

# Debate Outline

## What is a debate?

A debate is a discussion or structured contest about an issue or a resolution. A formal debate involves two sides: one supporting a resolution and one opposing it.

## Structure for Debate:

- This debate involves two groups: one supporting a resolution (affirmative team), one opposing the resolution (negative team). The affirmative and negative teams will consist of at least 5 members each.
- Each student is required to speak for 1 to 2 minutes depending on their role. Rules include no interrupting, shouting or offensive language. The debate will have a strict timeline, see below.

### Opening Arguments

5 min. – Affirmative team – Speakers 1, 2 & 3

5 min. – Negative team – Speakers 1, 2 & 3

### Rebuttal

5 min. – Break to plan rebuttal

2 min. – Affirmative team – Speaker 4

2 min. – Negative team – Speaker 4

### Closing Arguments

2 min. – Affirmative team – Speaker 5

2 min. – Negative team – Speaker 5

## Preparation:

- Research the topic and prepare **arguments based on evidence from the sources provided**. Each group is encouraged to use as many of their primary sources as possible, as well as any applicable secondary sources they have found during research.
- Gather supporting evidence and examples to support your team position.
- Anticipate counter arguments and prepare rebuttals.
- It is highly recommended that teams practice their timed arguments in advance.

## Assessment:

- Students will do a blind vote on which team did the best job of arguing and defending their stance based on the use of primary and secondary sources.
- Students will conduct self evaluations, and peer evaluations of their team members based on participation and performance.
- Students are encouraged to vote based solely on the argument and defense presented, not on their personal opinion or friendships.

# Reasons to Support the Equal Rights Amendment

## Equal Rights Amendment

*Section 1:* Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

*Section 2:* The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

*Section 3:* This amendment shall take effect two years after the date of ratification.

Here are some of the most popular reasons people support the Equal Rights Amendment (ERA). Use your primary source materials and applicable secondary sources to flesh out these arguments to use in your debate. These arguments were not only used in the 1960s-1980s in support of the ERA but are still being used today.

- Areas in which women do currently not have equality with men:
  - Pay, hiring, and promotion.
  - Easily available birth control.
  - Election of women to political office.
  - Top management positions in business.
  - Violence against women, both inside and outside the home.
  - Strengthening affirmative action programs to increase the numbers of women and minorities in all fields such as police, construction, tenured professors, etc.
- Obstacles to women's equality:
  - Employers benefit from underpaying women workers.
  - Women are underrepresented in decision making positions such as in Congress and in corporate board rooms.
  - Conservative organizations and religious groups that oppose equality for women because they fear it will undermine the traditional family.
  - Enduring sexism, racism, and classism, as well as bias on the basis of sexual orientation or disability.
- At the moment, the Constitution only protects women and men's equal right to vote in the Equal Protection Clause in the 14th Amendment.
- This legal remedy against sex discrimination for both women and men would create a "clearer and stricter judicial standard for deciding cases of sex discrimination," according to EqualRightsAmendment.org. In practice, the amendment would classify "sex" under the same scrutiny it currently requires of race.

- The ratification would shift the burden of proof from victims to offenders in sex discrimination cases. It would require offenders to prove they did not violate the Constitution.
- Full legal recognition of equality between the sexes would protect possible rollbacks in women's rights advancements.
- The current rationale of the Violence Against Women Act is that women survivors of violence cannot take their cases to the federal court when taking legal action. Even in court, women can be put at fault for being raped due to intoxication, wearing "promiscuous" clothing, or other reasons that discriminate based on gender.
- Equal means equal. An amendment would guarantee women's rights by the government with no room for debate. Courts have previously justified firing women because they were pregnant and justified unequal pay for identical work. The ERA in the Constitution would prohibit such discrimination on the basis of sex.

### **Materials:**

Equal Rights Amendment. [Proposed Amendment to the Constitution of the United States](#), Second Session, Ninety Second Congress, March 23, 1972.

### **Pro-Equal Rights Amendment Sources:**

Document. "Women's International League for Peace and Freedom Principles and Policies." Women's International League for Peace and Freedom. Philadelphia, PA, June 1973. Women's International League for Peace and Freedom Records, Special Collections Research Center, California State University, Fresno.

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Article. Desa C. Belyea. "Who Decides What She Will Wear?" *The Fresno Bee*, May 11, 1964. Newspapers.com.

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Article. Robert Slater. "Pipe Smoking Woman Legislator Puffs For Equality of Sexes." *The Fresno Bee*, April 26, 1970. Newspapers.com.

Article. Gay Pauly. "After 50 Years Woman Still 'Have A Long Way To Go' For Rights." *The Fresno Bee*, June 4, 1969. Newspapers.com.

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Article. Helen Bottel. "Working Gal Thanks Libbers." *The Fresno Bee*, September 6, 1970. Newspapers.com.

Article. Roy McGhee. "Women Quit Drive Rather Than Retreat." *The Fresno Bee*, November 19, 1970. Newspapers.com.

Article. Donna Goodman. "[The Untold Side of Second Wave Feminism: A Multinational, Politically Diverse Movement](#)." LiberationSchool.org, March 21, 2019.

Article. Editor in Chief. "[21 Strongest Pros and Cons of the Equal Rights Amendment](#)." ConnectUSfund.org, April 4, 2019.

Article. Sydney Hamilton. "[Arguments For and Against the Equal Rights Amendment](#)." *Policy Perspectives*, The George Washington University, November 21, 2019.

Article. Michael DeMarco. "[An Analysis of Arguments Against the ERA](#)." Alice Paul Institute, August 20, 2018.

Article. Editorial. "[Pumping Life into the Equal Rights Amendment](#)." *The New York Times*, March 25, 2017.

Article. "[Why We Need the Equal Rights Amendment](#)." EqualRightsAmendment.org.

Article. "[The Equal Rights Amendment](#)." Feminist Majority.

# Reasons to Oppose the Equal Rights Amendment

## Equal Rights Amendment

*Section 1:* Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

*Section 2:* The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

*Section 3:* This amendment shall take effect two years after the date of ratification.

Here are several of the most popular arguments against the Equal Rights Amendment (ERA). Use your primary source materials and applicable secondary sources to flesh out these arguments to use in your debate. These arguments were not only used in the 1960s-1980s against the ERA but are still being used today.

- The vague, poorly written language of the ERA does not allow any distinction to be made between men and women – even when it makes sense to do so based on their biological differences.
- The ERA would overturn laws and practices that benefit women because they would be viewed as showing preferential treatment to women. The laws and practices that would be stopped or reduced include:
  - Workplace laws that provide special accommodations for pregnant women
  - State labor laws and guidelines which benefit women who do heavy, manual work
  - Government programs that support women as mothers such as the Women, Infants, and Children nutritional program (WIC).
  - Social Security benefits for stay-at-home mothers based on their spouse's income.
  - Exemption of women from the military draft and front-line combat. Currently, women who feel they are physically able can choose to enlist in the military. The ERA, however, would require that all women be drafted and placed on front-line combat in equal ratios to men.
  - Laws and presumptions that support women in the areas of alimony, child support, and requirements of husbands to pay for their dependent wives' medical bills. The ERA will also wipe out state laws that exempt a wife from having to pay her husband's debts even if he deserts her with children to support.

- All other laws that provide preferential treatment for women.
- ERA would impact the privacy and safety of women and girls by removing gender designations for bathrooms, locker rooms, jails and hospital rooms.
- The ERA will not give women any more rights than they currently have. Women already have claim to equal rights through the 14th Amendment (section 1) as well as numerous other laws in virtually all areas of American life – employment (including equal pay), education, credit eligibility, housing, public accommodations, etc. The US Supreme Court has already applied the 14th Amendment to women’s issues.
- ERA won’t erase the gender wage gap. Women are already guaranteed equal pay through the federal Equal Pay Act of 1963 and can seek remediation through the EEOC. The currently quoted wage gap between men and women is a misunderstood statistic in which the average wages of all full-time working men and women are compared in one lump sum of men to women across all occupations and education levels. This doesn’t allow for an equal pay comparison. When we compare the wages of men and women within the same career, in similar positions, at the same age, the wage gap narrows to 98 cents for women compared to a dollar for men. Even when we compare within career fields, key factors such as years worked, the level of education, and time flexibility of job, etc. are not factored into the comparison (see “An Analysis of the Reasons for the Disparity in Wages Between Men and Women” U.S. Dept. of Labor, 2009).
- The ERA would also transfer large amounts of legislative power from the states to Congress creating a greater imbalance of power and placing sensitive issues under the less responsive federal government.
- The accepted time limit for ratification of Constitutional amendments is 7 years. ERA failed in 1979. Five states voted to rescind their earlier approval of ERA. Any vote for ERA today is null and void and would be an embarrassment to the state.

**Materials:**

Equal Rights Amendment. [Proposed Amendment to the Constitution of the United States](#), Second Session, Ninety Second Congress, March 23, 1972.

**Anti-Equal Rights Amendment Sources:**

Document. Phyllis Schlafly. “[What's Wrong With 'Equal Rights' For Women?](#)” *The Phyllis Schlafly Report*. February 1972, Vol. 5, No. 7. EagleForum.org

[Phyllis Schlafly discusses the Equal Rights Amendment.](#) *The Mike Douglas Show*, July 1979. Phyllis Schlafly Eagles. YouTube.

[Phyllis Schlafly Interview on the Women's Movement.](#) *The Merv Griffin Show*, 1978. Phyllis Schlafly Eagles. YouTube.

Article. James Kilpatrick. "Equal Rights For Harpies." *The Fresno Bee*, August 17, 1970. Newspapers.com.

Article. Hal Boyle. "What Is It Women Really Want." *The Fresno Bee*, August 24, 1970. Newspapers.com.

Article. "Counter March." *The Fresno Bee*, August 24, 1970. Newspapers.com.

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Article. Phyllis Schlafly. "['Equal rights' for women: wrong then, wrong now.](#)" *Los Angeles Times*, April 8, 2007.

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Article. Michael DeMarco. "[An Analysis of Arguments Against the ERA.](#)" Alice Paul Institute, August 20, 2018.

Article. George F. Will. "[Opinion | The Equal Rights Amendment Is Dead. It Should Stay That Way.](#)" *The Washington Post*, June 13, 2018.

Article. "[The 'Equal Rights' Amendment is a War on Women.](#)" Concerned Women for America of South Dakota, Spring 2019.

Article. "[10 Reasons to oppose the Equal Rights Amendment.](#)" EagleForum.org.

# Peer Evaluation Form

NAME:

Category	Team Member Name:	Team Member Name:	Team Member Name:	Team Member Name:	Team Member Name:
Contribution to Team					
Contribution to Research					
Participation in Debate					
Total Score:					

1 - No Participation  
4 - Above Expectations

2 - Below Expectations  
5 - Exceeds Expectations

3 - Meets Expectations

**What did your team do well?**

**What could your team have done better?**

**How would you rate your participation and contribution to the team? Why?**



# Debate Ballot

And the winner is...

Please choose which group presented the best argument and defense. Be fair, choose the group whose argument was well-researched, cohesive, and used primary and secondary sources as evidence to strengthen their argument. Please do not choose a group based on your personal opinion, friendships, or just because it was your group.

\_\_\_\_\_ Pro-ERA in the 1960s-1970s

\_\_\_\_\_ Against-ERA in the 1960s-1970s

\_\_\_\_\_ Pro-ERA in the present

\_\_\_\_\_ Against-ERA in the present.

Why did you choose this group?