

## Women's Declaration of Independence



Washington DC Supreme Court- June 4, 2018

## **Preface**

The words “*Equal Justice Under Law*” are carved in stone on the Supreme Court building in Washington, D.C.

But those words have never applied to women,  
because women have never had full legal equality under the United States Constitution.

This is not only a women’s issue—  
it is a constitutional failure that harms everyone.

This Declaration is being read by women across the nation today,  
on the 250th anniversary of the Declaration of Independence,  
to confront this truth and declare our collective commitment  
to the establishment of women as fully equal citizens once and for all.

Although the Fourteenth Amendment was adopted in 1868  
to guarantee “persons” equal protection of the laws,  
it has never been applied equally to women.

And although the Equal Rights Amendment,  
which establishes women’s equality,  
was ratified in 2020,  
it has not been implemented.

The 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.***”

When women are not equal, they suffer needlessly;  
families are less stable;  
and American democracy stands on uncertain ground.

When those who bring forth and sustain life and country  
are not equally protected by our laws,  
society is disrupted at its foundation.

Equality is promised in our nation’s foundational documents.  
Yet equality is being denied to half the population.

In 1776, we set out to create the world’s greatest democracy  
by declaring that equality would be our nation’s guiding principle.

Two hundred and fifty years later,  
this principle remains elusive for American women.

## **Declaration**

When, in the course of human events,

it becomes necessary for one-half of the people  
to call a nation back to its own truths,  
we declare the causes which compel us to speak.

We hold these truths to be self-evident:  
that all persons are created equal;  
that women are persons;  
and that government exists to secure these truths—  
not to delay or deny them.

In 1848, women first declared these truths  
at Seneca Falls, New York.

In 1868, the Fourteenth Amendment  
to the United States Constitution  
promised equal protection of the laws to persons.  
Yet the Supreme Court refused to extend  
this guarantee to women.

In 1923, women proposed the Equal Rights Amendment  
to establish their equality in clear constitutional terms.

In 2020, the Equal Rights Amendment was fully ratified.  
Yet it has not been honored or implemented  
by those entrusted with governing this nation.

Women bring forth life,  
pay taxes,  
vote,  
sustain families,  
serve their communities,  
and give their lives on the front lines of battle  
in defense of American democracy.

To deny women constitutional equality  
is to deny their dignity, humanity **and inalienable rights.**

A just society aligns authority with responsibility

Those who serve our democracy equally  
are entitled to its protections—**equally and without exception.**

Yet the Equal Protection Clause  
is not enforced equally for women.

Courts apply a lesser standard—intermediate scrutiny—  
a standard that allows unequal treatment to continue.

The highest standard, strict scrutiny,

remains unavailable to women.

The Constitution now speaks plainly: ***Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.***

Without it, government officials—  
including lawmakers and the courts—  
retain the legal authority to treat women differently,  
and worse.

## **Grievances**

The government's use of intermediate scrutiny  
denies women equality under the law.

The government's refusal to enforce  
the Equal Rights Amendment  
denies women equality under the law.

As a result, the government has:

**Denied women equal opportunity keeping women economically oppressed, all the while devaluing the roles of caregiver and parenthood.**

Failed to protect women equally  
against violence and abuse.

Granted itself greater authority over women  
than women have over their own lives  
and the lives of their children.

Permitted and profited from the exploitation  
and **sale** of women's bodies.

Allowed technology to be used  
to harm and exploit women and girls.

Allowed women to be harmed  
in ways that are not allowed for others.

These systemic injustices  
are legally authorized by our Constitution.

## **Declaration of Principles**

We declare that women are equal citizens of this Republic.

We affirm that equality for women  
must be clear in the written law  
and clear in its enforcement.

We affirm that motherhood and reproduction  
are unique and vital aspects of women's lives  
and deserve the utmost legal respect.

We affirm that the labor of women—  
paid and unpaid—  
is **indispensable** to our nation's economic well-being.

We affirm that women's bodies and lives  
are not instruments of control or profit.

We affirm that a just society  
honors legal equality among all people  
and in the systems that govern them.

We affirm that when women are finally equal,  
society will be stronger—  
for everyone.

### **Declaration of Action**

The Equal Rights Amendment has been ratified.

We call upon the people to:

Demand its immediate implementation and enforcement.

Demand its recognition by all government officials—  
in law, in policy, and in education.

Demand that all courts guarantee women full and equal protection of the law, as required by the  
Equal Protection Clause and secured by the Equal Rights Amendment.

### **Closing**

A nation that treats women unequally  
cannot be a democracy.

When women are equal,  
society is stronger—  
for all.

Therefore, we declare:

The Equal Rights Amendment  
is part of the Constitution.

It is the law.

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

Those who would deny the ERA cannot escape the fact that  
the Fourteenth Amendment guarantees  
equal protection of the laws to all persons  
and women are persons.

The current **system** of inequality for women  
is unconstitutional and anti-American.

Women will no longer accept a nation  
that denies them autonomy, dignity,  
and humanity.

All men and women are created equal.

We demand equality now—  
nothing more, nothing less.

**[UntilWomenAreEqual.org](http://UntilWomenAreEqual.org)**

## **National Pledge — Until Women Are Equal**

I have heard the Women's Declaration of Independence

I recognize this truth:  
women have never been afforded  
basic legal equality  
under the United States Constitution.

I affirm:  
the Equal Rights Amendment was ratified in 2020.  
It is the law.

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

And it must be fully implemented and enforced.

**Until women are equal, I pledge:**

To speak this truth—publicly and without apology.

To demand enforcement of the Equal Rights Amendment.

To demand equal treatment of women under the Equal Protection Clause,  
as guaranteed and strengthened by the Equal Rights Amendment.

To stand for the full equality of women—  
in every aspect of their lives.

Until women are equal,  
I will not be silent.

Until women are equal,  
American democracy remains unfinished.

And I stand for a Constitution  
that recognizes women as fully equal persons under the law—  
once and for all.

Signed: \_\_\_\_\_ State: \_\_\_\_\_

Date: \_\_\_\_\_