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**The Era of the ERA: Defining Liberal and Conservative Equality through the Fight for the
Equal Rights Amendment in New York**

An honors thesis presented to the
Department of History
University at Albany, State University of New York
in partial fulfillment of the requirements
for graduation with honors in History
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graduation from The Honors College

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Abstract

The Equal Rights Amendment was first proposed by suffragist and life-long feminist Alice Paul in 1923 and it intended to create equality of the sexes under the law. It was passed by Congress in 1972, but ultimately was not ratified by enough states. During that time was second-wave feminism, a movement that claimed to seek out equality but had a divisive nature. This thesis looks at how the fight for the Equal Rights Amendment in New York during the 1970s and 80s helped shape the definition of equality for each side of the newly polarized political spectrum. The bulk of my sources consisted of the New York chapter of the National Organization for Women's papers on the ERA, the Conservative party of New York's papers on the ERA and Barbara Keating's 1974 senatorial campaign, and articles from New York newspapers. By focusing on case studies in New York and how they represent a larger picture, I will show how the women fighting for and against the ERA redefined the way equality was understood.

Equality to the people fighting for the ERA looked for not only the erasure of disadvantages, but for the awarding of privileges to both sexes. Equality to the people fighting against the Equal Rights Amendment was starkly designed by the privileges each sex experienced – men experienced privileges like higher pay and women experienced privileges like exclusion from the draft. Equality was the privilege that Barbara Keating described women as having, like being able to stay home and rule the domestic sphere, and men on the flip side had the privilege of things like higher pay. Equality to the conservatives meant not equal but a balance of privileges, whereas the liberal definition of equality was an unending fight for equity that exemplified by the fight for the Equal Rights Amendment in New York during the 1970s and 80s.

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Introduction

It was 1923, three years after American women gained the right to vote. They did not just passively gain this right, though, they rallied for it. They fought for it, suffered for it, and earned themselves a bite of equality. For some women, this one bite was enough. Women like Alice Paul, a pioneer for the women's suffrage movement, became hungry for more. Seventy-five years after Elizabeth Cady Stanton and Lucretia Mott demanded women's suffrage at the first Women's Rights Convention in Seneca Falls, New York, Alice Paul stood in the same spot and made a new demand. Alice Paul demanded a federal amendment that wrote equality into the framework of the U.S. Constitution.

This amendment would, at times, be referred to as "The Alice Paul Amendment" but is more popularly known as the Equal Rights Amendment. As proposed by Alice Paul, the ERA stated, "Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction." The amendment was later revised in 1943 and has since appeared as, "Equality of rights under the law shall not be abridged by the United States or by any State on account of sex."¹ The amendment, save for the slight alteration, did not make much progress for

¹ The Equal Rights Amendment was first proposed by Alice Paul in the 1920s but reemerged in the 1960s with second wave feminism. The law was intended to make people equal based on sex in the constitution. In 1972, the Equal Rights Amendment was passed by congress after extensive lobbying by its supporters, most notably the National Organization for Women. The amendment was originally given a seven-year period to get ratification by 38 states. At the end of the seven-year period, only 35 states had ratified the Equal Rights Amendment and the period was extended three more years. No more states ratified that amendment in the three extra years. By the time the period ended, the goals of the Equal Rights Amendment had been completely confused by its opposers and only 35 out of the 38 necessary states had passed the amendment. New York State was the sixteenth state to pass the Equal Rights Amendment and has, in recent times, reexamined the state's amendment to be inclusive. They have expanded it to cover the rights of the LGBT community as well as the disabled community. Articles like Erin M. Kempker, "Coalition and Control: Hoosier Feminists and the Equal Rights Amendment," *Frontiers: A Journal of Women Studies* 34, no. 2 (2013): 52–82 discuss the political strategies that were implemented, including the encouragement of feminists to provide a homogenized front despite the divisive nature of the movement they were participating in. This discusses the ultimate success of this process in Indiana, bringing to question how much of the fight for Equal Rights Amendment, on both sides, was little more than strategic manipulation. Different aspects and misconceptions were discussed in Karma Chavez, Yasmin Nair, and Ryan Conrad, "Equality, Sameness, Difference: Revisiting the Equal Rights Amendment," *Women's Studies Quarterly* 43, no. 3/4 (2015): 272–76 questioning the difference between equality and sameness. It refutes the idea that equality does not mean sameness, saying it perpetuates the conservative idea that feminism is useless because women and men are inherently different. There

the next forty years after it was proposed, despite it being presented to Congress each and every one of those years. The amendment gained its traction with the emergence of second-wave feminism in the 1960s. Second-wave feminism was often divisive and messy.² The goal of second-wave feminism was broad and unclear. One woman's fight for equality could mean nothing to another woman. The fight for equality meant completely different things for people of different races, socio-economic backgrounds, sexualities, generations, etc. For example, a middle-class white woman would not have to worry about class discrimination like a poor woman would or racial discrimination as a minority would. These disparities, as scholars have

was an incredible wealth of arguments for and against the amendment, from within and outside of feminism and from within and outside of sex. Shelly Eversley and Michelle Habell-Pallan, "Introduction: The 1970s," *Women's Studies Quarterly* 43, no. 3/4 (2015): 14–30 the relevance of the Equal Rights Amendment today, mentioning how it interacts with the LGBTQ+ community. This is particularly relevant to my paper, as New York State's Equal Rights Amendment has recently been updated to be inclusive of the LGBTQ+ community and the disabled community.

² The base of second-wave feminism is most often tied to feminist writings like Simone de Beauvoir's *The Second Sex* (New York: Knopf, 1957) and Betty Friedan's *The Feminine Mystique* (New York: Dell PubCo, 1963). The latter denied any affiliation with the former to make her work more appealing to white middle class women according to Stephanie Coontz, *A Strange Stirring: The Feminine Mystique and American Women at the Dawn of the 1960s* (New York: Basic Books, 2011), both of which concerned the treatment of women and their place in society. Because of Friedan's targeted audience for the text that is often credited for pushing the start of second wave feminism, it is an inherently divisive feminism. The goal of the second wave feminists was less clear and more divisive than the goals of their predecessors - they wanted overall equality. To different women, this meant different things. The differences are highlighted well in monographs like Marjorie Julian Spruill, *Divided We Stand: The Battle over Women's Rights and Family Values That Polarized American Politics* (New York: Bloomsbury, 2018), Nancie Caraway, *Segregated Sisterhood: Racism and the Politics of American Feminism* (Knoxville: University of Tennessee Press, 1991), Benita Roth, *Separate Roads to Feminism: Black, Chicana, and White Feminist Movements in America's Second Wave* (Cambridge, UK ; Cambridge University Press, 2004)... All these works highlight the disparities within feminism between different races, classes, ages, and radicalism. Sarah M. Evans, *Tidal Wave: How Women Changed America at Century's End* (New York: Free Press, 2003) boasts the claim of feminism as a bridge between ideological and strategic differences, though an enormously difficult bridge that, overall, was never very successfully crossed in the time of second wave feminism. Evans also discusses the implications of the word "feminist" at the time and how women shied away from it due to the extreme man-hating connotation it came with. These texts explain the overall lack of success of the movement largely because of a lack of *one* solid movement. Equality meant different things to different people. There were different categories of movement including the Black feminist movement, the Chicana feminist movement, the labor feminist movement, the white feminist movement, etc. Within each of these subcategories of second wave feminism was more divisiveness and conflicts. By the end of the movements, the main characters of the movements were often radicalized and pushing out women who were not radical enough for their tastes. A large way in which women gained credibility and *did* successfully convince the world of what they were trying to sell (for the sake of this thesis, the Equal Rights Amendment) by providing their audience with a view of a united front even when there was not one. Articles like Ruth Bader Ginsburg, "The Need for the Equal Rights Amendment," *American Bar Association Journal* 59, no. 9 (1973): 1013–19 and Eleanor Holmes Norton, Barbara Allen Babcock, and Marguerite Rawalt, "Impact of the Equal Rights Amendment," *Human Rights* 3, no. 1 (1973): 125–54 discuss the legal side of things and how the courts disregard justice by not treating citizens equally, arguing for the lawful need of the Equal Rights Amendment.

examined in depth, ensured that no universal goal could be made or met. Despite many attempts, bridges were never made between these disparities. Feminists of the time struggled to portray their movement as homogenous in an attempt to make feminism seem more appealing, ignoring the different kinds of feminism at the time in favor of the illusion of unity.

Opposing second-wave feminism was anti-feminism, a movement largely promoted by women.³ The most well-known example of this was Phyllis Schlafly's grassroots movement, STOP ERA. This movement perpetuated ideas of the ERA disrupting women's lives and stripping them of any protections associated with their femininity. It represented the generational, class, and racial barriers that bred conservatism and opposition to the Equal Rights Amendment. Despite the relative success of this conservative movement in stopping, or at the very least stalling, the ERA, there is relatively little scholarship on the anti-feminists of the 1970s and 80s. This begs the question: who got to write the history of second-wave feminism and of the fight for the Equal Rights Amendment? Often, the women who became academics and

³ While second wave feminism can be looked at through the lens of the divisions between the women within it, women that completely opposed it can also be seen. The largest antifeminist movement led against the Equal Rights Amendment was the grassroots movement STOP Equal Rights Amendment, created by notorious antifeminist Phyllis Schlafly. Though the Equal Rights Amendment's most prominent opponent was Phyllis Schlafly, there were also women fighting to stop the Equal Rights Amendment through other means. This includes New York politicians such as Barbara Keating. The monographs Michelle M. Nickerson, *Mothers of Conservatism: Women and the Postwar Right* (Princeton: Princeton University Press, 2012) and June Melby Benowitz, *Challenge and Change: Right-Wing Women, Grassroots Activism, and the Baby Boom Generation* (Gainesville: University Press of Florida, 2015) focuses on what led to the antifeminism movement, including generational and ideal barriers. There is a lot less scholarship on antifeminism than on feminism in the 1970s and 1980s, though the little scholarship that there is seems to have picked up relatively recently. A lot of the generational barriers discussed comes from a complete disruption of society and culture as the newer generation experiences seemingly unending wars and wars that may have only ended with the world. It seems important to note that the limited amount of scholarly monographs I found focusing on antifeminism in this time period tended to be fairly recent. Articles like Rita E. Hauser, Mort Furay, and Adele T. Weaver, "The Equal Rights Amendment," *Human Rights* 1, no. 2 (1971): 54-8 written by conservative Texas politicians, express another reason for people to ignore the Equal Rights Amendment, if not directly oppose it - the authors put forth a claim that the Equal Rights Amendment was not necessary and would not, in fact, guarantee equal rights. It also played on some common worries at the time, citing the fact that equality meant the ability to draft women. Beyond conservatism as an opponent to feminism, the amendment was originally opposed by one distinct type of feminist - labor feminists. Labor feminists sought to keep the Equal Rights Amendment from passing because they viewed the amendment as a movement against all the laws they worked to have put in place specifically to protect them based on their sex.

the voices of this subject were from the feminist movement. The anti-feminist belief of women belonging in the domestic sphere limited the reach of anti-feminists outside of the domestic sphere and in the academic one. This tends to skew the modern view towards feminism as the prominent ideology of the time, but it may be the case that the feminist voices just ended up louder.⁴

Anti-feminists were not opposed to the ERA because they did not believe in equality, but because they believed that the ERA would take away protections and freedoms that they already had. Opposition to the ERA went outside the realm of anti-feminism on the same basis: labor feminists, who supported women's rights, opposed the ERA because their fight was for protective legislation that the ERA could have erased.⁵

In 1975, on the campus of the State University of New York at Albany, a flier was posted. "Do you think that the Equal Rights Amendment," it starts, before switching to a harsher font comprised completely of capital letters, "**WILL DESTROY THE AMERICAN FAMILY, LEGALIZE RAPE, SEND MOTHERS INTO COMBAT, REQUIRE UNISEX BATHROOMS, AND FORCE HOUSEWIVES INTO ROLES THEY DON'T WANT?**"⁶ The flier indicated that those interested in learning more about the amendment should attend a meeting held by the National Organization for Women Schenectady chapter. The National Organization for women was and is a liberal feminist organization based in the United States and founded in 1966. Their flier begs a couple of questions: what were the true intentions of the

⁴ Michelle M. Nickerson, *Mothers of Conservatism: Women and the Postwar Right* (Princeton: Princeton University Press, 2012).

⁵ Robert Sherrill, "That Equal-Rights Amendment What, Exactly, does it Mean?: The Equal-Rights Case shows what can be done in "almost Total Ignorance" that Equal-Rights Amendment does Ervin Stand a Chance of Stopping Or Even Delaying the Amendment? it's a Long Shot," *New York Times (1923-Current File)*, Sep 20, 1970, <https://search-proquest-com.libproxy.albany.edu/docview/117923694?accountid=14166>.

⁶ Presentation for NOW Schenectady Meeting, "Presentation of the E.R.A.," 1975, ua950.002, Box 10, Folder 62, General Reference Collection, M.E. Grenander Archives, Albany, New York.

Equal Rights Amendment? If it was created as a levelling agent, to introduce equality to the Constitution, what was this equality to be defined as and who had the power to define it?

The flier simultaneously conveyed the fight for and against the Equal Rights Amendment, showing the liberal hopes and the conservative worries that came with creating a new way to define equality. The intentions of the ERA as propagated by anti-ERA activists was not just about misconceptions, but about perception. This poster shows that the anti-ERA movement was concerned with the disruption of gender roles and privilege, as well as a loss of protection from men and laws. There was no singular meaning of the word “equality.” To some, a mixture of gender roles and privilege was how equality was defined. Equality was two sides of a scale, with men’s freedom and public responsibilities on one side and women’s protection and public limitations on the other. Equality was, to conservatives, a balance of power. Women were to control the domestic sphere, and men were to control the public sphere. But liberals defined equality differently. For them, equality was found not through sameness, but through equity.⁷

My thesis examines the feminists and the anti-feminists that fought for and against the ERA respectively and argues that the fight for the Equal Rights Amendment played a role in shaping the liberal and conservative definitions of equality. My examination of the fight and the redefinition of equality will be limited to New York, but New York consistently led the nation in the fight for women’s rights, starting in Seneca Falls in 1848.

In the National Organization for Women’s papers, I found an expansive definition of equality that was meant to reflect and build upon the fight the suffragists made. In 1970, the National Organization for Women set out to describe exactly how they defined the ERA and sent it out to all of their chapters, stating “Equal treatment can be accomplished either by extending

⁷ Karma Chávez, Yasmin Nair, and Ryan Conrad, “Equality, Sameness, Difference: Revisiting the Equal Rights Amendment,” *Women’s Studies Quarterly* 43, no. 3/4 (2015).

the law which applies only to one sex or to the other sex, or by rendering the law unconstitutional as denying equality of rights to one sex,” showing that it would eliminate privileges by awarding them to all. The fight for the Equal Rights Amendment revealed competing definitions of equality. Liberals saw equality as an unlimited quantity to be tapped into and awarded without discrimination. Yet, it was abundantly clear that pro-ERA activists fought for their version of equality largely within the realm of white feminism. The ERA was, to them, quite separate from any other form of discrimination. Equality was defined as unlimited but was limited to gender equality.⁸

Shown through Barbara Keating, a New York Conservative politician, and her 1974 senatorial campaign, gender equality to the conservatives meant seeing each gender thrive under specific, rigid roles. Barbara Keating, according to newspaper articles found in the conservative Party’s papers, argued that women were better than equal because they lived in a stance of privilege and that gender roles could not be changed because men would come unhinged (and become dangerous to women). She and her party thought that equality had already been realized and the ERA would simply be messing with the balance of privileges maintained between the sexes. In conservative eyes, the liberals were continuing a fight for equality that had long since been achieved.⁹

Equality to the people fighting for the ERA looked for the erasure of disadvantages, not by erasing privileges but by making them inclusive to both sexes. The exclusivity of these privileges was essential to the conservative definition of equality. Equality was the privilege that

⁸ “The Equal Rights Amendment - What It Will and Won’t Do,” NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

⁹ “Mrs. Keating Hits ERA,” Conservative Party of New York, M.E. Grenander Department of Special Collections and Archives, Albany, New York.

Barbara Keating described women as having, from being able to stay home from to draft to not having to work. Men, conversely, had the privilege of things like higher pay. Equality to the conservatives meant not equal but “balanced.” The liberal definition of equality animated an unending fight that would continue until disadvantage was eradicated.

Defining Liberal Equality

In 1972, the ERA was passed by Congress after extensive lobbying by its supporters, most notably the National Organization for Women (NOW). The amendment was assigned a seven-year deadline to achieve ratification by 38 states, which was later extended for three more years. But by June 30, 1982, only 35 states had ratified the amendment. The amendment, it seemed, had lost its momentum.¹⁰

Feminists of the time had to overcome racial/class/generational differences and had to merge fights against different forms of oppression, so it is easy to see where the fight and definitions of equality could diverge. However, in the span of one year, they managed to convince 30 states that the ERA was the definition of equality they should be aiming for. While 30 states may not have been enough for the federal amendment to pass, it was still significant that over half of the states decided that this amendment was worth their time, despite the divisive nature of second-wave feminism. The feminist groups had a lot of downfalls. They could not always portray a united front and people often could not see past their preconceived notions of

¹⁰ “THE EQUAL RIGHTS AMENDMENT: RATIFICATION AND THE SEVEN-YEAR REVISION,” NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

feminism and the ERA. However, the feminist groups united in fighting for the ERA were influential enough to define equality at the time for over half of the states in America.

The Republican party's platform in the years between 1956 and 1960 included a version of the Equal Rights Amendment. But they dropped any mentions of it between 1964 and 1968. The Democratic party did not include it in their platforms 1964 or 1968 either. Before the ERA was passed by Congress in 1972, men on both sides were proposing, for a lack of better wording, amended amendments. The Democratic Senator Sam Ervin of North Carolina, in 1970, proposed a version of the amendment that would keep protection for women as well as protect their place in the domestic sphere. At the same time, Ervin's conservative contemporaries proposed amending equality of the sexes under the Constitution by tacking on a couple words about it at the end of the fourteenth amendment. Despite the conception that the Equal Rights Amendment had a long-standing relationship with liberalism, many liberal politicians were against or apathetic to the amendment. Ervin grounded his opposition to the ERA in the argument that making men and women equal would give rapists the right to appeal their cases as discrimination because laws and punishments had been made to specifically punish the rape of women.¹¹ When a passerby read the poster hanging at the University at Albany and saw "**LEGALIZE RAPE**" in large, bolded letters, it minimized a legitimate concern.¹² It diminished the notion that concerns like these were genuine and did not always come from a place of menace toward women, like in the case of Senator Ervin's concern regarding the possibilities of rapists going free. Senator Ervin may have wanted to write gender roles into the Equal Rights Amendment, but at least a

¹¹ Robert Sherrill, "That Equal-Rights Amendment What, Exactly, does it Mean?: The Equal-Rights Case shows what can be done in "almost Total Ignorance" that Equal-Rights Amendment does Ervin Stand a Chance of Stopping Or Even Delaying the Amendment? it's a Long Shot," *New York Times (1923-Current File)*, Sep 20, 1970, <https://search-proquest-com.libproxy.albany.edu/docview/117923694?accountid=14166>.

¹² Presentation for NOW Schenectady Meeting, "Presentation of the E.R.A.," 1975, ua950.002, Box 10, Folder 62, General Reference Collection, M.E. Grenander Archives, Albany, New York.

small portion of his concerns *were* legitimate. No one could have predicted how the amendment would impact cases and laws.¹³

Women, excluding the radical and revolutionary, answered polls excluding any true interest in the Equal Rights Amendment. Despite the apparent complacency - by women over 16 - Congress recognized women as a force to be reckoned with. While many members of Congress were unmoved by the ERA and expressed concern more with sustaining domesticity than with equality, their indifference soon turned into unrest. "The force of the Congressional fidgets is obvious," Robert Sherrill wrote in a newspaper article about the ERA published in 1970, within a year of its passage. Sherrill asserted the claim that the Women's Liberation movement caused members of Congress to become uneasy. "For 47 years," Sherrill wrote, "ever since ratification of the 19th amendment gave women the right to vote, militant feminists have been trying to write into the Constitution something that would force the courts to recognize all their rights as being on par with men's."¹⁴ Perhaps the women's groups and feminist groups were divisive, but Congress knew better than to deny them and, in the process, unite them. The army of women fighting for the ERA may not have garnered ratification from thirty-eight states, but they got awfully close for something people had previously responded to with relative indifference.

The supporters of the Equal Rights Amendment had lost the legislative fight but *won* a cultural battle. Thirty states ratified the ERA in the year after it was passed by Congress, and New York was one of them. Divisions aside, the ERA gained quick traction and support from

¹³ Robert Sherrill, "That Equal-Rights Amendment What, Exactly, does it Mean?: The Equal-Rights Case shows what can be done in "almost Total Ignorance" that Equal-Rights Amendment does Ervin Stand a Chance of Stopping Or Even Delaying the Amendment? it's a Long Shot," *New York Times (1923-Current File)*, Sep 20, 1970, <https://search-proquest-com.libproxy.albany.edu/docview/117923694?accountid=14166>.

¹⁴ Robert Sherrill, "That Equal-Rights Amendment What, Exactly, does it Mean?: The Equal-Rights Case shows what can be done in "almost Total Ignorance" that Equal-Rights Amendment does Ervin Stand a Chance of Stopping Or Even Delaying the Amendment? it's a Long Shot," *New York Times (1923-Current File)*, Sep 20, 1970, <https://search-proquest-com.libproxy.albany.edu/docview/117923694?accountid=14166>.

many states. Fifty years after Alice Paul stood at Seneca Falls and proposed the amendment, the fight for the ERA came to fruition in the state of New York.

While New York passed the ERA, the struggle continued. The fifty-year struggle for the ERA had quickly gained momentum and succeeded in New York before slowing down nationally. New York passed it the Equal Rights Amendment, but the nation did not. New York then found itself intertwined with the federal fight. To those fighting for the Equal Rights Amendment, the amendment was not something that was satisfactory if it existed within the boundaries of their state.

In an article about Alice Paul, the Marilyn Bender discussed feminism. Bender asserted that “feminism has always seemed visionary. It has always swung from revolutionary to reaction, propelled on spasmodic bursts of energy toward astonishing achievement before subsiding into compromise and indifference,” and that idea was simultaneously true and dangerous.¹⁵ The Equal Rights Amendment had quickly gained speed and just as quickly lost it. The fight for the ERA did not have the endurance to continue at that speed and fizzled out under the pressure of time and the anti-ERA movement. It began as revolutionary but stagnated before the ten-year deadline had even passed.

There were some claims that the ERA would not have a revolutionary effect. Congresswoman Martha Griffiths of Detroit, the woman that initiated the success of the Equal Rights Amendment in Congress in 1972, contradicted this idea.¹⁶ Her theory was that the ERA would, at the very least, prevent rights from contracting. If equality of the sexes “is enacted into

¹⁵ Marilyn Bender, "Liberation Yesterday-the Roots of the Feminist Movement," *New York Times* (New York, New York), Aug 21, 1970.

¹⁶ Robert Sherrill, "That Equal-Rights Amendment What, Exactly, does it Mean?: The Equal-Rights Case shows what can be done in "almost Total Ignorance" that Equal-Rights Amendment does Ervin Stand a Chance of Stopping Or Even Delaying the Amendment? it's a Long Shot," *New York Times (1923-Current File)*, Sep 20, 1970, <https://search-proquest-com.libproxy.albany.edu/docview/117923694?accountid=14166>.

law and you started to go backward, started to have discriminatory laws against women, then the Supreme Court would have to stop it.”¹⁷ Even if the amendment alone could not create equality, it would solidify it. People could choose to believe if it would or would not have been revolutionary moving forward, but it would have been revolutionary because it would have given women irrefutable rights under the law.

Militant feminism is something that the National Organization for Women’s New York chapter embraced. The fight for the ratification of the ERA began during the Vietnam War (1955-1975), and perhaps the wartime attitude that came with it rubbed off on the women fighting for the ERA because these women chose to form an army. This is not just a deduction based on their actions, but something that was explicitly stated in the papers of NOW NY. In the last paragraph of a paper titled, “A Return to Militancy, Feminist Strategies for the 80s,” it is written that “BE IT FURTHER RESOLVED that NOW-NYS immediately create a Task Force on militant action.”¹⁸ The date is particularly significant, as it is nearly ten years after the amendment was passed and the New York chapter of the NOW was gearing up for battle like never before. Now, before they prepared their army for what seemed to be the final federal battle, they employed a few different tactics. Perhaps the most prominent and steady was the tactic of historical reflection, where the members of NOW studied and imitated the tactics of suffragists.

Zelle Andrews was a highly active member of NOW NY between 1975 and 1981. Her most notable position was president of the chapter. After the fight for the ERA “ended,” she spent the rest of her life continuing her feminist activism. Her presidency saw her do things like

¹⁷ Ibid.

¹⁸ “A Return to Militancy, Feminist Strategies for the 80s,” NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

lead the phonathon for the ERA not only in New York, but also in Washington D.C. Andrews may have been the chapter president in New York, but her and her chapter represented a larger picture: these women were not just fighting without knowing what they were talking about, and their historical reflections were not just them playing dress-up as suffragists. These reflections showed that the fight for equal rights did not end with the suffragists and would not end with the fight for the ERA.¹⁹

What does the historical reflection tell us about defining liberal equality? After examining how members of NOW reflected history by emulating suffragists - specifically within the realm of ERA vigils - we will see that the historical reflections emphasized that this was a new battle, but a continuation of an old war. The feminists of NOW NY, and nationally, were continuing a fight that the suffragists had started. Women dominated the realm of their politics, combating the indifference of the Senators in the 1970s with strategies and fervor. Not only did the fight for the ERA redefine equality on both sides of the political spectrum, it also ensured that women were the ones doing so.

The fight for the ERA showed a conflict between women that was not unprecedented, as women similarly fought for and against suffrage, but it did show women taking control of their own history. Women, for better or for worse, were creating their own paths, while building on the precedent's set by the suffragist's movement. They studied the suffragists and aimed to mirror them, all the way from the way they dressed to the ways they held vigils. They aimed not only to act like their predecessors, but to make "herstory" themselves for future generations to study. NOW stated that it would create a "herstorical reenactment" for future generations to look back on. "Just as we have researched what the suffragists did in 1917" Nation Co-Coordinator

¹⁹ Barbara J. Love, *Feminists Who Changed America, 1963-1975* (University of Illinois Press, 2006), 15.

Becky Cloud and Carol Pudliner-Sweeny wrote out to the chapters, “so will our sister in the future be able to see what we did in 1976.”²⁰ This showed not only that the demonstrations were intended to continue the suffragists fight, but that they had no intention of ending the fight for equal rights with the Equal Rights Amendment. That one line describing how future generations would look back on them told a story of how the members of NOW NY had formulated a definition of equality. The definition of equality was not something they saw as fixed, but rather as fluid - more a *path* than a definition. Even in 1976, while the fight for the ERA was still raging and under a deadline, its supporters knew that the fight was nowhere near over. If it were, New York could have stopped their efforts after their ratification in 1972. The vigil was moved from July 4th to July 5th in order to push it into the beginning of a new era, which was the Tricentennial of the United States.²¹ In an undated pamphlet concerning an ERA vigil, there was a quote from *The Suffragist* that stated, “One thing is plain, if women do not put their freedom first, no one else will do so.”²² They understood that, much like how the founding fathers created a definition of equality in 1776, they must now fight for their own. They did so without expressing bitterness at being left out in 1776, but with a hopefulness for what the country’s new century could bring. Or, more accurately, what they could bring to the new century.

The 1976 vigil was not the only of its kind. Two years later, in 1978, the same tactic was employed and dramatized for an ERA march in Washington.²³ A vigil was planned for exactly

²⁰ “Era Vigil at The White House, July 5 through August 28, 1976,” NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

²¹ “Era Vigil at The White House, July 5 through August 28, 1976,” NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

²² “We invite YOU to the ERA WHITE HOUSE VIGIL,” NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

²³ “New York State Citizens Will Participate in ERA March in Washington,” NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

one year after the death of Alice Paul, the women who proposed the amendment in 1923 and remained an avid feminist for the rest of her life, fighting for the ERA until she suffered a stroke three years before her death in 1977.²⁴

Whereas the physical demonstrations saw the New York chapter joining the federal fight after already succeeding in ratifying the amendment in their state, the papers of NOW NY as well as articles from the *New York Times* show a slight divergence from the National ERA fight.. Zelle Andrews explained the significance of this stance in a newspaper article in 1977, where she claimed that New York was the largest delegation fighting for three fundamental feminist positions: the ERA, safe abortions, and lesbian/gay rights.²⁵ This statement showed the president of New York's chapter of NOW disregarding NOW's directions to distance the ERA from controversial topics like abortion.²⁶ New York, it seems, was often ahead of its time. New York's ERA activists laid the foundation for a more expansive definition of equality.

“May the Best Woman Win”: Opposition to the Equal Rights Amendment

The most well-known opposition to the ERA was the national STOP ERA grassroots movement headed by Phyllis Schlafly. Schlafly stated that her stance on the ERA stems from her belief that the ERA would not benefit women but would hurt them. She noted that the ERA would not allow housewives to be supported by their husbands, allow women to be drafted, and would get rid of single-sex colleges. When an eighteen-year old college student in New York

²⁴ Dena Kleiman, "Alice Paul, a Leader for Suffrage and Women's Rights, Dies at 92: 'Silent Sentinels'," *New York Times (1923-Current File)*, Jul 10, 1977, <https://search-proquest-com.libproxy.albany.edu/docview/123091745?accountid=14166>.

²⁵ Nan Robertson, "N.Y. Delegation to Women's Conference is Decidedly Feminist," *New York Times (1923-Current File)*, Jul 26, 1977, <https://search-proquest-com.libproxy.albany.edu/docview/123140926?accountid=14166>.

²⁶ "The Equal Rights Amendment - What It Will and Won't Do," NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

questioned her opposition to the ERA, Schlafly smoothly responded, ““If you want to make your own deal with your boyfriend, fine. But why take away the right to be supported of a wife who went into marriage 30 or 40 years ago?”²⁷ Schlafly fought against the ERA with federal success at the time, yet she was a powerful woman who went to law school at age 50. She seemed to contradict herself by being educated and powerful outside of the domestic sphere, but that assertion would only be contradictory based on the misconception that smart, powerful women could not be anti-feminists. In fact, a large part of the anti-feminist movement consisted of smart, conservative women that gained power through their stances, whiteness, and conservatism.²⁸

One of those women was the 1974 conservative senatorial candidate for New York, Barbara Keating. Women shaped both sides of the ERA fight, and anti-ERA women are often ignored because of the prominence of feminist scholars who wrote the history of this time. The fight for the ERA did not define conservative equality in an abstract way. The conservative women fighting against the ERA were the ones forming this definition.

The federal conservative definition of equality, the one created by Phyllis Schlafly and her organization, aligned with that of Barbara Keating at the state level. Keating, a widow from Mamaroneck, New York, who ran for state Senator in 1974, was directly involved in politics. Her husband had died in Vietnam and Keating’s support for the war expanded her influence as a conservative politician. She was dedicated to her politics, even when they had cost her dearly.

The Conservative Party of New York had shaped and was shaped by the rise of the New Right, a movement largely attributed to William F. Buckley Jr. but also largely influenced by

²⁷ Judy Klemesrud, "Opponent of E.R.A. Confident of its Defeat," *New York Times (1923-Current File)*, Dec 15, 1975, <https://search-proquest-com.libproxy.albany.edu/docview/120670261?accountid=14166>.

²⁸ Discussion of women and conservatism found in Michelle M. Nickerson, *Mothers of Conservatism: Women and the Postwar Right* (Princeton: Princeton University Press, 2012) and June Melby Benowitz, *Challenge and Change: Right-Wing Women, Grassroots Activism, and the Baby Boom Generation* (Gainesville: University Press of Florida, 2015).

women. Buckley is often credited with beginning the ever-growing rift between liberals and conservatives. He redefined what Republicanism had become by imbuing it with conservative values, beginning with *Of God and Man at Yale*, which criticized what he believed were democratic economics under the guise of conservatism at Yale.²⁹ Women helped to create the New Right, largely through conservative grassroots movements that responded to what they considered major issues. For example, STOP ERA and Keating's Consumer Alert, which advocated markets be regulated by consumers instead of the government, were central to conservative political efforts in New York.³⁰ Whereas Buckley began his journey by criticizing economics education at Yale, the women influencing the New Right rallied around issues like morals, education, and patriotism. These were all things that Buckley and his male contemporaries ended up focusing on as well, but women did have large influence in these areas and in building the New Right that has often been neglected.³¹

In an article about the Conservative Party of New York, sometimes called "The Buckley Party," Keating was listed as an influential player in the New Right. "Another was a suburban housewife," the description began, "named Barbara Keating who had lost her husband in Vietnam and was outraged by the antiwar attitudes of her children's public-school teachers. (Keating won 16 percent of the vote against Jacob Javits in the 1974 Senate race.)"³² This shows

²⁹ William F. Buckley, *God and Man at Yale: The Superstitions of "Academic Freedom,"* Chicago: Regnery Books, 1986.

³⁰ "Display Ad 59 -- no Title," 1974, *New York Times (1923-Current File)*, Nov 04, 28, <https://search-proquest-com.libproxy.albany.edu/docview/119895103?accountid=14166>.

and Eleanor Blau, "INTERVIEW from Darien, a New View of the Consumer Battle," *New York Times (1923-Current File)*, Jan 08, 1978, <https://search-proquest-com.libproxy.albany.edu/docview/123875270?accountid=14166>.

³¹ Discussion of women and conservatism found in Michelle M. Nickerson, *s of Conservatism: Women and the Postwar Right* (Princeton: Princeton University Press, 2012) and June Melby Benowitz, *Challenge and Change: Right-Wing Women, Grassroots Activism, and the Baby Boom Generation* (Gainesville: University Press of Florida, 2015).

³² Vincent Cannato, "The Buckley Party," *Washington Examiner*, May 17, 2002, <https://www.washingtonexaminer.com/weekly-standard/the-buckley-party>.

a tie between conservatism and education - as both Buckley and Keating's reservations about the apparent liberal republicanism were rooted in political disagreements with teachings - and thus could imply a relationship between education and the Equal Rights Amendment.

Barbara Keating was tied to the conservative movement through her political endeavors, stances, and beliefs, but she was also intertwined with the Buckley family in more ways than having the same political party and similar ideals. In a paper listing Keating's endorsements and supporters during her 1974 campaign for Senator, James Buckley, elder brother of William F. Buckley and also the previous Senator, was quoted saying, "May the best woman win."³³ Keating gained political traction and support from big names, his included, and overcame the barrier that was her sex. She represented her political party so well that other male politicians were rooting for her. It is difficult to reconcile Barbara Keating's anti-ERA beliefs with her ability to dismantle gender boundaries, but it was not uncommon. While fighting against the Equal Rights Amendment, conservative women like Barbara Keating and Phyllis Schlafly made themselves powerful and equal to men

Keating also had a direct connection to William F. Buckley during her campaign. Buckley praised Keating as a candidate. He wrote "That Senate Race," the first section of which is devoted to debunking Keating's two opponents, Jacob Javits and Ramsey Clark, as legitimate candidates. "**THE OTHER CANDIDATE**," the next section begins, "is somewhat of a revelation. She is a beautiful woman, so that right away she violates a New York tabu, which steadfastly refuses to put beautiful women on the ballot." His second point was that Keating was a housewife, and third that she was a widow to a Vietnam vet that does not denounce the Vietnam War. He then explained that she wanted less federal spending and was against the

³³ "List of endorsements," Conservative Party of New York, M.E. Grenander Department of Special Collections and Archives, Albany, New York.

discrimination towards white people. Buckley thought her debate performance “glowed with lucidity and candor” and that, “if she won this one, the stock of America would go up through the roof.”³⁴

While expressing his political support, Buckley pointed out something important about Barbara Keating and her usage of privilege. It certainly was not necessary to categorize her as beautiful, but she was a woman on the ballot for Senate in New York State. That in itself was a show of power and a big political domination, even though she did not win. It was a political domination because, despite the disadvantages of being a woman and a third-party candidate, she garnered support. Even her beating out the other Conservative Party of New York Candidates was impressive. The two men that beat her in the election were parts of the two more widely accepted and known parties (Democrat and Republican). While Keating perpetuated gender roles and the idea of reverse-racism, she did have tremendous political power for a woman of her position, and she used thoughtful strategies to get there. Her running for senator was one step forward for women at the time, despite the policies she supported (or, like the ERA, rejected). But the definition of equality that she pursued emphasized the differences between men and women, blackness and whiteness. Keating did not hold influence in politics because she was just like the men, but rather because she stood apart from them and used her woman-ness and the perception of what “woman” meant to her benefit.

One thing striking about Barbara Keating’s strategies was that she did not fit in with the men that often surrounded her, yet she certainly knew her limits. One instance that showed Keating standing out was when she gave a speech on pornography in New York City’s Time

³⁴ “That Senate Race,” Conservative Party of New York, M.E. Grenander Department of Special Collections and Archives, Albany, New York.

Square.³⁵ Her speech began with, “Today I want to present my views on the problems of pornography, and I have chosen the Times Square area to do it, for, in the words of the distinguished scholar and teacher, Irving Kristol, Times Square ‘has become little more than a hideous market for the sale and distribution of printed filth that panders to all known (and some fanciful) perversions.’” Keating’s usage of Times Square showed one facet of her strategy: she gained the upper hand and got the attention from her audience by taking advantage of the shock factor she could employ in them. It was shocking because she was talking about pornography in public, more so in Times Square, and more than that because she was a woman. This also, to an extent, made her look fearless. The second facet of her strategy in this instance was to use research to back up her claims. She cited a scholar when giving her speech and made sure to point out that he is acclaimed at that. Lastly, she was influential because she was running based on a moral compass that was attributed to women. She was showing that each sex derived their own strengths through the gender roles and traits prescribed to them. She was running for office as a woman, and thus had the moral high ground of a woman to use as one of her platforms.

Her speech evoked maternalism, and perhaps maternalism would be a fitting way to look at how Keating defined equality. Keating wanted what was best for families and children so long as it adhered to accepted norms (and so long as it benefited the white middle class). Keating, as a widowed mother, spoke about family and children in a way that men at the time could not claim to have. Keating was a capable candidate not only because of her moral compass but also because of her maternal qualities. Conservative equality saw men derive strength from the public

³⁵ “Barbara Keating’s Statement on Pornography Delivered in Times Square,” Conservative Party of New York, M.E. Grenander Department of Special Collections and Archives, Albany, New York.

sphere and women from the domestic: Barbara Keating expressed this by bringing the domestic sphere to the public, expressing a motherly concern to and for the voters.

Keating's motherhood seemed to have been a large part of her appeal, and the strength that it gave her as a candidate showed one facet of why conservatives like her did not believe the Equal Rights Amendment was necessary. It would simply mess with the roles that put her at a stance of equality with powerful men like Javits. A newspaper article from Auburn, New York, showed Barbara Keating interrupting a conversation to speak to a child, which depicted her as approachable. This also seems significant because the child is a young girl. The implications of this are that Barbara Keating encouraged young girls to become involved in politics, which showed a disconnect from her antifeminist viewpoints, despite the political activism of Keating and her anti-feminist contemporaries. Situations like these, despite her stance as an opposer of the Equal Rights Amendment, ensured that Keating was imagined as a champion of girls' and women's rights.³⁶

Keating vehemently opposed the National Organization for Women. A newspaper article concerning her 1974 senatorial election was titled "BARBARA KEATING RAPS NATIONAL ORGANIZATION OF WOMEN..." where Keating claimed "The National Organization of Women has not invited me to any of its forums during my campaign, despite my explicit written request." Beyond opposing their beliefs, Keating attacked their etiquette. The National Organization of Woman ignored a woman who was reaching out to them, and Keating publicly

³⁶ "New Admirer-Future Voter," Keating, Barbara -- U.S. Senate Campaign, 1974, Box 12, Folder 34. Conservative Party of New York, M.E. Grenander Department of Special Collections and Archives, Albany, New York.

chastised them for turning their backs. What made a woman, to her, was gender roles and the NOW did not have the manners expected of a woman.³⁷

Keating also weaponized male gender roles. “If man becomes unemployed due to the influx of women in our automated and constantly adjusting society...,” she explained, “he becomes aggressive and turns to undesirable acts against his environment, we’re already drifting towards a mishmash of crime and promiscuity.”³⁸ Others claimed that the amendment would lead to unisex bathroom, drafting women into military, and rape, but Keating focused solely on men. *Men* cannot handle this amendment, Keating claimed, and their weaknesses would be amplified by the ERA. This appealed to more audiences than the amendment or the typical opposition to the amendment could. The claims could not easily be disproven, and they were not disparaging against women as she had made a claim on the nature of men. The strategic ways that Barbara Keating addressed the Equal Rights Amendment were political genius. Barbara Keating may not have used her power to further the rights of women, but she did still wield a good amount of political power during the election. Keating implied that women had a choice between their safety and their equality.

In most cases, Keating’s intended audience was women. She told them that they need to choose between protection under the law and protection under their own roofs. Beyond that, she expressed that she was “appalled” with the idea that the ERA would mandate that women hold the same responsibilities as men. She called the Eckert Amendment, which would prevent that, a

³⁷ “BARBARA KEATING RAPS National Organization of Women...,” Keating, Barbara -- U.S. Senate Campaign, 1974, Box 12, Folder 34. Conservative Party of New York, M.E. Grenander Department of Special Collections and Archives, Albany, New York.

³⁸ “Mrs. Keating Hits ERA,” Keating, Barbara -- U.S. Senate Campaign, 1974, Box 12, Folder 34. Conservative Party of New York, M.E. Grenander Department of Special Collections and Archives, Albany, New York.

good compromise.³⁹ This showed one of the biggest distinctions between liberal and conservative equality: liberal equality often existed without compromise, whereas the conservative version of gender equality necessitated it.

After reading more on Keating, the latter of the two strategies employed above is the better representative of her usual strategy. Keating usually stuck to the claim that the Equal Rights Amendment should not be passed because it was not necessary and would hurt women. She reiterated her claim that women were unequivocally privileged and her fear that the ERA would cause the erasure of this privilege. This directly aligned with the federal skepticisms of the amendment, namely from the likes of Phyllis Schlafly and the STOP ERA movement and was the biggest influence of the conservative definition of equality created during their fight against the Equal Rights Amendment. This definition was created based on privilege. Women, they claimed, would lose their stance as privileged and their lives would become harder and unfair. They, after all, already bore the responsibility of child-rearing and home-making. Beyond that, concerns like Senator Ervin's on how the amendment could impact laws on rape were also influential. The conservatives defined equality in a way that made the Equal Rights Amendment a scary, destructive thing that would ruin the "equality" that had been achieved when suffragists won the right to vote in 1920.

Barbara Keating said that women would lose their privilege and fall victim to the draft if the ERA was passed, whereas NOW claimed the opposite.⁴⁰ Beyond that, the audience could not have truly known which side was telling the truth. When faced with two agents of politics

³⁹ "Barbara Keating Endorses Eckert Amendment," Keating, Barbara -- U.S. Senate Campaign, 1974, Box 12, Folder 34. Conservative Party of New York, M.E. Grenander Department of Special Collections and Archives, Albany, New York.

⁴⁰ "The Equal Rights Amendment - What It Will and Won't Do," NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

presenting opposite reasonings, one would either have to do the research, side with their party, or side with whichever opponent was more convincing. It was really all about perspective. Barbara Keating, and politicians like Phyllis Schlafly, had an incredible way with words. It is not hard to believe that they truly did think they were fighting for equality, though they were defining equality as they went. To them, they were using their maternal instincts to mother the country. The conservative women opposing the ERA expressed their desires for the ERA's failure but expressed those desires on the basis that they wanted to see women protected. Conservative women were writing the *protection* of women into the Conservative definition of equality.

Barbara Keating was a large figure in the resurgence of conservative politics during her time. She was New York's representation of a larger federal movement, not only of the New Right but of women's influence on it. Her modern conservatism was apparent in a *New York Times* article written about her in 1974. The article showed a criticism of the proposed policies of her opponents on crimes. She quoted her democratic opponent, Ramsey Clark, who had allegedly said "of all violence, police violence in excess of authority is the most dangerous." Keating refuted that "for too long we have been told that 'law and order' are code words for repression, brutality or racism." This exemplifies the newfound divide between the left and the right. She further highlights the newness of her apparently more extreme conservatism by criticizing another Republican candidate in a Buckley-esque manner, stating, "The only open question in this election is whether Jacob Javits will once again successfully hoodwink conservative-minded voters into supporting his candidacy."⁴¹ Javits did, indeed, successfully "hoodwink" voters into supporting him, as he was elected Senator. Javits, Republican, led the candidates with 45.32%. Ramsey Clark, Democrat, came in second with 38.23%. Barbara Keating, who ran for the

⁴¹ "Mrs. Keating Says Her 2 Rivals Have 'Heads in Sand' on Crime," *New York Times* (1923-Current File). New York, N.Y.: *New York Times* Company, October 31, 1974, <http://search.proquest.com/docview/120010809/>.

Conservative Party of New York, came in third with 15.93% of the votes.⁴² Now, the idea that she *only* got approximately sixteen percent of the votes does not do her justice. She was running as a third-party candidate, she was a woman, and she denounced the Republican candidate who was the standing senator. All things considered, Barbara Keating put up a good fight and her bid for Senate was not a waste because it showed a spot for a woman in the running, it showed a reconciliation with women and power, and it helped to show what the views were that surrounded the conservative anti-ERA ideals perpetuated largely by women during their fight against the ERA.

Now, as for the judgement she passed on Javits, it was not completely unfounded. The New Right saw a divergence between the Left and the Right, whereas Javits seemed to remain somewhere in the middle. His middle-of-the-road stances did not fit the conservative needs that had so recently been created. Barbara Keating's fight against reverse racism was really more conservative minded than Javits who, "[a]fter reviewing his past support of measures to combat discrimination against minorities, Senator Javits told the group that 'What you see and know of me now is what I will be in the next six years, with even more ability, power, and authority.'... 'We used to think he was too liberal, but now, compared with Clark and Keating, he seems moderate and we are working harder for him than we used to,' a local Republican party leader said."⁴³ This works not only to show the shift in Republicanism towards Conservatism that was taking place, but also to show Keating's radicalism and alignment with William F. Buckley's extreme conservative ideas of the New Right. One criticism of Javits made by Keating was to

⁴² "1974 NY Senate Campaign Results," Our Campaigns - NY US Senate - C Convention Race - Jun 15, 1974, Accessed February 13, 2020, <https://www.ourcampaigns.com/RaceDetail.html?RaceID=207791>.

⁴³ Evans Asbury Edith, "Rivals for Senate Meet the People: Javits and Mrs. Keating Go To As Clark Campaigns Upstate Endorsements for Clark Critic is Swayed Speaks At School," *New York Times (1923-Current File)*, Nov 02, 1974, <https://search-proquest-com.libproxy.albany.edu/docview/120013324?accountid=14166>.

make fun of him for being the “Great Compromiser,” implying her own lack of willingness for compromise.⁴⁴ This lack of willingness did not extend to the ERA, however, as shown through her support of Eckert’s ERA compromise.⁴⁵

The fight for the Equal Rights Amendment having coincided with a much larger political movement that emerged at the same time had a large influence on how equality would and could be defined. Everything with the New Right was, well, *new* and it was always radical. Keating was often mentioned side-by-side with conservative icons of the time Buckley and Schlafly, mostly for her contribution to Consumer Alert. This brings to light a new question - how did the Equal Rights Amendment fit into what was becoming a more radical conservatism? This radical conservatism seems to be misaligned with any sort of feminism, beyond perhaps the feminism of the white middle-class. Privilege is not something that can comfortably be recognized, and its recognition is something politicians like Keating actively fight against with their grievances of white racism. It seems that the conservatism Keating worked under only recognized “privilege” if it was a means of equity or equality that infringed upon the long-standing privileges of the majority (white middle class). Keating fought for a version of equality that her and her conservative contemporaries created, one defined not by the equality of all but by a balance of privileges. Although the liberal definition of equality failed to recognize its whiteness, the conservative definition took defining equality a step further by making part of the their definition of equality the protection of whiteness.⁴⁶

⁴⁴ Steven R. Weisman, "Javits and Clark Clash as Mrs. Keating Mocks them: Defends Compromise Carey's Brother," *New York Times (1923-Current File)*, Oct 26, 1974, <https://search-proquest-com.libproxy.albany.edu/docview/119984763?accountid=14166>.

⁴⁵ “Barbara Keating Endorses Eckert Amendment,” Keating, Barbara -- U.S. Senate Campaign, 1974, Box 12, Folder 34. Conservative Party of New York, M.E. Grenander Department of Special Collections and Archives, Albany, New York.

⁴⁶ “Mrs. Keating Says Her 2 Rivals Have ‘Heads in Sand’ on Crime.” *New York Times (1923-Current File)*. New York, N.Y.: *New York Times Company*, October 31, 1974. <http://search.proquest.com/docview/120010809/>.

At first glance, Barbara Keating and Pyllis Schlafly could be confused for one another. This presents the case of the anti-ERA movement, perhaps even the anti-feminist and the conservative movements as well, as a case fought by people that generally fell within a certain demographic and had a sturdy appeal to the audience. Second-wave feminism attempted to form a bridge between ideals, classes, races, sexualities, etc. Anti-feminism only needed to show the audience who was fighting, and thus presented a united front. One proposed reason for the ERA's lack of success by scholars is a lack of a homogenous group of people fighting for it. Anti-feminists certainly had no issue with presenting a kind of unity not possible for groups that expand across intersectional boundaries, showing one reason why they would be more appealing to certain audiences. This appeal also came with the conservative claim that equality had to do with sameness, opposing the liberal idea that equality should be more concerned with equity. To the conservatives, fairness was giving everyone the exact same rights despite disadvantages they may face (if these disadvantages are admitted to at all). To the conservatives, it was giving everyone (and this is a narrow sense of the word "everyone" as it does not yet cross racial barriers) equal footing.⁴⁷

Keating stood apart from the other conservative candidates. She may have fit the white female antifeminist stereotype, but she was a woman. A picture from a 1974 newspaper article showed Barbara Keating in between her opponents, Jacob K. Javits (D) and Ramsey Clark (R). She used her maternal authority to undermine their status, making the audience laugh at her male counterparts, as the article is titled "Javits and Clark clash as Mrs. Keating mocks them."⁴⁸

⁴⁷ Karma Chávez, Yasmin Nair, and Ryan Conrad, "Equality, Sameness, Difference: Revisiting the Equal Rights Amendment," *Women's Studies Quarterly* 43, no. 3/4 (2015).

⁴⁸ Steven R. Weisman, "Javits and Clark Clash as Mrs. Keating Mocks them: Defends Compromise Carey's Brother," *New York Times (1923-Current File)*, Oct 26, 1974, <https://search-proquest-com.libproxy.albany.edu/docview/119984763?accountid=14166>

Keating believed the distinctions between the sexes should provide women with certain privileges, and she wielded her sex as a weapon. Despite fighting for women to be able to remain in the domestic sphere, she navigated the public sphere without compunction. Her power was elevated by her privilege and, in a sense, contradicted her own stance of where women belonged. But she was convincing enough that it did not matter.

Keating had the advantage of appealing to two parties of people whose goals did not always overlap, the two parties being women and conservatives. Keating knew how to address her audience as women, and as conservatives. She made it seem as though the goals overlapped, even where they did not. She made contradicting ideas coincide. Her motivations may have simply been her own political gain, but her stance on the Equal Rights Amendment caused her to use the political strategy of misconstruing its goals. How Barbara Keating combined conservatism and gender equality was also significant because, as she sat next to her male counterparts fighting for the exact same position they were, it would be hard to say that she did not believe in equality. After all, she was elevating herself to the same stance as men and fighting for it. The influence of women on the conservative definition of equality was convoluted because the women fighting for the domestic sphere were the ones that had already stepped outside of it.

The Equal Rights Amendment implied equal pay for equal work. Anti-ERA activists were not opposed to equal pay but argued that the ERA would force women to work. Where the ERA proponents fought for gender equality in the public sphere, the opposition diminished it to a fight for unisex bathrooms. The Equal Rights Amendment proposed equality under the law, but conservative politicians like Barbara Keating asked their audience why they would need equality when they already had privileges. To the conservatives, passing the ERA would be hurting and

not helping equality for women, condemning them not to possibilities but to independence. This independence was not a choice, but a force that the conservatives predicted would rip women out of the public sphere and into lives that they did not want. She may have been one politician, and one that did not even win her bid for Senate, but she helped shape the conservative definition of equality. New York may have led the rest of the Country in the fight for the ERA, but anti-ERA activists advanced an anti-feminist narrative that shaped conservative conceptions of equality moving forward.

Conclusion

This thesis examined the fight for and against the Equal Rights Amendment during the 1970s and 1980s, over half a century after it was originally proposed by Alice Paul, and uses New York as a lens to determine how this fight defined equality following the newly polarized political spectrum. I examined how the ERA garnered responses akin to indifference that quickly evolved to a momentum that caused the ratification of the amendment in 30 states within the span of one year before slowing down. This gradual end to states ratifying the amendment is often attributed by scholars to one of two things: it was said to either be because of the divisiveness of second-wave feminism or because of the anti-ERA movements headed by women. While this thesis in no way contradicts the former theory, it supports the latter through the case study of politician Barbara Keating and the influence that she had.

New York stood to represent a larger, federal fight for the amendment after ratifying it, and it held relevance because it is where the amendment began. But everything discussed in this thesis led to a particular relevance of the subject in New York today. The amendment shows how

the liberal definition of equality has stemmed from the definition created, in part, during the fight for the ERA.

On January 3, 2020, the governor of New York, Andrew Cuomo, stood in front of an audience in the Empire State Plaza Convention Center and gave the annual State of the State address. That day, Governor Cuomo made an announcement: The Equal Rights Amendment was back and better than ever. Cuomo proposed an all-inclusive Equal Rights Amendment, which New York would lead the nation with. Alice Paul's proposed amendment at Seneca Falls stated that men and women would have equal rights under the Constitution.⁴⁹ Paul proposed an amendment for equality of the sexes, and Cuomo has changed the definition of equality in the Equal Rights Amendment to be more inclusive.

The ERA has not been passed federally, but states have continued discussing and pushing for the amendment. Nevada and Illinois became the 36th and 37th states to ratify, passing the amendment in 2017 and 2018, respectively. On January 27, 2020, the Equal Rights Amendment got its 38th ratification, the latest state to ratify being Virginia. This ratification will undoubtedly have controversial consequences, as a) the deadline for ratification of the ERA was in 1982 and b) five states have since revoked their ratification of the amendment.

Cuomo's suggested change to New York's Equal Rights Amendment will expand to establish sex, ethnicity, national origin, age, disability, sexual orientation and gender identity as protected classes. This amendment seeks to form bridges that second-wave feminists often failed

⁴⁹ "The Equal Rights Amendment - What It Will and Won't Do," NOW New York State Equal Rights Amendment Task Force, 1978-1982, Undated, apap174, Box 2, Folder 23. M.E. Grenander Department of Special Collections and Archives, Albany, New York.

to, which scholars recognize as a large contributor to the ERA's initial failure. Cuomo, a straight white male, seeks to reinvigorate a fight that feminists have been fighting for almost a century.⁵⁰

What, then, is at stake for Governor Andrew Cuomo? Cuomo is a Democrat that has been governor since 2011, the next election coming up in 2022. He garners some criticism for being *too* liberal, though his reelection shows that that tactic has been working for him. With the extreme dichotomy of the two-party system, perhaps something radical was necessary for the times and to keep the support of his party. With the time of radical liberalism and radical conservatism, especially for a Democratic governor in a blue state, the pressure is on to prescribe to modern equality movements like #MeToo and Black Lives Matter. Governor Cuomo did not get reelected *twice* by ignoring the needs of his audience - thus, one can conclude, equality is what the audience of New York wanted in 2020. The equality that Governor Cuomo proposed has evolved from the liberal definition from the 1970s that was stuck in the realm of white feminism to something that is more inclusive - this, however, was always the intention of the liberal definition of equality. Equality came on with constant progress and a continuous fight. Even if Governor Cuomo managed to get the new version of the amendment passed in New York, it would ensure equality only on paper. The fight would not, and perhaps will never, end.

But, *why*? Why has the torch been passed on to this man, with his gruff New York accent and the life of politics that he was born into? Maybe it boils down to privilege, though maybe now is simply time. The people fighting for equality through the ERA have made sure to maintain its relevance, creating a conversation that could not be ignored. The definition of liberal equality has gone from white feminism to the straight, cis-gendered white male's plea for

⁵⁰ "Governor Cuomo Unveils 20th Proposal of 2020 State of the State: Passing the First-in-the-Nation Inclusive Equal Rights Amendment," Governor Andrew M. Cuomo, January 8, 2020, <https://www.governor.ny.gov/news/governor-cuomo-unveils-20th-proposal-2020-state-state-passing-first-nation-inclusive-equal>.

equality. All of the big players from the past that were examined in this thesis were women (NOW and Barbara Keating being the most prominent, though this also extends to the likes of Alice Paul and Phyllis Schlafly). A narrative that has been controlled by women, from the suffrage movement to the ERA, in support of and against, has shifted into the hands of a man.

This must make us question *why*. Is it a good thing? Is it progress to watch a man use his privilege for good, or is it regression as the conversation about women's rights in New York has left the hands of women? This thesis examined political strategies employed by women, creating a narrative of determination, compromise, and the definitions of liberal and conservative equality, yet all these strategic moves seem to have been overwhelmed by the actions of one male. When the fight was led by women, New York did not end up leading the nation to the ratification of the ERA (though they did their fair share by passing it themselves and continuing to fight for it federally), yet Cuomo presumes he will lead the nation with a proposal even more radical than the ERA of the past.

The complicated dichotomy between feminists, the subsections of feminism, and antifeminism exemplified the idea of women representing themselves. These women impacted and played upon the polarization of political parties, ideas of economics, and ideas of social equality and liberation/oppression. For the first time in American history, women were heavily representing their own interests, on *both* sides of the discussion, and they showed an unprecedented strength of politics, strategies, and representation. Women taught each other what to fight for and how to fight, and they laid the foundation for the fight that is happening today. No matter what side of history they were on, feminist or antifeminist, they created a history for women that is dictated by women. This narrative created a path for women's representation, Phyllis Schlafly and Barbara Keating included despite their anti-feminism. Whether they

intended to or not, they helped to create new possibilities to women because they helped to ensure that women were heard.

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