Kansas 1972 Podcast
Episode 3: Women on the Move

SERIES INTRODUCTION

Tracy Quillin:
This series was made possible by the Friends of Humanities Kansas.

Kara Heitz:
Welcome to Kansas 1972. A lot happened during that pivotal year, including the founding of Humanities Kansas. In celebration of our 50th anniversary, we'll be telling stories from that era of Kansas history. So, tune in, chill out, and get the lowdown on 1972.

EPISODE INTRODUCTION

***Emporia Gazette*, March 29, 1972 (Tom Bell, HK board member)**
"Kansas became the seventh state to ratify the federal equal rights amendment to the United States Constitution with action by the legislature Tuesday. The Senate voted 34-5 for ratification after the House had approved the resolution 86-37. Governor Robert Docking immediately congratulated the legislature and called the amendment 'just and right.'"

Kara Heitz:
One of the most significant political events of 1972 was the attempt to amend the US Constitution, in order to enshrine women's equality in the supreme law of the land. The proposed Equal Rights Amendment states: *Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.*

Sounds pretty uncontroversial to our contemporary ears, right? But not so much in the 1970s. That entire decade witnessed a series of contentious and divisive debates over the Equal Rights Amendment, often referred to as the ERA. And these debates did not just disappear after the decade was over. In fact, many of the disputes over controversial moral and social issues in current times related to gender, sexuality, the family … can find their roots in arguments both for and against the ERA five decades in the past.

[*Music starts*]

In this episode, we'll look at the history of the ERA in the state of Kansas, which has its own unique connections to the ERA, but also kind of acts as a microcosm for what was going on in the nation as a whole.

We'll learn about how, initially, the ERA actually passed through the Kansas Legislature with relative ease…

David Heinemann:

It was really perceived to me as a nonpartisan issue, particularly when you had leaders of both parties supporting it.

Kara Heitz:
How Kansas, at times, has been a leader in the fight for women's rights …

Kelly Erby:
In 1912, women are granted full suffrage in Kansas, so that's almost a decade before women are granted full suffrage in the country.

Kara Heitz:
Why the ERA became so controversial *after* its ratification by KS (and other states) in 1972 …

Joan Wagnon:
I mean, it was hysteria almost over the portrayal of what gaining that right would cause you to lose.

Leslie Smith:
It took a particular sort of voice, and in this case, a woman speaking against feminism was probably the most powerful voice who could have spoken.

Kara Heitz:
And the ambivalent relationship that many minority women in Kansas and nationally had with the ERA and the larger women's rights movement.

Shirley Chisholm:
I said, "That's not our thing, that's a middle-class white woman thing."

And much more.

[*Music ends*]

But first, let's take a quick look at why many people saw the ERA as something that was needed.

SEGMENT 1

Archival audio: American Women and Social Change - Labor, USIA (1974)
"The world is changing, and so are the lives of women around the world … American women over the years have worked hard to achieve much in the way of legal, political, social, and economic equality. But the struggle continues."

Kara Heitz:
While some women have always worked, and the unpaid labor of running a household is obviously work as well, during the 20th century, a steadily increasing number of women engaged in paid labor outside of the house.

[Music starts]

At the beginning of the 20th century, this was approximately 21% of American women. By 1950, this number had grown to around 29%, and by 1970, over 43% of women were working in paying jobs. (Women's participation in the workforce continued to rise until around the year 2000, when it reached 57.5%. That rate has held relatively steady ever since (… until at least some women started leaving the workforce during the Covid pandemic. It's still uncertain how long that trend will continue.)

But, back to 1970, that 43% of adult women in the workforce, that was not just single women. In 1970, 57% of single women were working, but so were 41% of married women and 40% of mothers with children under 18. Of course, there were differences based on economic class, race, and other factors, but we'll touch on that later in the episode. The point here is that a significant number of all kinds of women held jobs outside of their household in the 1970s.

And yet, women faced a considerable amount of discrimination in the working world.

[Music end]

To understand what was happening from the perspective of individual Kansas women in this era, I spoke with Marilyn Ault and Joan Wagnon. Marilyn Ault is the former Director of the YWCA Battered Women Task Force in Topeka and a lifelong activist for women's issues, who was fighting for the ERA in the 1970s. Joan Wagnon is a Kansas politician who served as a member of the KS House of Representatives, the mayor of Topeka, and most recently, the Chair of the Kansas Democratic Party. In the late 1970s, she was beginning her tenure as executive director of the Topeka YWCA.

Joan Wagnon speaks first and then Marilyn Ault about discrimination they faced in the 1960s and 1970s as women.

Joan Wagnon:
I remember having to give up my credit card that I had when I was in college that I used to buy gasoline for my car to go back and forth because it was in my name and they wouldn't let me add my husband. They would let me have a credit card in my husband's name and they would add me.

Marilyn Ault:
Yeah, I did the same thing at J.C. Penney as a newlywed and just went in to get a credit card. And, "Oh, you're married. Well, it has to be in your husband's name." Actually, I put up quite a scene and I really wasn't involved with too many organized groups at the time, and they were glad that I finally walked out the door and didn't have a credit card with 'em.

Joan Wagnon:
But that's what the ERA portend that you begin to straighten out those things where women couldn't get credit in their own name, they were being discriminated against in employment.
I filed a suit against a civil rights suit against the state of Missouri for discriminating against me, refusing to hire me because I was a woman and they even wrote me a letter and said, "We're not going to hire you because you're a woman." So, I took it to the Civil Rights Commission and they made them hire me. I mean, you know, that was rampant. There are all these situations out there that women understood that. So, in the beginning, those of us that had experienced that were the ones that were pushing for it.

Marilyn Ault:
I had a job I loved as a speech therapist here, and this was before public schools were doing speech therapy, and so they had these one-person clinics or about 12 of us around the state. And so, I was at the clinic here and I got a phone call, someone who's worked for us longer than you wants the job in Topeka. There isn't enough work for two of you and you're young and newly married and will probably be having babies soon. So, we're going to have to let you go so she can have the job.

Joan Wagnon:
That's why we need the ERA and that's what it produced. Even though it failed to be ratified, it pushed the federal government to make changes in those areas that allowed you to function. And I got a credit card, and you did too.

Marilyn Ault:
Eventually.

Kara Heitz:
These are just a handful of examples that illustrate what were common practices at the time.

You could be legally fired from a job when you got married, got pregnant, or even if it was just assumed that you were going to get pregnant at some point in the near future. An employer could openly not hire someone because of their gender, for example, if they thought a woman could not perform certain kinds of work. There certainly was not equal pay for equal work (which is still an issue today, although it's gotten a lot better since 1970). And women faced many hurdles in accessing credit and loans that could give them some measure of financial independence.

Some legal recourses had developed in the 1960s for women facing job-related discrimination. But it actually took years of courtroom battles for the full effects of these laws to be realized.

And as more and more women were working outside the home, support for the Equal Rights Amendment grew. However, these economic changes were embedded in a larger cultural shift that was taking place in American society.

Joan Wagnon:
The fifties and the happy homemaker that "Leave it to Beaver" image of what a family looked like was changing because women were going to work.

Kara Heitz:
And more women in the workforce meant people were re-evaluating traditional ideas about gender roles and the family.

This is reflected in letters that Kansas Senator Bob Dole received from constituents in the early 1970s about the ERA.

[*SFX: pencil writing sounds*]
[SFX: fade beginnings and endings of VOs into one another]

Peg V. from Wichita (Leslie VonHolten, HK staff)

"As the working mother of seven children and also the major support of the family, I feel this legislation is long overdue. It's only a start -- but it's in the right direction."

Kathleen B. also from Wichita (Leslie Daugharthy, HK staff)
“As a working woman, taxpayer, voter, and unmarried head of a household I am naturally interested in this piece of legislation. It has my total heartfelt support. We women pay the same bills and taxes as men and I have confidence that our Congress can ensure the rights of any disadvantaged person, regardless of age, color or sex.”

Elaine E. from Lawrence (Abby Kaup, HK staff)
“I have found my income cannot be considered in its entirety in applying for a home loan … because I happen to be of childbearing age, and it is predicted that I will leave my career one day to rear a family no matter what I say now. As a professional person with a master’s degree, I think this insulting to my intelligence and to my sense of responsibility …”

Kara Heitz:
While some version of an ERA had been introduced to the US Congress pretty much every year since 1923, the growing numbers of women in the workforce meant concerns about equal pay and financial equality had reached a tipping point.

Representative Martha Griffiths of Michigan proposed the ERA bill in 1971, which was met with widespread bipartisan support, including from most Kansas politicians.

[SFX: *teletype press release*]

Dole Press Release (Murl Riedel)
“Press Release from the Office of Senator Bob Dole, Washington, DC, Feb. 24, 1972. United States Sen. Bob Dole announced today his support for the Equal Rights Amendment to the Constitution, [To quote Senator Dole]
‘I support this amendment with a profound sense of the rightness of its cause. But I also support it with an awareness of the historical significance it holds for my state. The State of Kansas has many proud and longstanding social, commercial, and political traditions. Foremost among these great traditions is a strong and sometimes exuberant regard for individual rights and freedoms. I believe the time is long past due for this nation to eliminate every last barrier to women's full exercise of their rights as citizens and to their participation in the life of this country to the maximum extent of their considerable abilities and talents.”

[Voting sounds SFX, gavel banging, Yays and Nays, etc?]

Kara Heitz:
On Oct. 12, 1971, the US House of Representatives approved the ERA, with a vote of 354 in favor, 24 against, and 51 abstaining. On March 22, 1972, the bill passed the US Senate with similar ease, with a vote of 84 in favor, 8 against, and 7 abstaining. President Nixon personally praised the passage of the bill (although he did not have an official role in the legislative process).

[*Music starts*]

So, this might be a good time for a quick aside, as some of you might be wondering - how exactly does this Constitutional amendment process work? A proposed constitutional amendment must initially be approved by a two-thirds majority of both houses of Congress (which the ERA most definitely received). Unlike most other types of legislation, however, it does not need presidential approval. The amendment is then sent on to the states. Three-fourths of the states must ratify the amendment, which means 38 out of 50 states must pass an amendment for it to become part of the US Constitution.

And a number of state legislatures did quickly take up the ERA right after it passed Congress in late March of 1972, including the Kansas legislature.

[*Music ends*]

I spoke with David Heinemann about the Kansas passage of the ERA in 1972. Heineman has had a long career in public service, including serving as a Republican representative from Garden City in the Kansas Legislature from 1968-1995. He was the one who introduced the bill to ratify the ERA, so I asked him about that process.

David Heinemann:
That's interesting because that was about my fourth year in the Legislature. The Kansas Legislature was involved in a myriad of constitutional amendments. It was in a very important time where we are changing Kansas Government. 1972, the year that the ratification of the Equal Rights Amendment was taken up, we put out constitutional amendments, we unified our court system. So as a 26-year-old, I was lucky to be involved and following what was going on nationally and obviously nationally the Equal Rights Amendment was on the radar.

Kara Heitz:
The US Congress passed the ERA on March 22nd, but the KS legislature had actually adjourned their 1972 session a couple of days before that. However, a resolution had been passed at the last minute to extend the session by one additional day to complete some unfinished business. That final day was March 28th.

David Heinemann:
And during the session on that 28th, they could only consider vetoes of the governor and conference committee reports. Basically, nothing else. March 22nd, Congress completed their work and sent the Equal Rights Amendment proposed ratification to the states. On the 28th, we came back and, in the meantime, I had followed that and was very concerned that Kansas be a leader again, as we had been in the past. And so, when we came back, I'd already asked the Reversers office to put a resolution together to do it. And after what was not really a long debate, we passed it by a vote of 86 to 37, two more than the 84 needed for the House to pass it. The Senate later in the day passed it, I believe, by a vote of thirty-four to five.

Kara Heitz:
So, on March 28th, 1972, Kansas became the 7th state to ratify the ERA, with a vote that made it seem widely supported and uncontroversial. That would not last for long. So, what exactly did David Heinemann mean by Kansas “being a leader again”? Senator Dole similarly mentioned the “historical significance” that the ERA would hold for Kansas. Both men are referring to the long history of Kansas and Kansans often being at the forefront in supporting the cause of women’s rights.

So, to better understand this history, I spoke with Kelly Erby, a professor of history at Washburn University who specializes in 19th century American social and cultural history.

Kelly Erby:
So, most white settlers who came to Kansas after the Kansas Nebraska Act were looking for land and opportunity, but there were many who came who wanted to reform the nation and politics and particularly were interested in making Kansas a Free State. This is the Bleeding Kansas period, of course. And so, there was always this strong relationship between the abolitionist movement and the women's rights movement. And so, people like Clarina Nichols, for example, come to Kansas to make Kansas a Free State. She's an anti-slavery activist, but she also has her eye on women's rights. And there were other women like her who come, I'm thinking of Mary Jane Ritchie, for example. They form a women's rights association in Kansas in 1858 called the Moneka Association, and it advocated for women's rights. The Wyandotte Constitution, for example, which is the first state constitution of Kansas that's finally adopted, it guaranteed women the right to vote in school board elections, which is a pretty big deal at the time. It also gave women the opportunity to have custody over their children. In the case of divorce, that was not something that women were entitled to nationwide. And then also it gave women the right to inherit, control, and bequeath property in her own name. And so that's another achievement for women's rights in Kansas.

Kara Heitz:
Another defining moment in the struggle for women's rights in Kansas happened in 1867 with the universal suffrage campaign. Kelly Erby continues.

Kelly Erby,
So, this is after the Civil War and after Kansas has become a state, and we have the 14th Amendment, which has given citizenship to um formerly enslaved people. But the people still want suffrage, so they want the right to vote for both Black men, that was not guaranteed as part of the 14th Amendment - and also for women. And so, Kansas is the first place where the issue of suffrage is put to a popular vote. And in 1867, two referenda are brought for a vote. One would give Black men the right to vote and the other would give women the right to vote. And Republicans in Kansas, who were the controlling party at the time, split the referenda sort of strategically. There were some Republicans who thought that linking women's suffrage to Black men suffrage was just too radical, and that both that both measures would fail if they were linked. And so, they sort of strategically split them.

Kara Heitz:
And even after splitting them, both measures in 1867 were ultimately defeated. But this gives us an early example of a theme that comes up over and over in American history. The fights for gender and racial equality are not always in harmony. But for now, back to the late 1800s.

Kelly Erby:
So, another important first for Kansas in the long road to women's suffrage is in 1887. Women get the right to vote in municipal elections, and that is important. In 1887, Kansas also elects the first female mayor in the entire country, so that's very soon after women get the right to vote in municipal elections they elect in the city of Argonia the first female mayor. Also in 1887, the first all-female city council is elected in the city of Syracuse. And then in 1912, women are granted full suffrage in Kansas, so that's almost a decade before women are granted full suffrage in the country.

Kara Heitz:
Nationally, women won the right to vote in 1920, with the passage of the 19th amendment to the US Constitution. (It is important to recognize that many African American women, especially in the South, and Native American women, did not receive access to the vote with the 19th amendment. Those are important stories to tell but for another time.

So not all but quite a few in America got the right to vote in 1920, but suffrage is only one aspect of equality under the law. What about discrimination in areas like property rights, marriage and divorce laws, employment and labor practices? Many activists who fought for women's voting rights believed the 19th amendment was not enough. So, the idea of an Equal Rights Amendment to the Constitution, guaranteeing women equality before the law in all areas of public life, not just voting, started to get support in the 1920s.

And while the women's suffrage leader Alice Paul drafted the first ERA, Kansas politicians were instrumental in early efforts to pass it.

Kerry Wynn:
So, the politician who actually introduces the ERA, the Equal Rights Amendment, as it was written in 1923 to Congress into the Senate is Charles Curtis.

Kara Heitz:
That's Kerry Wynn, also a professor of history at Washburn University, who specializes in Women's history and Native American history.

Kerry Wynn:
…and Charles Curtis was a congressman from Kansas. He eventually becomes Vice President, and he had been involved in the passage of the 19th Amendment. Alice Paul actually said that when they needed someone to introduce the Equal Rights Amendment, her colleagues had worked very closely with Charles Curtis, and he had been very helpful in the passage of the 19th Amendment to be sent for ratification. So, they knew he would be an ally when it came to the Equal Rights Amendment. And indeed, he was, and he proposed it in the Senate. For Curtis, he often described it as the natural conclusion of the 19th Amendment that once you had the right to vote, then this assertion of equal citizenship was the next step.

Kara Heitz:
Even in 1972, Kansans recognized this special connection between Curtis and the ERA.

[SFX: *teletype press release*]

Dole Press Release (Murl Riedel):
Press Release from the Office of Senator Bob Dole, Washington, DC, March 22, 1972
"I note this day with a particular sense of its historic importance for the state of Kansas … the Equal Rights Amendment was first proposed in Congress by Charles Curtis, a great American who was elected Vice President under Herbert Hoover. He was also a great Kansan, who devoted virtually his entire adult life to public service …"

Kara Heitz:
Charles Curtis is also notable for being the first Native American to reach one of the two highest offices in the land, when he was Vice President under Herbert Hoover.

But Curtis is not the only Kansas politician active in the fight for the ERA in the 1920s. Kansas member of Congress Daniel Anthony also played an important role, and had a significant family history in the fight for gender equality.

Kerry Wynn:
Anthony was the nephew of Susan B. Anthony, who of course, was a famous suffragist. And when Daniel Anthony talked about why he was so supportive of the Equal Rights Amendment, he said it was because it was basically, he had been brought up to think that equality was a part of democracy, and so he was supportive of it.

Kara Heitz:
This idea of women's equality being central to democracy for many Kansans continued through the mid-century when President Dwight D. Eisenhower called on the US Congress to pass the ERA in 1958.

But even with this level of support, often bi-partisan support for the ERA over the years, the political will required to actually pass the bill nationally was just never there. Until 1972.

SEGMENT 2

[*Music starts*]

Kara Heitz:
Of course, when we think of the ERA today, we know that it failed to become part of the US Constitution. We also might think of the contentious conflicts over the ERA that took place throughout the 1970s. But remember, initially, in Kansas and across the country, it was not very controversial.

In the first year after Congress passed the ERA, 30 of the 38 states needed to ratify it did so. However, between 1974-1979, only 5 more states ratified the ERA, and 5 other states even rescinded their previous ratifications.

[*Music ends*]

So, what in the world happened?

Supercut: various interviewees saying the name

"Phyllis Schlafly."

... An opponent of the Equal Rights Amendment is Phyllis Schlafly, national chairman for the Stop ERA.

SCHLAFLY VS FRIEDEN DEBATE
When you make the laws apply equally to men and women, you end up taking away many of the rights that women now have.

Kara Heitz:

So, who was Phyllis Schlafly? And how did she pretty much single-handedly stop the passage of the ERA in the 1970s?

[*Music starts*]

If you asked her who she was, Schlafly would probably have responded that she was a homemaker from Illinois, a mother of six children, a devout Catholic, a staunch Conservative, and a believer in traditional family values with a man as the head of the household.

But scratch that surface, and you'll see so much more. Ironically, if you take away the content of her message, she kind of lived the life that feminists in the 1970s wanted women to be able to live.

Schafly received a master's degree in political science from Radcliff College (which was Harvard's sister school at the time, since women were not allowed in most programs at Harvard until 1977). From the late 1940s onward, she worked as a conservative activist, and ran multiple times herself for political office, albeit unsuccessfully.

She came to national prominence in 1964 with her book "A Choice is not an Echo," in support of Barry Goldwater for president. But with the passage of the ERA by the US Congress in 1972, Schlafly had found a new political battle.

[*Music ends*]

So, what exactly were Phyllis Schlafly's objections to the ERA? And how did she go about getting her message across?

Many of her arguments were about how the ERA would not be giving women additional rights but would, in fact, remove rights and privileges they already had.

Phyllis Schlafly:
For example, the Equal Rights Amendment will make our young women subject to the draft and military combat the next time we have one of these wars that we have every 10 years, because no longer could you have it just apply to males, it would have to apply equally to females. And the ERA is a big attack on the rights of the homemaker. The laws of every state make it the obligation of the husband to support his wife, to provide her with a home to support their minor children. The woman in the home can draw Social Security benefits based on her husband's earnings, even though she's been a homemaker all her life. Now, all these things will be lost when you apply a rule that says that everything must be equal. Now until you can make it equal for men to have the babies just like women, then it is a double burden to the women to say that the rules for family support should be equal on the husband and the wife. ERA ends up in taking away the right of the wife to be supported by her husband and to have the right of to get credit in the stores based on her husband's earnings and all the rights of a wife.

Kara Heitz:
So, to help better understand Schlafly's arguments against the ERA, I talked to Leslie Smith, who is an associate professor of religious studies and director of the Women's and Gender Studies Program at Avila University.

Leslie Smith:

A lot of the, you know, the mainstream Americans who supported the ERA were saying things like, “Hey, it makes sense that men and women should be equal. It makes sense that men and women should be paid the same. It makes sense that you know that that, you know, just under, you know, the law that equity should be, you know, codified us as part of who we are as Americans.” Schlafly takes things on a much different sort of path, and she begins the argument, and really, she couches it in this family values talk again. And her argument is that if you guarantee men and women equality under the law, then suddenly you have to treat men and women identically in every single way. She would often talk about custody cases where there was a divorce or a separation of some sort. And she would say to many women, “Well, you know, if you really think that you want equity, just think what's going to happen if you get a divorce?” And the judge now says, “Well, I can't give the kids to the woman. We used to do that. But now, because of the ERA, I have to give them to the man too.” And so, she begins to really create this sort of threatening rhetoric that worked for a lot of women to convince them that perhaps life without the ERA was actually a life that had more rights than life with it. And so that was, you know, from a rhetorical perspective, that was a stroke of genius because she begins to tell them that equality is actually going to work against them, that what they already have is a position of privilege. They're not required to go out into the workforce. That's their husband's job. They have, you know, protections, you know, in the case of custody. They're not drafted into military service. And so, these are the things that she keeps coming back to, that that actually living the life of a woman in the United States is actually a life of great privilege.

Kara Heitz:
So how did Schlafly get her message out to women, especially more conservative-leaning women, across the country? Just as brilliant as her political rhetoric were her campaigning tactics.

She spent much of the 1970s making steady appearances on radio and TV, with regular commentary slots on regional and national news shows. Through her “Phyllis Schlafly Report” newsletter, Schlafly sent out thousands of mailers outlining her arguments against the ERA. Her STOP ERA campaign and Eagle Forum Special Interest Group organized local chapters of like-minded women across the country to engage in state-level activism. And she was constantly speaking in person at conferences, workshops, group meetings, and other public and private events across the country. For example, in 1977 alone and just in Kansas, she appeared in person at local STOP ERA events in Topeka, Wichita, and Overland Park. The historian Rick Perlstein, who wrote a series of best-selling books about the rise of the Conservative Movement in the 1960s and 1970s, called Schlafly “the best political organizer in American history.”

And Kansas women were listening, especially conservative-leaning women and women invested in more traditional ideas about the family. Constituent letters to Senator Dole reflect this growing influence of Schlafly’s message.

[SFX: pencil writing sounds]

Linda R. from Olathe:
“I am a housewife and the mother of 2 girls and 1 boy, and as such, I am very much opposed to the so-called, "Equal Rights Amendment". I don't want to be forced out of my home and away from my family.”

Mrs. Nelson D.:

“I feel the ERA will only deprive me of my rights. I am a mother of three children and am perfectly happy fulfilling the role of a homemaker. I don’t want to serve in the armed forces as men do. If I should return to work, I don’t want to be exploited by male employers. The laws protecting women from these things will surely be done away with if the ERA is passed.”

Mrs. Gary S. from Argonia:
“What’s going to happen to the poor children whose mother has to go to the army or whose father doesn’t have to support it? Will there be enough garbage in the garbage cans to feed these children? It’s a shame that men are so smart that they can send a man to the moon and so dumb as to let this happen.”

Kara Heitz:
Side note - There’s actually a Kansas connection to sending men to the moon and we’ll explore that in a later episode. But for now, back to the ERA. A number of women in Kansas took up Schlafly’s call to action, creating local chapters of STOP ERA and the Eagle Forum, as well as the independent group “Kansans against the ERA.” And throughout the 1970s, these activists attempted to rescind the state’s ratification of the ERA, with support from some Kansas legislators (both Republicans and Democrats) in 1973, 1975,1976, 1977, and again in 1978. I talked to Marilyn Ault and Joan Wagnon about these later debates over the ERA in Kansas. During hearings at the state legislature in 1975 about rescintion, both pro-and anti-ERA groups in Kansas organized their supporters. Marilyn Ault describes her experiences as a part of the pro-ERA coalition.

Marilyn Ault:
So, then they started having testimonies here in Topeka and so busloads would come from all around, especially Wichita. There'd be a busload of pro-ERA and then the antis would come up to us, so there would be huge turnouts. It was really a big, big thing. I mean, this wasn't a quiet little that just a handful of people got involved with. And we came to one hearing and there were so many people that we filled up the hearing room, and then we were way out in and all over the building, but out in the hallways and they put loudspeakers on so we could hear what was going on.

Kara Heitz:
So, what initially sparked this 1975 effort to rescind Kansas ratification? Here is Joan Wagnon.

Joan Wagnon:
Until Phyllis Schlafly came to town, and she came to Topeka and stirred everybody up, that led to the 1975 hearings in the House Federal and State Affairs Committee, and those hearings were where you had the huge crowds. And the issue was whether or not they could rescind the earlier action.

Kara Heitz:
While none of these efforts were ultimately successful, Schlafly’s arguments were clearly appealing to many women in Kansas at the time. Joan Wagnon explains her perspective on the power of Schlafly’s rhetoric.

Joan Wagnon:
She created a dialogue that people could buy into without really having to explore and understand the issue. The whole notion of “this is my right to do something” is really a legal argument. And it's not well understood, your right to privacy, your right to not be discriminated

against and whatever it is. That whole concept had was just coming into the public dialogue in the late 60s and early 70s, about what rights do we have as people. But what you will find in listening to some of the discussions of that era is that there was so much misinformation. People didn't know what any of this meant. They thought it meant boys and girls will use the same bathroom. They thought it meant women are going to have to go to war and fight and won't be able to bear children. I mean, it was hysteria almost over the portrayal of what gaining that right would cause you to lose it. So, if women have to be treated equally with men and not subject to discrimination, what will happen that we don't know about?

Kara Heitz:
So, there was a kind of fear of the unknown, of the uncertainty of where adding gender equality to the Constitution would lead us. But was there something deeper than just uncertainty at work here? Remember what Leslie Smith said earlier in the episode. All of these objections to the ERA were couched by Schlafly and her supporters in the idea of family values. And it's during this fight over the ERA in the 1970s when debates over “family values” really start to emerge in American politics.

Leslie Smith elaborates.

Leslie Smith:
What she successfully rallied a lot of conservative-leaning Americans around, and, you know, in terms of like these powerful rhetorical symbols of what the family should be, it should be straight. It should be reproductive, right? It should be dependent on men, you know, for economic labor. And that women were to be, you know, valued for their, you know, their emotional labor. Let's put it that way. What she argued for, there are still vestiges of that today. But Phyllis Schlafly is, you know, is the one who begins to sort of thread that needle, so to speak. She begins the conversation where she links all of these things together.

[*Music starts*]

Kara Heitz:
Increasingly in the 1970s, against the backdrop of all the social changes that has been taking place since the 1960s, many conservative and conservative-leaning women felt their voices were not being represented by the women’s rights movement. And Schlafly’s STOP ERA movement really taps into these feelings, laying the foundation for later debates over controversial social issues such as family structures, childcare, reproduction and abortion, and LGBTQ rights. But conservative women weren’t the only women in the 1970s who felt the women’s liberation movement was out of touch with their views and interests.

[*Music starts*]

SEGMENT 3

Shirley Chisholm:
What role do I feel the Black woman should play in women's lib? First of all, let me say this: That Black women as a whole have been liberated for a long time. We've had to be. We have had to be liberated by virtue of the historical circumstances that we were placed in when our men were never given the opportunity to be full force of a man in this country. And we had to actually keep together some semblance of a family unit in this country while our men were

emasculated. So we had to be liberated by virtue of historical circumstances, if for no other reason.

[Fade out Chisholm audio]

Kara Heitz:
That's Shirley Chisholm speaking on Nov. 15th, 1972 at Pittsburg State University, at the time the Kansas State College of Pittsburg. Chisholm was the first African American woman elected to the US Congress, representing New York's 12th district from 1969-1983. Earlier in 1972, she had sought the Democratic nomination for president, making her the first African American candidate seeking a major-party nomination for President, and the first woman to seek the Democratic nomination. Pittsburg, Kansas was just one of many stops on her 1972 speaking tour.

Chisholm did support the ERA, but she recognized many African American and other minority women were skeptical of the ERA because of its association with a larger women's movement that they often felt did not represent them.

[*Bring Chisholm audio back up*]

Shirley Chisholm:
And I say that to the Black sisters over there. Let me say this very emphatically. There are planks for the women's liberation movement in this country. And I hate that word women's liberation, but that's the term to give the movement. But there are planks from that movement that are very important to Black women. …Most of the women's organizations in this country, whether they are Women's Liberation Group or not, have a major part of their plank national daycare centers. Now, Black women should know and understand the importance of daycare centers, not from a
fanciful point of view, but from a realistic point of view in this society with respect to our young children. Daycare centers are important to Black families, period. So therefore, if that is a plank in the women's liberation movement, that is something that you can identify with and work for.

Kara Heitz:
Childcare became a critical issue for pro-ERA groups and the women's movement because so many women were in the workforce by the 1970s. But other parts of the women's rights agenda weren't as applicable to women of color and working-class women.

Chisholm continues.

Shirley Chisholm:
…But then women's liberation groups say to us, like some of them have said to me, and I've gotten into difficulty with some of them because I'm very frank, about taking a picket sign and walking up and down in front of a cocktail lounge that closes two hours a day to women. Because the men, and I'm thinking about New York now, the men in the Wall Street area for years used to go into this particular cocktail lounge after they transacted the business on Wall Street to discuss what they had done. So, some of the women in the liberation movement in New York got the idea that it was so important that those men let us in. So, they came to me, you know, to join in the picket line. I said, "First of all, let me tell you something. If my Black sisters came along here and saw me walking up and down on a line with a picket sign to get into a cocktail lounge for two hours a day, they would lift me up bodily and throw me in the Atlantic

Ocean." I said, "That's not our thing, that's a middle-class white woman thing, that's not our thing." So, you see you have to understand that white women, by virtue of their circumstances and by virtue of the kind of lives that they have live, cannot expect black women to jump on their liberation bandwagon and go along with everything that they agreed to.

Kara Heitz:
Who cares if you can now technically get into some exclusive club if you're never going to be able to afford the dues in the first place?

[Music starts]

This is a common criticism of Chisholm and other minority women activists at the time - while women of color could certainly benefit from things like affordable childcare, the focus of the women's movement was really on the experiences and interests of middle-class white women. And that's still a criticism we hear echoes of today. While Shirley Chisholm was bringing attention to these issues nationally, Kansas women of color were having similar discussions locally.

[*Music ends*]

In a documentary from the 1970s on the status of women in Kansas, Carol Parks Hahn discusses the circumstances of many minority and impoverished women. Carol Parks Hahn was one of the organizers of the Dockum Drug Store sit-in in Wichita in 1958 and created this film when she was a graduate student at Wichita State University in the 1970s.

"Women with Carol Hahn" 1972
The belief still persists that a woman's whole sense of identity and major source of satisfaction depends solely on her home, her husband's job, and her children. For some women, this belief has had little meaning. Poor women for whom staying at home has rarely been an option and whose lifestyle has seldom corresponded to the stereotype of women's place in the home, have been relatively unaffected by the movement of the majority. With the growing number of women in the labor force, the margin of difference between the percent of employed black women and white women has been narrowing. However, black women with the longest history of work experience have benefited the least from rising economic standards.

Kara Heitz:
So, issues associated with working outside of the home are certainly not new ones for some women. And calls for equal pay would not do much for many women of color economically since the kinds of jobs they historically performed were typically at the very bottom of the pay scale.

Carol Parks Hahn goes on to talk with Oretha Faust, a long-time anti-poverty activist in Wichita, about the situation in the 1970s for many of the women she's advocating for.

Oretha Faust, 1970s:
Well things are really tough for one parent families, not because people just started out of one parent family because probably the most time the father left or got killed or a little bitty, nothing got him in jail or something. And it really made it hard for the mother and children.

Carol Parks Hahn:
And what are the specifically problems that they might face?

Oretha Faust, 1970s:
They are facing most time, all the time they're facing keeping enough money to pay bills and having a decent place to live and having the utility bills, keeping everything up and going as the need of human people have to have. This is a tough thing just to work every day to keep going. It's a struggle for them to go sometime soe will feel pretty lucky and some of us is still struggling at all times.

Kara Heitz:
Oretha Faust is the mother of Kansas state Senator Oletha Faust-Goudeau from Wichita. Here is Senator Faust-Goudeau talking about her mother's activism and influence on her own political career in an interview conducted by Washburn University students.

Washburn oral history interview with Senator Faust-Goudeau:
So, my mother was always a community activist. My mother marched with Dr. Martin Luther King. My mother took a group of women to Washington D.C. for the March on Washington, the Poor People's March. And so just forever growing up in my household I remember my mother advocating for equal rights for all people, and then my mother passed away in 2001, and on her deathbed as we were all gathered around she was telling, I have seven seven siblings, and she was telling each of us you know what we needed to do and what she wanted us to do and she suggested to me to run for office. "Go," she said, "go be in the legislature and continue fighting for equal rights for people."

Kara Heitz:
Senator Faust-Goudeau's mother really seems like she was a tremendous woman.

Of course, many minority women, like Shirley Chisholm and Oretha Faust, were on the frontlines fighting for equal rights for all people, not just women, in the 1960s and 1970s. And the women's movement did begin to better reflect the diversity of women in America.

This is Carmen Miami, who was the director of the Women's Bureau at the Department of Labor, speaking in 1974 about these changes.

American Women and Social Change - Labor, USIA 1974
But I think that in the very beginning, the women's movement was very narrowly defined. And I think now that it has grown and matured, and it has opened the door to the inputs of many, many forces in our communities, both men and women who are participating, that is becoming a much more real, much more closer to the needs of all the women of the country. And I think that the fact that the women and the leadership is able to understand that you have to define feminism in the context of your heritage and the context of your background, I think also has helped tremendously to bring on board the Hispanic women and the Black women.

But even as these changes are taking place in the 1970s, the words and actions of women of color, both in Kansas and nationally, demonstrate the very complicated relationship minority women had with the women's movement and at the time.

Does equal pay matter when you can only get a low-paying job? If women like you have always worked, does the ERA address all sources of your inequality? And does "liberation" mean the same thing for all women?

CONCLUSION

[*Music starts*]

Kara Heitz:
In the past decade, there has been a renewed interest in finally making the ERA part of the Constitution, with three new states - Nevada, Illinois, and Virginia - passing the amendment. Advocates for the ERA claim this brings the number of states that have ratified it to 38, thereby officially making it part of the supreme law of the land. However, there are uncertainties. Congress created a deadline for ratification of the ERA, which expired on June 30th, 1982. But there are questions whether that is legally binding. And five states - I'm looking at you Idaho, Kentucky, Nebraska, Tennessee, and South Dakota - actually revoked their ERA ratifications in the 1970s and 1980s, although it's an open question whether states can actually revoke the ratification of a constitutional amendment that they've already passed.

It's still uncertain what, if anything, will happen to the ERA. But I find it notable that here we are, 50 years later, still debating this issue.

Think about where we were, five decades ago, in 1972, with the Kansas legislature ratifying the ERA, Shirley Chisholm speaking at Pittsburg State campus, and Kansans watching Phyllis Schlafly on the *Today Show* speaking against the ERA.

In that same year, Humanities Kansas was founded with a mission to help cultivate "wisdom and vision" in its citizens in order to strengthen our democracy through facilitating public dialogue.

[*Music stops*]

And one of the first programs funded by the organization in 1972 was directed at bridging divides on this controversial topic. Here is Tracy Quillin, the associate director of Humanities Kansas.

Tracy Quillin:
Right out of the gate in 1972, one of the first 14 projects is equal rights for women from St. Mary College in Leavenworth, and it looked at the role of women, how women in Kansas evolved with the changing economy, which is really interesting. So, looking back to times of settlers to women in the workforce. And their stated goals for the project were to educate citizens on the Equal Rights Amendment to examine the effects of changes in women's roles. So that goes from being primarily tied to the home, families, chores to being more increasingly in the workplace and to discuss ways women may increase their influence on public policy issues in Kansas. And to do this, they worked with humanists from St. Mary College in the disciplines of history, English, sociology, and religion.

Kara Heitz:
In complex times, like both 1972 and 2022, the humanities are not supposed to give us answers, but instead create a space to have conversations. And this is exactly what Humanities Kansas, was doing in the 1970s in regards to the ERA and women's rights issues. And it's the work that continues today, when the legacies of these political debates and cultural fissures still seem to divide us.

Thanks for listening to this episode of Kansas 1972 about the ERA. You can listen to full episodes and find out more about the sources we used for this and other episodes, on our website at www.humanitieskansas.org.

SERIES OUTRO

Kara Heitz:
Catch you on the flip side!

Tracy Quillin:
Humanities Kansas is an independent nonprofit leading a movement of ideas to strengthen Kansas communities and our democracy. Since 1972, HK's pioneering programs, grants, and partnerships have documented and shared stories to spark conversations and generate insights. Together with statewide partners and supporters, HK inspires all Kansans to draw on history, literature, and culture to enrich their lives and to serve the communities and state we all proudly call home. Join the movement of ideas at humanitieskansas.org.