



# The Phyllis Schlafly Report



VOL. 8, NO. 10, SECTION 2

Box 618, ALTON, ILLINOIS 62002

MAY, 1975

## How E.R.A. Will Hurt Men

While the most immediate and devastating effect of the Equal Rights Amendment will be a takeaway of the legal rights that women now enjoy, E.R.A. will also have a widespread and harmful effect on men.

### Double Social Security Taxes

E.R.A. will double the Social Security taxes of all husbands whose wives are not employed outside the home. This will place an additional tax burden on these husbands of at least \$960 per year.

How E.R.A. will have this costly result was explained recently by Sylvia Porter, a respected syndicated financial columnist. Ms. Porter's columns appear in leading metropolitan newspapers all across the country, and she was honored on television on April 19 as a "Woman of the Year."

In her column of April 9, 1975, Ms. Porter argued for passage of a Congressional bill which will require every husband whose wife is not employed outside the home to pay Social Security taxes on the assumed "earnings" of his wife as a homemaker. She frankly admitted that the husband would thus be paying Social Security taxes *twice* -- once on his own earnings and once on the assumed "earnings" of his wife.

But then, her sensational conclusion is that, regardless of whether or not the Congressional bill is passed, the Equal Rights Amendment will require this double taxation! Here is the exact text of her revealing column:

"Another alternative proposed by Rep. Barbara Jordan (D.-Tex.) and Rep. James Burke (D.-Mass.) would give Social Security coverage to women over 18 and under 65 who stay home to conduct or supervise the affairs of a household. The homemaker would contribute Social Security taxes just like any other self-employed person now covered. Of course, those taxes would have to come out of the earnings of the husband and it might be charged that he would be paying taxes twice -- once on his own earnings and once on the assumed earnings of his wife as a homemaker.

"But this would be fair and equitable. For if the husband had to hire someone to perform his wife's household duties and if he paid the employe cash wages of as little as \$50 in a three-month period, he would be required under today's law to pay Social Security taxes on the employe's earnings. Why shouldn't he do the same for a wife who performs additional duties above and beyond those ordinarily expected of hired employes?"

**"If some change along these lines is not enacted sooner, the Equal Rights Amendment, when finally passed, will require it."**

Ms. Porter does not make clear whether these new Social Security taxes on the wife would be paid at the 8 percent rate of self-employed persons, or at the rate of 5.8 percent for the wife's assumed "earnings" to be matched by another 5.8 percent from the husband as "employer." Nor does she make clear what will be the assumed "salary" of the homemaker on which Social Security taxes will be paid. Estimates of the financial worth of a homemaker start at \$12,000 per year, and go up from there.

Since there are no deductions in Social Security taxes, a charge of 8 percent on \$12,000 would require husbands to pay \$960 annually in additional Social Security taxes. The additional tax could be higher, depending on which rate is charged and what "earnings" the homemaker is assumed to be worth.

There will, of course, be *no* increase whatsoever in benefits, since wives *already* draw Social Security benefits based on their husband's earnings.

The rationale of this radical proposal is that it is supposed to give "new dignity" to the role of homemaker. Which would you rather have -- the alleged "dignity" that comes from paying an additional \$960 or more in Federal taxes, or the satisfaction that comes from spending your own money for goods or gifts of your own choosing?

More than half of U.S. taxpayers are already paying more Social Security taxes than they pay income taxes. E.R.A. will thus double the Federal tax load of many male married taxpayers.

The long-range result of such a mischievous and costly plan will be, of course, to drive most wives and mothers out of the home. In many families, the wife will be economically compelled to take a job in order to help pay the additional \$960 in taxes.

This additional Social Security tax is one of the many ways that the Equal Rights Amendment discriminates against those who believe that it is a social good to enable the wife and mother to be a fulltime homemaker, especially when her children are young.

This additional Social Security tax and its inevitable effects show how prophetic was the Drake University study, which concluded in June 1973 that E.R.A. will cause legislatures and courts to "adopt a wildly permissive approach" which will "degrade the homemaker role and support economic development requiring women to seek careers."

### Loss of Husbands' Rights

A major reason why the United States is a good country to live in is that our laws recognize the family as the

basic unit of society. We have a great fabric of Federal and state laws designed to keep the family together and to assure the child a home in which to grow up. The rights of husbands and wives spelled out in these laws are not for the purpose of giving one sex a preference over the other, but are designed to keep the family together. Previous issues of this *Report* have discussed in detail the many rights of the wife.

The husband has rights, too. He has the right to establish the domicile, or the location of the family home. This is a necessary and proper right of the husband, since he has the obligation to provide a home for his wife and family.

E.R.A. will wipe out all the state laws that assure the husband the right to establish the domicile. E.R.A. will not permit any law to give any right to one sex that it does not accord equally to the other.

The laws that give the husband the right to establish the domicile are principal targets of the women's lib movement and are often cited in debate as laws they want to wipe off our statute books.

Of course, one's attitude toward these laws is based directly on one's assumptions and scale of values. If you think that the family is a social value to be cherished and encouraged, then you will support the existing laws. If a woman does not want to live in her husband's domicile, then she should not get married.

E.R.A. will also cost a husband the right to have his children carry his last name. Most states do not have laws specifically enunciating this right, but it is enforced by other types of legal restrictions, such as birth certificates, driver's licenses, and other official documents and regulations.

Any requirement that a child carry his or her father's name would be unconstitutional under E.R.A. because, by definition, it would "discriminate" against the mother on account of her sex. If a constitutional amendment requires us to erase the time-honored lines of paternity and legitimacy, the resulting confusion will strike a severe blow at the family unit. The new legitimacy that this would accord to unmarried parents, and to homosexuals and lesbians who adopt children, would come at the expense of our respect for the institution of the family.

## The Cost in Jobs

Unemployment in the United States has now climbed to 8.9 percent, the highest since the Great Depression of the 1930s. A principal factor in the competition for available jobs is the increasing number of women who have entered the job market.

The principle of "equal pay for equal work" has already been fully established by Federal law and is supported by everyone. The existing Federal laws in this area are sound and more than adequate, including the Equal Pay Act of 1963, the Civil Rights Act of 1964, the Equal Employment Opportunity Act of 1972, and the Education Amendments of 1972.

However, in the hands of power-grabbing Federal bureaucrats and meddling Federal courts, the laws have been distorted to accommodate the goals of the women's lib movement rather than Congressional intent. Here are some of the problems this causes:

1) Although the law says "equal pay for equal work," in practice this has been enforced as "equal pay for *substantially* equal work."

This means that a company is required to pay equal wages even though some men do work that is more dangerous, more unpleasant, requires more physical strength, or takes more time. The conscientious male worker is thus prohibited from receiving any differen-

tial in pay over a worker assigned to a similar job who may be physically unable to carry her full load, or over a worker who may even be a freeloader who won't carry his full load. The human reaction to such situations on the practical level is that the conscientious worker soon develops the attitude, "why should I do a full day's work when others who don't work as hard still get the same pay and cannot be fired?" This is a big factor in the decline of U.S. productivity over the last few years.

2) Although the law says "equal employment opportunity," in practice this has been enforced as "reverse discrimination" and "quotas."

Most people understand "equal employment opportunity" to mean that the most qualified person should be hired and promoted, regardless of race, color, creed, national origin, or sex. In the hands of the bureaucrats and the courts, qualifications have often been abolished, or reduced to inconsequential levels, and applicants are hired and promoted *because* of their membership in some alleged "minority" such as women.

Thus we have seen that some metropolitan police departments are under court order to abandon their physical qualifications and hire a specified quota of women, even though they are admittedly less qualified than the men. (See the *Phyllis Schlafly Report* of February 1975 entitled "How E.R.A. Will Affect Local Police.")

If you want to find out how men are hurt by this, just talk to any of the policemen or male applicants for the police force who passed the tests, were placed on the list for hiring or promotion, and then were told "Too bad, Buddy, we are compelled to pass over you and hire a woman who couldn't pass the test."

This type of reverse discrimination has been going on not only in physical-labor jobs but also in intellectual and professional positions. After the Education Amendments of 1972 were passed, the Department of Health, Education and Welfare moved aggressively to require preferential hiring treatment for women and minorities, regardless of their qualifications.

The havoc in the educational world wrought by this reverse discrimination was finally spelled out by the Carnegie Commission on Higher Education. It issued a report in July 1974 charging that the HEW reverse discrimination policy was lowering educational standards and undermining faculty quality, and that it results in universities "playing musical chairs" as they pirate the limited number of minority and women faculty members from each other.

The Carnegie report further charged that some minority and women appointees do not have the proper qualifications for the university positions to which they have been appointed, and sometimes they are even paid more than white male faculty members at the same level.

Despite the impractical and unjust nature of such reverse discrimination, most colleges and universities submitted to the HEW rule, and spent large sums of money preparing statistical reports proving that they had recruited and hired the necessary women and minorities, because they dared not risk losing millions of dollars in Federal funds. This is the mighty club behind HEW regulations.

The same thing is true in police departments, which today are receiving substantial Federal funds. They feel compelled to go overboard in implementation of arbitrary Federal regulations.

In the educational field, many articulate spokesmen have emerged *against* reverse discrimination and *for* true equal opportunity. For example, the distinguished liberal Professor Sidney Hook pointed up the fallacy of

reverse discrimination with this colorful example. No one would argue, he said, that because many years ago blacks and women were denied the right to vote, we should now compensate by giving them an extra vote or two, or by barring white men from voting at all.

Another educator who has spoken out against reverse discrimination is Dr. George C. Roche III, president of Hillsdale College in Michigan, who said: "Along with the damage which comes directly through the lowering of standards, there perhaps is a more severe, long-range danger as well. We run the risk of breeding the very racism and sexism that we're trying to do away with."

In the educational field, such logical arguments finally met with success. In mid-December 1974, Peter E. Holmes, director of the HEW Office of Civil Rights, sent a memorandum to 2,800 colleges and universities terminating the policy of reverse discrimination and stating that henceforth the most qualified applicant for a job should be hired.

It is unfortunate that police departments and private industries, now intimidated by the arbitrary rulings of various Federal bureaus and courts, have not developed articulate spokesmen to plead their case for an end to reverse discrimination against qualified men.

## Discrimination Against Husbands

3) The women's lib movement is making a concerted drive on men in their role as family provider. The women's libbers are aggressively pushing to make it illegal for any employer to give any job preference to a husband and father supporting a family. This tactic is made clear in the contract that the National Organization for Women (NOW) forced WXYZ-TV in Detroit to sign, and which is similar to other contracts NOW is trying to force on other employers. This contract calls for eliminating from employment applications all reference to

**"marital status, number of children, height, weight, and number of persons dependent upon the applicant for support, nor will the above factors be considered as criteria for employment."**

This is clear and cruel discrimination (especially in a time of high unemployment) against a husband and father trying to support his family. The official book of resolutions published by the National Organization for Women, called *Revolution: Tomorrow is NOW*, gives additional documentation on the women's lib goal to discriminate against husbands and fathers supporting their families:

**"That NOW call on the EEOC to issue an immediate ruling prohibiting applications that require information on sex, including given name of applicant, and that NOW demand that the EEOC prohibit questions concerning marital or parental plans or status . . . from pre-employment inquiries of any sort." (Page 2)**

Under women's lib demands today, employers are being forced to hire and train an inexperienced single girl with no dependents, in order to achieve some enforced quota, rather than a more qualified married man with one to eight dependents. The employer otherwise faces charges of discrimination brought by EEOC or by the battery of high-priced lawyers hired by the women's lib movement. Faced with costly litigation, most employers are acquiescing in reverse discrimination against a man's right and ability to fulfill his role as provider, and against the right of his wife to be a full-time homemaker.

The Equal Rights Amendment will not go into effect unless and until 38 states ratify it -- so E.R.A. did not cause the employment inequities described above. These inequities have been largely caused by the

women's lib movement. So long as we don't tie ourselves up with the constitutional noose called E.R.A., our legislative and judicial system offers many alternative remedies to these problems. If E.R.A. is ratified, however, we will be stuck with endless mischief and nonsense because, as part of the Constitution, it will be the "supreme law of the land."

## Attack on Veterans

The women's liberation movement despises veterans and is working hard to eliminate all veterans' preference from every aspect of our laws, job opportunities, and educational system. It is not clear whether this animosity stems from the women's libbers' dogma that men are their natural enemies, or from the fact that most veterans are men, or from a dislike of anyone who has served in defense of our country.

In any event, the foremost women's lib organization, the National Organization for Women, is working hard to abolish all veterans' preference. This policy is clearly set forth in three separate places in NOW's official book of resolutions called *Revolution: Tomorrow is NOW*:

**Page 1: "That NOW oppose any state, federal, county or municipal employment law or program giving special preference to veterans."**

**Page 2: "NOW has continually opposed law giving preference to veterans, its most recent effort being directed against the Emergency Employment Act of 1971. These laws continue on the books, largely because of the strong influence of veterans organizations."**

**Page 4: "That NOW oppose any state, federal, county, or municipal employment law or program giving special preference to veterans."**

This vindictive attitude toward the men who have sacrificed so much and served so gallantly in defense of our country is clear proof of the desire of the militant women's libbers to use political pressure to hurt men. If E.R.A. is ever ratified, the women's libbers will push to invalidate veterans' preference on the ground that it is "sexist" because it benefits mostly men.

## Men's Lib or Men's Trap?

E.R.A. has sometimes been called a men's lib amendment. It is true that it will provide some liberation for the offbeat and the deadbeat male -- that is, to the homosexual who wants the same rights as husbands, to the husband who wants to escape supporting his wife and children, and to the coward who wants to get out of military service by giving his place to a woman.

But E.R.A. is tremendously hurtful to the overwhelming majority of men who are decent, law-abiding, moral, and family-oriented. It will cost them higher taxes, loss of jobs for which they are qualified, loss of personal fulfillment as provider and protector of their families, and loss of the essential right of a husband to establish a home and name his children.

Some men have the idea that, if they acquiesce in the E.R.A., the women's lib movement, having achieved its rhetorical goal, will quietly fade away. Nothing could be further from the truth. E.R.A. is only the first step for the women's lib movement. If men are too meek to say "no" to such a fraudulent amendment, it will be a thousand times harder to stop the momentum of the radical forces determined to destroy the family, degrade and humiliate men, and force all women out of the home and into the work force, thereby providing more tax dollars for Big Government to regulate our lives from Washington, D.C.

GLOBE-DEMOCRAT PUBLISHING CO.

12th of Delmar, 63101. Published Daily, Monday through Friday, and Weekend 342-1212

G. DUNCAN BAUMAN, Publisher

GEORGE A. KILLENBERG, Managing Editor

MARTIN L. DUGGAN, Editorial Page Editor

BEN MAGDOVITZ, Advertising Director

The Globe-Democrat is an independent newspaper printing the news impartially, supporting what it believes to be right and opposing what it believes to be wrong without regard to party politics.

### DEFEAT ERA

"The provisions of this article shall not impair any of the laws which exempt women from compulsory military service, or from service in combat units; or which extend protection or exemptions to wives, mothers, or widows; or which impose upon fathers responsibility for the support of children; or which secure privacy to men or women, or boys or girls, or which make punishable as crimes rape, seduction, or other sexual offenses."

The above is NOT part of the proposed Equal Rights Amendment. Offered by then-Sen. Sam J. Ervin Jr., an acknowledged expert on the Constitution, the modification was defeated. This action reveals as much as anything what the sweepingly broad ERA as presented for ratification would mean.

The Equal Rights Amendment makes no exemptions or exclusions whatsoever for different treatment of the two sexes. It says only that "equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex." Equality is absolute, total, unalterable for all time. What is good or bad for one sex is legally good or bad for the other, and lawmakers would be forbidden from ever distinguishing between the two on any matter.

Therein lies the fatal flaw of ERA. Laws can give preference by race (by providing special consideration for minority groups). They can give preference by age (such as not allowing 17-year-olds to vote or 60-year-olds to collect Social Security). They can give preference by class (through programs for low-income groups, for example). But sex would be the sole category in which preference, or added burdens, could not be conferred by the elected representatives of the people, within the limitations of the U.S. Constitution. Again, the exclusion is total.

☆ ☆ ☆

**THERE WOULD BE NO QUOTA** on women in the armed forces. In the event of a draft, women would be called up equally as men, and mothers could be excluded only if fathers were. Women would serve equally in combat divisions. The argument that Congress already has the power to draft women is a poor one, since Congress is so chauvinistically inclined that it would never actually decree what ERA says must be decreed.

Under ERA, there could be no excursions on ANY athletic team. No public institutions could be exclusively for men or women or boys or girls. There could be no prohibitions on any job whatsoever (such as prison guard or fashion model) for either sex, nor protective labor laws for women engaged in manual labor. Distinction in payment dates for Social Security would be outlawed, with the likely result that the benefit age for women would be raised to 65 rather than the age for men be lowered to 62.

No organization that performs a public function could be single-sex, no distinction can be made in the age of consent, no provision for maternity leave could be granted without a comparable provision for paternity leave. The husband and wife would be equally responsible for support of their family, and although the wife's role as homemaker may be considered, what of the non-worker or low wage earner who does little housework? Alimony laws would change, child support laws would change, inheritance laws would change, etc.

The repercussions of the amendment would be awesome. It would open a Pandora's box. But it would, as supporters claim, provide equality — a doctrinaire equality. Women supporters are ready to accept the mixed bag of burdens and new privileges that the amendment would give — to go to war or to work, to give up Social Security privileges or advantageous family-related laws. But many other women want to keep their current rights and their current responsibilities.

Ironically, the area of discrimination that causes the greatest concern, equal pay for equal work, would be unaffected by ERA since it is covered already by the Equal Employment Opportunity Act of 1972 and the Civil Rights Act of 1964.

Is ERA needed? Obviously, some discriminatory laws that are generally accepted as unreasonable exist. But these laws can be changed by Congress or the legislatures. Many have been. If they are unconstitutional, they can be changed by the Supreme Court. The 14th Amendment states, "No State shall make or enforce any law that shall abridge the privileges or immunities of the citizens of the United States; nor shall any state . . . deny to any person within its jurisdiction the equal protection of the laws." Are women "citizens" and "persons"? ERA already exists, to the extent it needs to, in the form of the 14th Amendment.

☆ ☆ ☆

**IN RECENT YEARS** the U.S. Supreme Court has cited the 14th Amendment in striking down laws that unreasonably distinguished between the sexes. For example, it struck down an Idaho law giving men preference over women for appointments as administrators of estates, and voided an Illinois law which denied unwed fathers the fitness hearings granted to all other parents, including unwed mothers. State legislatures and Congress have changed laws that were generally accepted as being unreasonably discriminatory.

ERA, of course, changes all distinctions, including those that a majority find reasonable and proper. Just as there should be some laws giving preference by age or class or race to provide protections that are accepted as valid, there should be some latitude by sex — in combat assignments and armed forces composition if nothing else. But the incredibly broad ERA allows no quarter.

There are adequate remedies under the 14th Amendment, the Supreme Court, Congress and the state legislatures to solve any abuses of differentiation between the sexes that cry out for correction. Ultimately ERA would only take away differentiations that courts, legislators and congressmen found reasonable and desirable, and that were enacted (or not repealed) by the elected representatives in response to public pressure.

Thirty-three states have ratified ERA — 11 of them within three weeks of passage by Congress, before the states had any comprehension of what the bill would do. Hawaii ratified two hours after the vote by Congress. Two states of the 33 have repealed their ratification.

Missouri and Illinois are two key targets for ratification this year. The legislators of both states should reject this doctrinaire, sweeping harmful amendment.

### 'Don't Just Stand There—Open the Door for Us'



### THE MAIL BAG:

#### U.S. will be 'in deep trouble' if ERA ratified

Women of America will be in deep trouble if the Missouri and Illinois legislatures join five more states to approve the so-called Equal Rights Amendment.

National spokesmen on both sides of the ERA issue agree that ERA has nothing to do with equal pay for equal work, since that is already covered by three federal laws, and that ERA would forcibly draft women on an equal basis with men, with an equal chance to become a POW.

The state of Virginia rejected ERA because ERA would "impose further obligations on women, rather than accord them further rights". Virginia's official Task Force Report proves there are no advantages for women in

ERA and there are many disadvantages.

The latest national poll by the National Inquirer reports



ed that 86 per cent of American women are opposed to the ERA. If most women are

against the ERA, then why is the ERA propaganda machine supported by money taken from state and federal treasuries? Isn't that against the law? And why is ERA supported by \$288,000 from the radical Rockefeller Foundation?

It is time to stop ERA in Missouri and Illinois. Send letters opposing ERA to your state representatives and state senator. Do it now while there is still time.

SHEILA EBERS  
New London

### The Phyllis Schlafly Report

Box 618, Alton, Illinois 62002

Published monthly by Phyllis Schlafly, Fairmount, Alton, Illinois 62002.

Second Class Postage Paid at Alton, Illinois.

Subscription Price: For donors to the Eagle Trust Fund -- \$5 yearly (included in annual contribution). Extra copies available: 15 cents each; 8 copies \$1; 50 copies \$4; 100 copies \$8.