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**ATTORNEY GENERAL RAOUL FILES LAWSUIT TO ENSURE EQUAL RIGHTS AMENDMENT IS
RECOGNIZED AS 28TH AMENDMENT**

Chicago — Attorney General Kwame Raoul today joined Nevada Attorney General Aaron Ford and Virginia Attorney General Mark Herring in filing a lawsuit to ensure the federal government acknowledges that the Equal Rights Amendment (ERA) is now the 28th Amendment to the Constitution. The ERA guarantees equal rights for all Americans regardless of their sex.

Raoul and the attorneys general filed [a lawsuit](#) today in the U.S. District Court for the District of Columbia against the Archivist of the United States. In the lawsuit, the attorneys general ask the court to direct the archivist to perform his statutory duty to certify the ERA as the 28th Amendment to the U.S. Constitution.

“Equal rights are not contingent upon a person’s gender or sex, which is why I was proud to vote in support of the Equal Rights Amendment as an Illinois state senator, and I am committed to continuing to fight for the ERA to be recognized as the 28th Amendment,” Raoul said. “It is past time that we ensure women across the country have the constitutional equality to which they are entitled, and I look forward to my daughter — who aspires to study law — being able to one day, when sworn into the bar, take an oath to promise to support a constitution that recognizes her right to equality under the law.”

“I am so proud that Virginia was the 38th and final state needed to ratify the ERA, finally pushing us over the edge and enshrining gender equality in our nation’s founding document. For too long, women have not been afforded the same protections as men under the Constitution,” Herring said. “We now have this historic opportunity to ensure that equal rights regardless of sex are added to the Constitution. Virginians have made it clear that it is their will that the ERA be ratified and I now have the great honor of continuing that fight to make sure that gender equality is enshrined in the U.S. Constitution, guaranteeing equality for generations of women to come.”

“Women have always been endowed with equal rights, even though our country has wrongly failed to recognize them,” Ford said. “These rights are entitled to their rightful place in the Constitution, and I am committed to ensuring they are permanently written into our nation’s history and its future. Advancing civil rights is one of my Administration’s main areas of focus. The gravity of this movement should not be underplayed—today we are advocating for women’s rights here in Nevada and all over the country, and we are taking an essential stride towards inclusivity.”

The ERA states that “[e]quality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.” Though an equal rights amendment was proposed as early as 1923, the ERA was not adopted by Congress until 1972, when it passed with broad, bipartisan support. By 1977, 35 states had ratified the ERA. Illinois ratified the ERA in 2018. When combined with Nevada’s ratification in 2017 and Virginia’s ratification vote just this Monday, a total of 38 states have now ratified the ERA, passing the constitutional threshold required for the ERA to become the 28th Amendment. With the ERA, the U.S. Constitution provides an explicit guarantee of protection against discrimination based on sex. These protections are forever enshrined in the Constitution.

“This country is ready for Constitutional equality for women,” Carol Jenkins, Co-President and CEO of the ERA Coalition/Fund for Women’s Equality said. “Our research shows that 94 percent of all Americans believe in it. We have worked tirelessly for nearly 100 years. This movement cannot be stopped. The Constitution must be amended and it will be.”

In the complaint, Raoul and the attorneys general explain that under the text of the Constitution, an amendment approved by Congress automatically becomes a valid part of the Constitution as soon as it is ratified by the legislatures of three-fourths of the states. The complaint further asserts that the U.S. Archivist does not have any discretionary authority over which amendments are added to the Constitution. As a result, the Archivist is legally obligated to recognize that the ERA has become part of the Constitution. Raoul and the attorneys general are asking the court to order the Archivist to do his duty and certify that the ERA, as the 28th Amendment to the Constitution, prohibits discrimination on the basis of sex.