

PATRICIA ARQUETTE JUDICIARY COMMITTEE HEARING ON THE ERA
OPENING STATEMENT

Thank you Chairman Nadler, Chairman Cohen, Ranking Members Johnson, and Collins, and Congresswomen Speier and Maloney for your tireless work on the ERA and to the members of the committee. I come here not as a constitutional lawyer but as a citizen. As an American woman to advocate for what I feel is critical for our country. I come with good will and the faith that when we examine the reality of- American women today and remember the historic injustices women have faced in our country, we will all feel compelled to do what we must to ensure that women are afforded every legal right and equal protection in our country. ~~Women~~ have waited for 232 years to be enshrined as full and equal citizens – Why? Because in 1787 Women were left out of the Constitution – intentionally.

While the Constitution says nothing about deadlines for amendments, Congress put a deadline on the Equal Rights Amendment when it was passed in 1972.

I am here to appeal to you to remove the 1982 deadline placed by Congress on ratification of the ERA.

Just because women didn't achieve full equality in America in 1787 or by 1982 doesn't mean they shouldn't have it today. There is a groundswell in this country.

Women are being elected in record numbers. Women are rising up by the millions and saying they will not be sexually assaulted. They will not be paid less. They will not be treated as subhuman and their voices WILL be heard.

Some people think women do have constitutional protections because of the 14th amendment. But when asked about this, Supreme Court Justice Antonin Scalia said – “Certainly the constitution doesn’t require discrimination on the basis of sex, the question is whether it prohibits it. It doesn’t. “

So a recent Supreme Court justice interpreted the Constitution saying it did not prohibit discrimination on the basis of sex. Whether you agree with him or not, the fact remains that this is how a recent Supreme Court Justice interpreted women’s rights in the Constitution. That is why we need to amend the Constitution and leave no room to question if women have full Constitutional equality. Because Womens protections can not be left to interpretation alone.

Let’s look at the treatment of Women in America today. These are our present day truths. They are not antiquated horrors we have to search for in history books. And these things are happening to both Democratic and Republican Women-

In America in 2019 there are estimated hundreds of thousands of untested rape kits. Only half of our states mandate the timely testing of the evidence contained in these rape kits.-Many victims are- billed for the collection of this evidence.

Countless emergency rooms and hospitals don't even have trained staff to collect evidence in rape kits. Even though it's estimated ¼ of women in America will be raped in their lifetime. In some states In America *today* women can be forced to co-parent with their convicted rapists. And incarcerated pregnant women can be forced to give birth while shackled to beds.

We have the only rising maternal mortality rate in the developed world.

American women, especially African American, Latina, and Native American Women, are dying of pregnancy-related complications here, in the wealthiest Nation on Earth -

We know that the gender pay gap is having devastating consequences for women and their families especially for women of color. We know that in 98 percent of all jobs women are paid less. According to the Census Bureau, 4 million Women over 65 years old are living in poverty But if we had equal pay, more than 2.5 million children with a working single mother would be lifted out of poverty

These are just a few examples of how systemic bias against women is expressed in America. Why? Because women do not hold the same value as men in this country. That was true in 1787, it was true in 1982, and it's true in 2019.

I hope by now we are all ready to make women's equality a bedrock American value by enshrining it in the U.S. Constitution. I hope we are ready for our mothers, daughters, sisters, and friends to have full equal rights. Why didn't women achieve full Constitutional equality in 1787, or in 1982? Because the country wasn't ready?

Well I hope you are ready now.

Women have been waiting 232 years for equality and this country has failed them. Legislators have blocked the passage of The Equal Rights Amendment for decades-

We are done waiting.

Thank you.