker", March 9, 1950, after the Rider had been attached to the Equal Rights Amendment by the Senate:

"The legislation [the Equal Rights Amendment] now goes to the House. The danger is that the Hayden Amendment will be chopped off there or disappear in the final agreement on proposed legislation between the two legislative bodies."

At the 1956 Senate Hearing, the chief speaker for the Equal Rights Amendment, Mrs. Emma Guffey Miller, Democratic Committeewoman from Pennsylvania, said:

"I was told the other day that many prominent organizations have approved the Hayden Rider. Well, after a very careful search, the only prominent organization that we could find that had endorsed this Rider was the Communist paper, 'the Daily Worker', and I would like to put that in the record of this Hearing."

No one spoke for the Rider except Andrew J. Biemiller, Legislative Representative of the AFL-CIO. Mr. Biemiller said:

"I want the record to show that the labor movement has supported the Hayden Rider; not merely is it a Communist device, as had been intimated here in earlier testimony."

It is not clear as to why the group connected with the Daily Worker, or why <sup>certain</sup> Labor Unions are so actively interested in the Hayden Rider - but one thing is clear; women did not propose the Rider, and do not want it.

### IX

History Of The Hayden Rider The Rider was first proposed in 1950, in the Senate, without consultation with women's organizations or with Senate sponsors. It was introduced in a similar way in the Senate in 1953.

✓ Senator Alexander Wiley, of Wisconsin, Republican Leader of the Judiciary Committee, spoke against the Rider when it was introduced. He said:

"With all due respect to my able colleague from Arizona, I feel that the Hayden addition is particularly unjustified, because it offers in one breath a Constitutional change and in the next embodies a direct contradiction of that change. In one paragraph, it would grant women equality, and in the second, wipe out that equality by granting special benefits and exemptions. The confusion which would result from the Hayden Amendment would becloud all possible action in the States. I feel that, out of respect for the thirty national women's organizations, with a membership of approximately 40,000,000, we in the Senate should adopt the original Amendment."

✓ When the Rider was proposed the second time, in 1953, Senator Theodore Francis Green, of Rhode Island, endeavored to show the disadvantages for men, as well as for women, in the Rider. He said in a speech to the Senate:

"It seems to me that the members of both sexes are equally entitled to have their personal rights respected. This, [the Hayden Rider], limits the protection to the female sex. It is particularly inexplicable when the whole subject matter is supposed to deal with the equality of the sexes... It provides that no right shall be taken away from the female sex. There should be an equal obligation to take nothing away from the male sex."

However, in spite of these and other appeals, the Rider was added to the Amendment by the Senate in 1950 and 1953, and the Amendment was sent to the House of Representatives with the Rider incorporated in it. No action was taken by the House.

### X

Judiciary Committee Reports On The Hayden Rider The Rider was submitted to the Senate Judiciary Committee for the first time in 1956, and the Committee held a Hearing on both the Equal Rights Amendment and the Rider. After the Hearing, the Committee reported the Equal Rights Amendment favorably, without the Rider. In the present Congress, the Committee again reported the Amendment favorably, without the Rider, on August 27, 1957.

### XI

Opposition Of Women To The Hayden Rider When the Rider was first proposed, women's organizations throughout the country adopted resolutions against it. Since then, the opposition has steadily increased. No woman's organization working for equality for women has ever given its support to the Rider, as far as is known.

### XII

What Women Are Asking From Congress Millions of women, through their organizations, have given their support to the Equal Rights Amendment. They ask and expect a clear vote on the Amendment, without riders or substitutes. Congressmen who want to help the cause of equality for women should vote for the Equal Rights Amendment and against the Hayden Rider.