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Senate Judiciary & Public Safety Committee
Minnesota Senate
Minnesota Senate Bldg.
95 University Ave. W.
St. Paul, MN 55155

RE: Support for Senate File 47 “A resolution memorializing Congress to resolve that the requirements have been met to ratify the Equal Rights Amendment (ERA)”

Dear Chair Latz, Vice Chair Oumou Verbeten and Committee Members:

The State of Minnesota ratified the essential Equal Rights Amendment (ERA) as the 26th state to do so on February 8, 1973, and because it is not yet published in our U.S. Constitution, Minnesota must do all it can to help make equal rights a constitutional reality in Minnesota itself.

During this 2023 session and Women’s History Month, please therefore vote for passage of Senate File 47 (<https://www.revisor.mn.gov/bills/bill.php?f=SF47&y=2023&ssn=0&b=senate>) authored by Honorable Senators Sandra Pappas, Judy Seeberger, Bonnie Westlin, Nicole Mitchell and Susan Pha.

While the Nineteenth Amendment of 1920 states that: “**The right of citizens of the United States to vote** shall not be denied or abridged by the United States or by any State on account of sex.”, the full and recently-ratified Equal Rights Amendment would beneficially add the legal directive that, “**Equality of rights under the law** shall not be denied or abridged by the United States or by any state on account of sex.” which refers to all rights in our Constitution (bolded emphasis added).

Fortunately, for our fellow Americans in the LGBTQIA2S community, the term sex has also already been interpreted by the Supreme Court as an umbrella term to also cover an array of sexual characteristics and gender definitions so that all people can be protected. Per the New York Times sub-headline on June 15, 2020: "The court said the language of the Civil Rights Act of 1964, which prohibits sex discrimination, applies to discrimination based on sexual orientation & gender identity." (see: <https://www.nytimes.com/2020/06/15/us/gay-transgender-workers-supreme-court.html>). While a more comprehensive federal equal rights definition to prevent discrimination based on even more human characteristics would be ideal to buttress other U.S. constitutional amendments providing some of the same effects, the very long constitutional amendment ratification process for alternate ERA language would not allow any changes in an acceptable time frame to provide the urgent protections needed now against sex discrimination.

We subsequently need the already-ratified federal ERA to become an even more urgent priority across all three of our executive, legislative and judicial branches as well as all 38 required ratified states plus those aiming to ratify soon or in the future in order to show their complementary support. Those who have the privilege of working as public servants and officials anywhere in our country should be doing all they possibly can to help the U.S. properly and finally expand upon the equal right to vote in order to ensure that the Constitution offers *all of its rights* to all citizens as equal rights.

In fact, not one person in the U.S. who believes our constitutional republic is meant to be “one nation, indivisible, with liberty and justice for all” should be satisfied with — nor tolerate — having just ONE equal right in our constitution year after year and century after century. And yet, that reality will remain the case as long as our constitution continues to be interpreted by judges in crucial Supreme Court cases as a constitution that still allows sex discrimination. This is due to an unethical situation where only “skeptical scrutiny” (aka “intermediate scrutiny”) is being used to determine illegal sex discrimination vs. the “strict scrutiny” needed to win many important lawsuits. The ERA would fix this chronic and devastating problem.

It is certainly every generation’s moral responsibility to help stop the continuing social injustice of our national constitution’s failures to protect all citizens and residents as well as those who are traveling in our state and country whom would also benefit from the social improvements created by the provision of equal rights in our state and entire country.

Without the ERA, which has already taken a century to pass and fully ratify, many of the harmful social problems and individual situations that sex discrimination still causes right here in the U.S. will be allowed to continue with negative impacts on all members of families and their communities and regions plus our nation and the world as a whole.

Social justice is defined on the Oxford Reference website as:

“The objective of creating a fair and equal society in which each individual matters, their rights are recognized and protected, and decisions are made in ways that are fair and honest.”

Utilizing ethical human thought as well in its publication, the U.S.-based Merriam-Webster Dictionary defines social justice in a way that also strongly reveals the necessity of the Equal Rights Amendment with its definition of social justice being:

“a state or doctrine of egalitarianism” and egalitarianism being “1: a belief in human equality especially with respect to social, political, and economic affairs, and 2: a social philosophy advocating the removal of inequalities among people.”

Social justice — plus the willingness to act for it — are indeed essential to human ethics, progress and democracy.

I, therefore, call upon all legislators in the Minnesota Legislature to help all Minnesotans and people across our country by urging that Congress recognize that the requirements have been met to ratify the Equal Rights Amendment and that it shall now be known as the Twenty-Eighth Amendment to the Constitution.

Per the DFL Action Agenda that I and many others worked on through the submission of resolutions at our 2022 DFL caucuses and convention, our party (along with several of our fair-minded non-partisan allies and some allies in other parties):

“Supports banning discrimination on the basis of gender/sex by strongly advocating for the removal of the deadline for ratification of the Equal Rights Amendment (ERA) and also for the passage of legislation to add an Equal Rights Amendment to the Minnesota State Constitution. (see: page 2 of the category of Civil, Human, Natural, & Constitutional Rights at: <https://dfl.org/wp-content/uploads/2022/07/DFL-Action-Agenda-2022-1-1.pdf>).”

Please, again, therefore join our all-important effort this session that 1) Congress recognize that the Equal Rights Amendment is already valid due to the required 38 state ratifications without regard to any former unethical and unfair deadline on something as basic as equal rights to any true democracy and that 2) the State of Minnesota also pass its own all-important and comprehensive state ERA to support and protect the equality of ALL Minnesotans.

Sincerely,

Janette Dean

Minnesota-raised Janette Dean is an environmental policy and human rights advocate and organizer who helped Nevada ratify the Equal Rights Amendment as the lead grassroots organizer there from 2014-2017 (see: <https://sites.google.com/view/nevadansfortheera/>). She currently lives and works in her home state of Minnesota. To see the beginning steps of the Equal Rights Amendment's journey and Nevada's steps to ratification victory, visit: <https://prezi.com/view/ClzKezAQEDP4lV9dBHb/>.