

# To ERA or Not to ERA...

## That is the Question



# Extended Common Core Social Studies Lesson Plan Template

**Lesson Title:** To ERA or not to ERA, That is the Question

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**Appropriate for Grade Level(s):** 11-12

**US History Standard(s)/Applicable CCSS(s):**

**H3.[9-12].8** Explain how the social and economic opportunities of the post-World War II era contributed to social responsibility and change.

**H3.[9-12].9** Identify and describe the major issues, events, and people of minority rights movements, i.e., Civil Rights Act of 1964, Black Power Movement, United Farm Workers, American Indian Movement, Viva La Raza, and Women's Rights Movement.

**Engagement Strategy:** gallery walk or small group analyzation of the texts after reading the pieces with analytical writing following the walk

**Discussion Strategy:** Modified Fishbowl discussion after completing the small group questions then followed by an argumentative writing piece.

**Student Readings (list):** *American Women Need an Equal Rights Amendment (1970)* by Margret M. Heckler and

*An Equal rights Amendment would be Harmful (1970)* Myra Wolfgang

**Total Time Needed:** Traditional Schedule: 2 days and one night for at home reading or 3 days if reading support is needed in the classroom, Block: 1 day and one night for at home reading or 1.5 if reading support is needed in the classroom  
Fishbowl discussion: Traditional Schedule: 1 day for fishbowl then begin writing piece in class that can be finished for homework

## Lesson Outline:

| Time Frame<br>(e.g. 15 minutes)                                     | What is the teacher doing?  | What are students doing?   |
|---|---|--|
| Homework for the night before lesson                                | Putting his or her feet up ☺  | Reading <i>American Women Need an Equal Rights Amendment (1970)</i> by Margret M. Heckler and <i>An Equal rights Amendment would be Harmful (1970)</i> Myra Wolfgang   |
| 1-2 class periods depending on                                      | <ol style="list-style-type: none"> <li>1. Print out a set of questions for you. These questions need to be cut and taped, then be placed around the room. Students then rotate around the room doing a "Gallery Walk" to answer all of their questions on their student answer sheet.</li> <li>2. Teacher then walks around the room to monitor student progress.</li> <li>3. *Gallery walk can be omitted and instead students can find answers in groups or with partner</li> </ol> | <p>Students answer the Gallery Walk questions on their student sheet. This sheet asks them to rewrite the questions in their own words. They must carry with them a copy of their documents to find the answers.</p> <p>*Gallery walk can be omitted and instead students can find answers in groups or with partner</p> |
| Homework or in class analytical writing assignment (teacher choice) | <ol style="list-style-type: none"> <li>1. Have students complete their writing prompt outline</li> <li>2. This outline can then be turned into an essay or turned in as is.</li> </ol>  | Students complete their outline answering the writing prompt: Should the ERA be ratified?  |
| Discussion Strategy:  | <ol style="list-style-type: none"> <li>1. Teachers organize students into a fishbowl discussion that has students reasoning through their</li> </ol>  | Students in the center of the fishbowl use evidence to work through their claim of whether or not the ERA should be ratified.  |

|                      |  |   |
|----------------------|--|---|
|                      | writing prompt: Should the ERA be ratified?  | Students on the outside should be completing their fishbowl “note taker” as well being ready to provide ”fish food” to students who need talking points.                    |
| Summative Assessment | <ol style="list-style-type: none"> <li>1. Teachers hand out writing prompt outline</li> <li>2. Pose the Essay question:</li> </ol> <p>Would society benefit from the passage of the ERA?</p> <p>***Essay can be completed as a single paragraph or expanded into a 3 paragraph essay. It is up to your judgment***</p> | <ol style="list-style-type: none"> <li>1. Students complete the outline first</li> <li>2. Students complete their essay</li> <li>3. Students turn in their essay</li> </ol> |

**Description of Lesson Assessment:** Students complete the essay outline. This outline can be the sole lesson assessment or it can be turned into a full essay.

**How will students reflect on the process and their learning?** Students can reflect on the process of their learning through an exit ticket.

“Rate yourself 1-5 on how well you were able to support your claim on whether or not the ERA should be ratified. Justify your rating.”

1 **STATEMENT OF HON. MARGARET M. HECKLER, A REPRESENTATIVE IN**  
2 **CONGRESS**

3 Source: Congress, Senate, Committee on the Judiciary, *The "Equal Rights" Amendment:*  
4 *Hearings before the Subcommittee on Constitutional Amendments of the Committee on the*  
5 *Judiciary*, 91st Cong., 2d sess., May 5, 6, and 7, 1970.

6 It is assumed today by many persons that women were granted equality with the passage of the  
7 14th amendment, ratified in 1868. Only 50 years later, however, was woman suffrage guaranteed  
8 by the ratification of the 19th amendment.

9 Thus I speak out in support of the equal rights amendment—a measure that has been before each  
10 Congress since 1923. I am sure that every woman who has been in the position of “job seeker”  
11 identifies in some small measure with the fundamental complaints that have generated the  
12 crusade for equality in employment for women. The 42 percent of working women who are  
13 heads of household takes a serious economic interest in fair job opportunity, a basic goal in the  
14 cause for women’s rights. And the women who have contributed their full share to social  
15 security, yet who receive the sum allotted widows, certainly have cause for contemplation.

16 The average woman in America has no seething desire to smoke cigars or to burn the bra—but  
17 she does seek equal recognition of her status as a citizen before the courts of law, and she does  
18 seek fair and just recognition of her qualifications in the employment market. The American  
19 working woman does not want to be limited in advancement by virtue of her sex. She does not  
20 want to be prohibited from the job she desires or from the overtime work she needs by  
21 “protective” legislation.

22 Perhaps, as some say, it is derived from a protective inclination on the part of men. But women  
23 seek recognition as individual human beings with abilities useful to society—rather than shelter  
24 or protection from the real world.

25 Legal remedies are clearly in order. Although changes in social attitudes cannot be legislated,  
26 they are guided by the formulation of our Federal laws. This constitutional amendment must be  
27 passed so that discriminatory legislation will be overturned.

28 Time and again I have heard American men question the fact of discrimination against women in  
29 America. “American women,” they say, “enjoy greater freedom than women of any other  
30 nation.” This may be true with regard to freedom from kitchen labor—because the average  
31 American housewife enjoys a considerable degree of automation in her kitchen. But once she  
32 seeks to fill her leisure time gained from automated kitchen equipment by entering the male  
33 world of employment, the picture changes. Many countries we consider “underprivileged” far  
34 surpass America in quality and availability of child care available to working mothers, in  
35 enlightened attitudes about employment leave for pregnancy, and in guiding women into the  
36 professions.

37 Since World War II, nearly 14 million American women have joined the labor force—double the  
38 number of men. Forty percent of our Nation’s labor force is now comprised of women. Yet less  
39 than 3 percent of our Nation’s attorneys are women, only about 7 percent of our doctors, and 9  
40 percent of our scientists are women. Only a slightly higher percentage of our graduate students in  
41 these fields of study are women, despite the fact that women characteristically score better on  
42 entrance examinations. The average woman college graduate’s annual earnings (\$6,694) exceed  
43 by just a fraction the annual earnings of an average male educated only through the eighth grade  
44 (\$6,580). An average male college graduate, however, may be expected to earn almost twice as  
45 much as the female—\$11,795. Twenty percent of the women with 4 years of college training can

46 find employment only in clerical, sales, or factory jobs. The equal pay provision of the Fair  
47 Labor Standards Act does not include administrative, executive, or professional positions—a  
48 loophole which permits the talents and training of highly qualified women to be obtained more  
49 cheaply than those of comparable qualified men.

50 Of the 7.5 million American college students enrolled in 1968, at least 40 percent were women.

51 Few of the fathers or mothers, enrolling their daughters in college several years ago, were at the  
52 time aware... that opportunity for their daughters is only half of that available to their sons. And  
53 they are justifiably indignant. Young women graduating with degrees in business administration  
54 take positions as clerks while their male counterparts become management trainees. Women  
55 graduating from law school are often forced to become legal secretaries, while male graduates  
56 from the same class survey a panorama of exciting possibilities.

57 To deny full participation of the resources of women, who compose over half the population of  
58 our country, would be a serious form of neglect. The contributions of women have always been  
59 intrinsic in our national development. With the increasing complexity of our world, it becomes  
60 all the more essential to tap every conceivable resource at our command.

61 The women of America are demanding full rights and full responsibilities in developing their  
62 individual potential as human beings in relationship to the world as well as to the home and in  
63 contributing in an active way to the improvement of society.

64 In this day of the urban crisis, when we seem to be running out of clean air and water, when the  
65 quantity of our rubbish defies our current disposal methods, when crime on the streets is  
66 rampant, when our world commitments seem at odds with our obligations here at home, when  
67 breaking the cycle of ongoing poverty requires new and innovative approaches, when increased  
68 lifespan generates a whole new series of gerontological problems—in these complicated and  
69 critical times, our Nation needs the fully developed resources of all our citizens—both men and  
70 women—in order to meet the demands of society today.

71 Women are not requesting special privilege—but rather a full measure of responsibility.

72 The equal rights amendment is necessary to establish unequivocally the American commitment  
73 to full and equal recognition of the rights of all its citizens. The seventies mark an era of great  
74 promise if...women may take their rightful place in the mainstream of American life. Both men  
75 and women have a great deal to gain

1 **An Equal Rights Amendment Would Be Harmful Myra Wolfgang**  
2 *Testimony before the Senate Subcommittee on Constitutional Amendments May 6, 1970*

3 **Service Workers**

4 The service industries which I represent comprise more than 5.5 million women workers. There are an additional 5  
5 million women employed in wholesale and retail trades industries. I represent unskilled and untrained women  
6 workers, the majority of whom are not organized into trade unions. They also are not burdened with the necessity of  
7 holding philosophical discussions on whether women should or should not be in the work force. They are in the  
8 work force because of dire, economic necessity and have no choice in the matter.

9 My concern with the equal rights amendment, Senator, is not an academic one. My concern is for the widowed,  
10 divorced mothers of children who are the heads of their families and earn less than \$3,500 a year working as maids,  
11 laundry workers, hospital cleaners, or dishwashers. Now is as good a time as any to remind you that only 1 out of 10  
12 women in the work force has had 4 or more years of college. I speak for "Tillie the Toiler."

13 I am opposed to enactment of the equal rights amendment. I recognize that the impetus for the passage of the equal  
14 rights amendment is the result of a growing anger amongst women over job discrimination, social and political  
15 discrimination, and many outmoded cultural habits of our way of life.

16 ...discrimination against women exists. I do not believe, however, that passage of the equal rights amendment is the  
17 solution to, the problem... the amendment will create a whole new series of problems. It will neither bring about  
18 equal pay for equal work, nor guarantee job promotion free from discrimination. It will not compel the partner of a  
19 senior law firm to hire a woman lawyer if he has prejudice against a woman lawyer. And may I point out at this time  
20 that if threat law firm employs fewer than 25 persons, they are not even covered by title VII of the Civil Rights Act.

21 Differences in laws are not necessarily discriminatory, nor should all laws containing different provisions for men  
22 and women be abolished, as the equal rights amendment would do.

23 **Threat to Labor Legislation**

24 These State laws are outmoded and many of them are discriminatory. They should be amended where they are. They  
25 should be strengthened and they should be handled on a case-by-case basis.

26 The feminist movement in the main is middle class, professional woman, college girl oriented....

27 **Differences Between Men and Women**

28 You will be hearing, I am sure, from many who will contend that there are no real differences between men and  
29 women, other than those enforced by culture. Has culture created the differences in the size of the hands, in  
30 muscular mass, in respiratory capacity? Of course no. The differences are physical.

31 Let me add some more. Women on the average – these are averages, Senator – are 85 percent as heavy as men have  
32 only 60 percent as much physical strength. Therefore, they cannot lift as heavy weights. They cannot direct as much  
33 weight or have the same strength for pushing or pulling of loads.

34 Because of the physical – and I emphasize physical – differences between men and women, the questions of  
35 protective legislation for women must be reviewed. In addition, the dual role of women in our modern society makes  
36 protective legislation necessary.

37 The working mother has no "wife" to care for her or her children. She assumes the role of home maker and worker  
38 and must perform both these roles in a 24-hour period. Even in the two parent households, there is an unequal  
39 division of domestic chores. While much could be done to ease the burden of the working woman by men assuming  
40 the fair and equal share of domestic chores, they are not prepared to do so.

41 The equal rights amendment would make it unconstitutional to enact and would repeal legislation embodying this  
42 protection for working women. You must ask yourself this question: Should women workers be left without any  
43 legislation because of State legislature's failure and unwillingness to enact such legislation for men?

44 The elimination of laws regulating hours women may work permits employers to force them to work excessive  
45 overtime, endangering not only their health and safety, but disrupting the entire family relationship.

46 The women in the work force who are in the greatest need of the protection of maximum hour legislation are in no  
47 position to fight for themselves....

48 **Unanswered Questions**

49 Who will take care of the children, the home, cleaning, the laundry, and the cooking? Can we extend this equality  
50 into the home? Obviously not, since the proponents of the equal rights amendment are quick to point out the  
51 amendment would restrict only governmental action and would not apply to purely private action....

52 ...women represent the majority of the voters. That is true. But there is no more unanimity of opinion among women  
53 than there is amongst men.

54 Whatever happens to the structure of opportunity, women are increasingly motivated to work – and they want to  
55 work short hours on schedules that meet their needs as wives and mothers. They want fewer hours a week because  
56 emancipation, while it has released them for work, has not released them from home and family responsibilities.

57 I oppose the equal rights amendment since the equality it may achieve may well be equality of mistreatment.



**For the following questions**

- 1. Cut them out and tape them around your room.**
- 2. Make enough copies for your students**
- 3. This section can also be completed in small groups or in pairs**

## Reading Questions:

# American Women Need an Equal Rights Amendment (1970) by Margret M. Heckler

1. What do most American women want according to Heckler?

Line:           Quote:

2. What evidence of sex discrimination does she present?

Line:           Evidence #1:

Line:           Evidence #2:

3. Create a 'T' Chart that compares and contrasts the status of women and their male counter parts in the labor force since WWII

| Women | Men |
|-------|-----|
| L:    | L:  |

4. In her view, why is passage of the ERA urgent?

L:

## Reading Questions:

# An Equal rights Amendment would be Harmful (1970)

## Myra Wolfgang

1. Who is Wolfgang representing?

L:

L:

L:

2. What specific objections does Wolfgang have to the Equal Rights Amendment

A. L: (Quote)

B. L:

C. L:

3. Wolfgang feels that the overriding difference between men and women is physical; please explain why this difference means that there is a greater need for protective legislation or a revamping of current laws instead of new ones.

L:

4. What has emancipation released women to do and not do?

L:

5. Wolfgang states, "the equality it (the ERA) may achieve may well be equality of mistreatment." What sort of mistreatment does she feel could occur?

L:

**Discussion Activity:**

Using the questions from the text pose the following question to the class in a fishbowl discussion:

**Would society benefit from the passage of the ERA?**

## Modified Fishbowl Strategy

1. Provide a common reading and background on an unresolved or controversial issue to the class. Utilize a reading strategy to help students to access the text and force them to choose quotes or facts from the text pertaining to the issue. Have students write down their interesting facts and quotes on post-it notes or small pieces of paper.
2. Make one circle in your classroom with +/- 5 chairs in each. The chairs will face inwards. Outside of each circle, make another circle of chairs. (if your class is large, multiple circles can be created)
  - a. The inner circle of chairs is the “fishbowl” and students in these chairs are very talkative, intelligent and scholarly fish.
  - b. The outer circle represents people who love to learn from their fish and provide them “fish food” if any of the fish need additional ideas
  - c. Leave one chair empty for the “Flying Fish”
  - d. Hand out Fishbowl Student Notetaker for students sitting in the outer circle to complete.
3. RULE: Only students in the fishbowl (inner circle) are allowed to speak during this activity.
  - a. Students in the fishbowl engage in deliberation of an issue presented, as an open-ended question, by the teacher.
  - b. All participants must abide by the rules of civic discussion and common courtesy and use
  - c. accountable talk.
4. The outside circle has a responsibility of providing “fishfood” (strip of paper/post-it) with relevant information that can be used by the fish if they need assistance. For this reason, it can be very positive to pair students on the inside/outside of the circle so that someone with great confidence is on the outside helping the less confident “fish” on the inside.
5. “Flying Fish” one of the chairs in the inner circle of the fishbowl is empty for a person who just has to make a statement. A student may only use this chair once and only if their statement is relevant and permitted by the teacher.
6. Once a student in the circle has spoken (how many times the student needs to speak is up to the teacher) the teacher taps a student from the outside on the shoulder and that student switches places with the student from the inner circle. The student in the circle will exit to the outside observation seats and work on their Student Notetaker. This process can continue throughout the discussion.
7. The **teacher does not** participate in the discussion except to provide a new question or to terminate an irrelevant, or inappropriate, line of discussion.
8. It is highly effective to have two separate (but related) discussion questions. After you have completed a fishbowl on one question, you can begin the next question by reversing the original groups. Fish become fish feeders and feeders become fish.
9. Including a written reflection piece is a great way to assess student learning. Students can use their Notetake as a rough guide for their reflection piece. (make sure that they include a counter claim☺)

## Discussion Rubric

| Student's Name:  | 3  | 2   | 1  | 0   |
|--|--|---|--|---|
| States and identifies issues.  | Accurately states and identifies issues.   | Accurately states an issue.   | States a relevant factual, ethical, or definitional issue as a question.   | Does not state any issues.  |
| Uses foundational knowledge.   | Accurately and expresses completely relevant foundational knowledge pertaining to the issues raised during the discussion. | Accurately expresses mostly relevant foundational knowledge pertaining to issues raised during the discussion.            | Accurately expresses somewhat relevant foundational knowledge pertaining to an issue raised by someone else.     | Does not express any relevant foundational knowledge.   |
| Elaborates statements with explanations, reasons, or evidence.       | Pursues an issue with more than one elaborated statements.   | Pursues an issue with one elaborated statement.   | Elaborates a statement with an explanation, reasons, or evidence.  | Does not elaborate any issues.  |
| Invites contributions from, and acknowledges statements of, others.  | Engages others in the discussion by inviting their contributions and acknowledging their contributions.                    | Invites comments from others and does not acknowledge their statements.   | Does not invite comments from others but allows others to speak. Does not acknowledge contributions from others. | Does not invite comments from others nor acknowledge their statements.  |
| Challenges the accuracy, logic, relevance, or clarity of statements. | Constructively challenges the accuracy, clarity, relevance, or logic of statements made.                                   | Responds in a civil manner to a statement made by someone else by challenging its accuracy, clarity, relevance, or logic. | Responds in a civil manner but does not challenge the accuracy, clarity, relevance, or logic of statements.      | Does not respond in a civil manner in all conversations. Does not challenge the accuracy, clarity, relevance, or logic of statements. |

Notes-

# Fishbowl Discussion Note Taker:

**Your Claim:**

**Evidence:**

**L:**

**L:**

**Rebuttal to someone who disagrees with you:** (Although...., (insert name) brings up an interesting point, but

**Evidence:**

**Question for others you have after the discussion:**

**Did your opinion change:** (Circle One)

Yes or No

**Reason:** (whether Yes or No)

**New Ideas or concepts you hadn't thought of:**



Writing Prompt:

**Would society benefit from the passage of the ERA?**

**\*\*\*\*Please see Teacher Resources for Directions\*\*\*\***

## Writing Prompt Outline:

Write the question:

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Restate the question in your own words:

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YOUR CLAIM: (INTRODUCTION)

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EVIDENCE #1 ( \_\_\_\_\_ )

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REASON #1

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EVIDENCE #2 ( \_\_\_\_\_ )

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REASON #2

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**EVIDENCE #3 ( \_\_\_\_\_ )**

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REASON #3

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COUNTER CLAIM: (Although, In some cases..., On occasion..., Another opinion is...)

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COUNTER CLAIM REASON: (explain how the counter claim also connects to the claim)

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CONCLUSION:

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Student Example Essay:

Rosie the Riveter said, “We Can Do It” during WWII and Abigail Adams implored her husband to, “remember the ladies” during the framing of the Constitution, today’s women still cry for an equal place in American society. 90 years ago the ERA was originally proposed to create equality for all American citizens regardless of sex. ERA stands for the Equal Rights Amendment. Its purpose is to create a set of standards for women in the workplace. The passage of the ERA would drastically benefit American society. One way that the ERA will benefit society is by eroding social misconceptions of women and their ability to work. Although new legislation can’t alter pre-existing prejudices, social ideas are, “guided by the formulation of our Federal laws.” (Heckler) If the ERA was passed then it would force companies to treat women equally and thus their male counterparts could see for themselves why women deserve the same rights that they already enjoy. Also, the nation is currently facing a plethora of problems such as: environmental, crime, foreign affairs, an increase in the percentage of pensioners as well as a war on poverty. Because of this, our nation will need, “the fully developed resources of all citizens ... to meet the demands of society.” (Heckler) If over 40% of the workforce in America is female imagine how many more tax dollars could be had from income if women were paid equally. Or on an even more basic level, if women were given equal pay for equal work that would increase the amount of money that could be spent on non essentials such as eating out, clothes and household goods. Furthermore, America stands for the equality of all its citizens, Wolfgang and others argue that many states already have legislation on the books that do the same job as the ERA; however, even she admits that those are, “outmoded and should be strengthened.” (Wolfgang) America has always stood for liberty for all, but how can Lady Liberty hold her torch high if she cannot break through the glass ceiling?