

The legal route around the era amendment

- 1963** **The Equal Pay Act** established the right of women to receive wages equivalent to those of men performing “equal work”. Equal work is defined here as work which h required equal skill, effort, and responsibility.”
- Case law prior to 1970** Gender based legislation passes as constitutional if the Court found “**any conceivable rational basis**” for the classification.
- 1971** **Reed v. Reed** ... struck down as unconstitutional a law preferring men over women as estate administrators under the 14th Amendment and the Court stipulated a new legal standard that sex classification henceforth must “**bear a fair and substantial relation to the object of the legislation**”.
- 1973** **Frontiero v. Richardson**, struck down as unconstitutional, is a statute granting male members of the armed services greater family benefits than it granted female members under the same legal standard that sex classifications under law must “**bear a fair and substantial relation to the object of the legislation**”.
- 1976** **Craig v. Boren** paradoxically now established the radical new and existing legal standard that sex classifications under law must now “**serve important governmental objectives and must be substantially related to achievement to those objectives**”

Henceforth since the rendering of this case law the need for an ERA Amendment has lost most of its prior support since there are hardly any circumstances where sex classifications have been upheld as constitutionally grounded.