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Author(s): Mark R. Daniels, Robert Darcy, Joseph W. Westphal
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The ERA Won—At Least in the Opinion Polls

Mark R. Daniels

University of Connecticut

Robert Darcy

Oklahoma State University

Joseph W. Westphal*

Oklahoma State University

In 1972 it appeared that the Equal Rights Amendment (ERA) would be ratified quickly. Support was forthcoming from a vast array of political leaders, such as President Nixon, past presidents, governors and legislators. Both major parties made the amendment part of their platforms and did so again in 1976. An impressive list of private organizations, including the National Federation of Business and Professional Women's Clubs, the League of Women Voters, the American Association of University Women and many labor organizations, supported the amendment. Opposition was confined to groups of limited political effectiveness, such as the John Birch Society, George Wallace's American Independent Party and the Daughters of the American Revolution (DAR).

During the years immediately following congressional approval of the ERA in 1972, the American public strongly favored the amendment (see Table 1). In 1974, three Americans favored the ERA for every one who opposed it. Support for the ERA continued at a ratio of about two to one throughout the early ratification years. Support was widespread among all demographic groups. In 1975-76, the Gallup Poll found that even within groups where opposition to the ERA was strongest a majority supported ratification. Specifically, persons with low incomes favored it 53 percent to 31 percent and those living in small towns supported it 54 percent to 29 percent.¹

Only in 1980—eight years after the ERA was submitted to the states for ratification—did support dip down to its lowest level. This represented a second phase for the ERA—the 1980 presidential campaign—during which the amendment was transformed by candidate Ronald Reagan into a partisan issue and removed from the Republican platform. The withdrawing of support for the ERA by a popular political elite, in this case the leadership of the Republican Party, may have led many Americans to conclude that something was wrong with the ERA.² But even at its lowest level of support, the ERA continued to be favored by a majority of Americans. By 1982 the ERA had passed this partisan stage and once again enjoyed a two-to-one margin of support.

The pace of ERA ratification in its first calendar year, during which 22 states approved the ERA, was ahead of that achieved by eight of the 11 amendments ratified in this century. At the end of the second year, the ERA's 30-state ratification total was still

*Mark Daniels is assistant professor of political science at the University of Connecticut; Robert Darcy is associate professor of political science and statistics at Oklahoma State University; and Joseph Westphal is associate professor of political science at Oklahoma State University. Daniels, Darcy and Westphal appreciate the assistance of Sally Daniels and C. J. Robinson. They also wish to thank the Roper Center at the University of Connecticut and the Oklahoma Data Archive at Oklahoma State University for access to the public opinion polls used in this article.

¹ *Gallup Opinion Index No. 128* (March 1976): 18.

² Janet K. Boles, *The Politics of the Equal Rights Amendment* (New York: Longman, 1979), 17.

TABLE 1
Support and Opposition to the ERA by American Public

Year	Favor (%)	Oppose (%)	Don't Know (%)	Total	
				%	n
1974	73.6	21.1	5.2	100	(2822)
1975	58.3	23.7	18.0	100	(2762)
1976	56.7	24.5	18.8	100	(2798)
1977	65.5	26.5	8.0	100	(1000)
1978	58.0	31.0	11.0	100	(1010)
1980	52.3	28.3	19.4	100	(2780)
1981	55.5	28.1	16.4	100	(2740)
1982	61.5	23.4	15.1	100	(1506)

SOURCE: Gallup Polls: October, 1974; March, 1975; March, 1976; July, 1980; July, 1981; Yankelovich Poll, March, 1977; Gallup Opinion Index, July 16, 1978, p. 23; National Opinion Research Center General Social Survey, July, 1982.

ahead of the pace of two successful amendments: the Twenty-second, which limited the tenure of presidents, and the Sixteenth, which permitted an income tax. By the end of the third year (1974), the ERA was still outpacing those two amendments. Even in its fourth year, the ERA had been ratified by 89 percent of the necessary states (34), whereas the Twenty-second Amendment had been only ratified by 66 percent after a comparable period of time. It was not until 1976, then, that the ERA appeared to be in serious trouble, having fallen behind the pace of all amendments which had succeeded.

What happened? The ERA had had momentum, prestigious support and little opposition; it was widely favored by all sectors of society. Why was it not ratified? Most explanations involve public opposition. The explanations examined here are: that it was killed by opposition from housewives and others committed to traditional roles; that it was killed by conservatives and religious fundamentalists; and that it was killed because popular opposition was centered in a minority of states, whose legislatures were able to block the ratification process.

Opposition of Housewives

Andrew Hacker argues that the ERA was originally viewed as an innocuous formal granting to women of rights previously guaranteed to religious minorities and blacks.³

Early in its course, the ERA lost its innocent status. In fact, this change occurred during the nine months after the amendment had left Congress and while it was winning quick approval from the necessary states. Stirred by their success, women who had worked for the ERA began to talk as if, quite literally, it signaled a new era. What began as a request for equal rights merged into the more militant cause of women's liberation. Guarantees purposely left vague in the wording of the amendment were now being discussed in concrete terms.⁴

³Andrew Hacker, "ERA—RIP," *Harper's Monthly*, September 1980, 10-14.

⁴Ibid.

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The changes predicted by feminists aroused anxieties in housewives and other women committed to traditional roles. These women, according to Hacker, mobilized themselves to right the threat seemingly posed them by the ERA.

If the amendment's supporters erred, it was in ignoring the sensibilities of women not avid for careers or for whom that option appears to come too late. Women opposed the ERA because it jeopardized a way of life they had entered in good faith. And their legislators listened.⁵

But Hacker's argument has its weaknesses. While those lobbying legislators against ERA did their best to appear to be housewives, and may in fact have been housewives,⁶ they were not representative of housewives and women committed to traditional roles. Surveys consistently found that more housewives favored the ERA than opposed it (see Table 2). Only in 1980, when the ERA became a presidential campaign issue, did the proportion of housewives opposing the ERA come anywhere near the proportion supporting it. Thus, while the opposition to the ERA had been organized to appear to be a groundswell of housewives, only a minority of them actually opposed the amendment. David Brady and Kent Tedin,⁷ Janet Boles,⁸ and Kathleen Beatty⁹ show that those who demonstrated against the ERA in Texas, Colorado and elsewhere were not typical housewives lacking previous political experience. Instead, they were members of the radical and religious Right characterized by previous political activism. Because opponents resembled housewives does not mean they were housewives nor does it mean they represented the views of most housewives.

Conservative and Religious Fundamentalist Opposition

The most vocal and visible opposition to the ERA came from conservative groups, such as the DAR, the John Birch Society, the American Independent Party and a

⁵Ibid.

⁶Theodore S. Arrington and Patricia A. Kyle, "Equal Rights Amendment Activists in North Carolina" (Paper delivered at the Annual Meeting of the American Political Science Association, San Francisco, 1975).

⁷David W. Brady and Kent L. Tedin, "Ladies in Pink: Religion and Political Ideology in the Anti-ERA Movement," *Social Science Quarterly* 56 (March 1976): 564-575.

⁸Boles, *Politics of the ERA*.

⁹Kathleen Beatty, "Values, Religion and Sex-Based Issue Positioning" (Paper delivered at the Annual Meeting of the Western Social Science Association, San Diego, 1981).

TABLE 2
Support and Opposition to ERA Among Housewives

Year	Favor (%)	Oppose (%)	Don't Know (%)	Total	
				%	n
1976	58.2	18.4	23.4	100	(419)
1977	62.1	27.1	10.7	100	(280)
1980	42.7	35.2	22.1	100	(466)
1981	53.9	28.5	17.6	100	(478)

SOURCE: Gallup Polls: July, 1980; July, 1981; Survey Research Center Election Study, November, 1976; National Opinion Research Center General Social Survey, 1977.

number of *ad hoc* groups with conservative roots.¹⁰ The identity of rank-and-file anti-ERA activists has been scrutinized by several political scientists. Kathleen Beatty in 1980 examined women who had petitioned to have ERA rescission included on the Colorado ballot in 1976.¹¹ She found ERA opponents typical of the radical and religious Right in their emphasis on salvation, their anti-egalitarian stance on the roles of men and women and strong religious connections. Brady and Tedin investigated women who lobbied the Texas legislature for rescission of ERA ratification in 1975.¹² Their findings, too, were that these women had beliefs and affiliations typical of the radical and religious Right, including fear of domestic communism and socialism and the feeling that the federal government was taking away individuals' freedom. Further, they found that "fundamentalist religion was a principal source of the political attitudes of the anti-ERA women. Their political beliefs may be viewed as extensions of their religious beliefs."¹³ Further, these women were by no means political novices or alienated politically. "These women are participators: they vote, talk politics, give money and wear campaign buttons . . . their trip to Austin is only one facet of their overall high participation."¹⁴

In 1974, three Americans favored the ERA for every one who opposed it.

Thus, the second explanation for the failure of the ERA can be constructed. Conservatives and fundamentalists opposed the Equal Rights Amendment. This opposition was effective in conservative states and not effective elsewhere. Even though most states supported the ERA, there were enough conservative states to prevent ratification.

This argument appears plausible at first since unratified states such as Utah, Georgia, Mississippi and Alabama are known to have strong conservative orientations. Conservative and fundamentalist groups and organizations have credibility and influence in these states that they may not have elsewhere.¹⁵

Yet, this argument also has its weaknesses. In the crucial ratification years of 1976 and 1977, when the ERA was losing momentum, a majority of conservatives favored the ERA (see Table 3). Further, the approval margin was about two to one. Again, it was only in 1980, during the ERA's 1980 election phase, that slightly more conservatives opposed the ERA than supported it. This was likely a response to Republican candidate Reagan making the issue salient to conservatives. By 1981, however, a majority of conservatives sampled were once again favoring the ERA. Thus, while the ERA's opposition did come from conservatives, it was supported by a majority of conservatives during most of the ratification process.

Religious fundamentalists, too, have generally supported the ERA¹⁶ (see Table 3). In 1976, religious fundamentalists favored the amendment by more than three to one.

¹⁰Boles, *Politics of the ERA*, 79.

¹¹Beatty, "Values."

¹²Brady and Tedin, "Ladies in Pink."

¹³Ibid., 574.

¹⁴Ibid., 572.

¹⁵Boles, *Politics of the ERA*, 136.

¹⁶"Fundamentalists" are defined as Baptists and a number of other categories of Protestants. For an operational definition, see the University of Michigan Survey Research Center's *Election Study* for 1976 or 1980.

TABLE 3
Support and Opposition to ERA by
Conservatives and Religious Fundamentalists

Date	Favor (%)	Oppose (%)	Don't Know (%)	Total	
				%	n
Conservatives					
1976	60.5	30.3	9.2	100	(522)
1977	57.4	33.2	9.5	100	(418)
1980	42.5	47.9	9.6	100	(530)
1981	58.0	38.0	4.0	100	(NA)
Religious Fundamentalists					
1976	62.5	20.0	17.5	100	(406)
1980	44.5	34.9	20.6	100	(238)
1982	53.6	29.7	16.7	100	(347)

SOURCE: Survey Research Center Election Studies: November, 1976; November, 1980 (C-3); Yankelovich Poll, March, 1977; Gallup Opinion Index, July, 1981, p. 23; National Opinion Research Center General Social Survey, July, 1982.

Even though this support had dropped considerably by 1980, a plurality of religious fundamentalists continued to favor the amendment. While many anti-ERA activists were religious fundamentalists, most religious fundamentalists did not oppose the ERA.

The Unratified States

The constitutional ratification process guarantees that the opinion of a minority of the states be respected. It is possible that what opposition there was to the ERA may have primarily been confined to a few states, which were able to block the ERA. However, in 1974, public opinion in the unratified states favored the ERA three to one¹⁷ (see Table 4). By 1980, when there were fewer unratified states and the ERA became a presidential campaign issue, this margin had declined. Nevertheless, public opinion in the unratified states still favored the amendment.¹⁸ Despite a gradual drop in the ERA's margin of support it was consistently supported by at least a plurality of people living in unratified states.

While it is true that the unratified states tend to be significantly more conservative both religiously and politically,¹⁹ that does not mean the people of those states oppose the ERA. Boles cites polls taken in the unratified states of Missouri (1973), Mississippi (1974) and Illinois (1974) that all found large pro-ERA majorities.²⁰ Deborah

¹⁷For a discussion of the disaggregation of national survey, see Charles Prysby, "A Note on Regional Subsamples from National Surveys," *Public Opinion Quarterly* 46 (Fall 1982): 422-424.

¹⁸The University of Michigan Survey Research Center found in 1980 that public opinion in Illinois was evenly divided on the ERA and, thus, was not skewing the results for unratified states toward support of the amendment.

¹⁹Ernest Wohlenberg, "Correlates of the Equal Rights Amendment Ratification," *Social Science Quarterly* 60 (March 1980): 676-684.

²⁰Boles, *Politics of the ERA*, 101-102.

TABLE 4
Support and Opposition of ERA by Unratified States

Year	Favor (%)	Oppose (%)	Don't Know (%)	Total	
				%	n
October, 1974	70.1	24.2	5.7	100	(825)
March, 1975	50.9	33.1	16.0	100	(861)
March, 1976	53.3	27.1	19.7	100	(768)
March, 1977	56.9	36.4	6.8	100	(255)
July, 1980	48.1	39.5	12.5	100	(778)
July, 1981	47.2	38.4	14.4	100	(752)

SOURCE: Gallup Polls: October, 1974; March, 1975; March, 1976; July, 1980; July, 1981; Yankelovich Poll: March, 1977.

Bokowski cites polls taken in the unratified states of Missouri (1975, 1976 and 1979) and Virginia (1978) which also uncovered large pro-ERA majorities.²¹ Strong support existed for the ERA before the 1980 election in a number of unratified states.

On the other hand, ERA support was not necessarily uniform among the unratified states, nor was opinion necessarily stable over time. In polls taken in Oklahoma from 1978 to 1982, neither ERA's supporters nor its opponents were generally able to master a majority. And while the opponents were somewhat stronger over time, both sides had a plurality on more than one occasion. It was only *after* the final ratification failure in 1982 that a significant majority of Oklahomans opposed the amendment.

Conclusion

In the first years the ERA was before the states, it was supported by a large majority nationwide, a large majority of the people in the unratified states, a large majority of housewives, a large majority of conservatives and a large majority of religious fundamentalists. It was only after the amendment had been before the states six or eight years that opposition to the ERA within several of these groups began to approach the level of ERA support within them. After being used as an issue in the 1980 presiden-

²¹Debrah Bokowski, "State Legislator Perceptions of Public Debate on the ERA" (Paper delivered at the Annual Meeting of the Political Science Association, Denver, 1982).

TABLE 5
Support and Opposition to ERA in Oklahoma

Year	Support (%)	Oppose (%)	Don't Know (%)	Total	
				%	n
July, 1978	45.0	36.0	19.0	100	(600)
October, 1978	37.0	47.0	16.0	100	(600)
October, 1981	41.0	50.0	9.0	100	(800)
January, 1982	44.0	39.0	15.0	100	(400)
June, 1982	31.4	48.5	20.0	100	(692)
August, 1982	36.0	56.0	8.0	100	(581)

SOURCE: Kielhorn and Associates Inc.: July, 1978; October, 1978; October, 1981; August, 1982; *Daily Oklahoman*, January 14, 1982; Ruddick Research International, *Oklahoma Opinion Profile*, July/August, 1982.

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tial campaign, the ERA regained much of its previous strength. Its national majority assumed its pre-1980 proportions. And its supporters included at least a plurality of people living in unratified states, housewives, conservatives and fundamentalists. Thus, the failure of the ERA cannot be attributed to public opposition. Instead, the amendment's failure must be attributed to systemic factors in the political processes of non-ratifying states which thwarted ratification²² and produced legislator indifference to popular sentiment.²³

²²See Mark R. Daniels, Robert Darcy and Joseph Westphal, "State Innovativeness and the ERA: A Case of Arrested Diffusion" (Paper delivered at the Annual Meeting of the Midwest Political Science Association, Milwaukee, 1982) and Janet K. Boles, "Systemic Factors Underlying Legislative Responses to Woman Suffrage and the Equal Rights Amendment," *Women & Politics* 2 (Spring/Summer 1982): 5-22.

²³Bokowski, "State Legislator Perceptions."