

NBER WORKING PAPER SERIES

WHY WOMEN WON

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Working Paper 31762

<http://www.nber.org/papers/w31762>

NATIONAL BUREAU OF ECONOMIC RESEARCH

1050 Massachusetts Avenue

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October 2023

Lily Seitelman was instrumental to the compilation of the ANES, Gallup, GSS, Lifestyle, and Virginia Slims survey data as well as the EEOC cases. Christina Zhou worked on court cases and the Google N-gram. Both worked on the timeline. Maya Roy and Joy Wang helped with various details. Dev Patel created the usable version of the Great Aspirations data. I thank each for their excellent assistance. I am grateful to Eliana La Ferrara, Larry Katz, Dev Patel, and Brian Wheaton for comments. Ed Glaeser, Marco Tabellini, and David Yang generously provided helpful advice. The views expressed herein are those of the author and do not necessarily reflect the views of the National Bureau of Economic Research.

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Why Women Won  
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NBER Working Paper No. 31762  
October 2023  
JEL No. J01,J7,K31,N30

### **ABSTRACT**

How, when, and why did women in the US obtain legal rights equal to men's regarding the workplace, marriage, family, Social Security, criminal justice, credit markets, and other parts of the economy and society, decades after they gained the right to vote? The story begins with the civil rights movement and the somewhat fortuitous nature of the early and key women's rights legislation. The women's movement formed and pressed for further rights. Of the 155 critical moments in women's rights history I've compiled from 1905 to 2023, 45% occurred between 1963 and 1973. The greatly increased employment of women, the formation of women's rights associations, the belief that women's votes mattered, and the unstinting efforts of various members of Congress were behind the advances. But women soon became splintered by marital status, employment, region, and religion far more than men. A substantial group of women emerged in the 1970s to oppose various rights for women, just as they did during the suffrage movement. They remain a potent force today.

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In terms of their rights, women have won. By the end of the nineteenth century, American women had won the right to own property, keep their earnings, write legal contracts, manage their own businesses, and be educated. They added much more in the twentieth century including the right to vote in federal elections, be the equal of men in the workplace and in schools, choose their surnames, sit on juries, obtain credit, and exert control over their bodies (despite recent setbacks).

It was not that long ago that women were fired or demoted for being married, getting married, being pregnant, having children or capable of having children, were denied credit and mortgages, had to use their husband's name on credit cards, were treated differently than identical men by the IRS, the Social Security system, and the retirement rules of the federal government and the military, had jobs that were advertised separately from those of men, had restrictions on their work hours and the types of jobs they could take, were harassed sexually in the workplace as if that was normal, and were not seated on juries in some states or had to opt-in or were routinely exempted. Many women, today, remember the moment in 1974 when they could get a credit card in their own name or in the early 1970s when, as teachers, they were allowed to keep their jobs when pregnant.

Advances in workplace, education, and other rights in the late-1960s and early 1970s were somewhat fortuitous. But those gains galvanized the women's movement and set in motion the passage and granting of more rights. Yet, just when the women's movement had become a powerful force and gained, by law or judicial decision, some of women's most important rights, a strong anti-feminist movement emerged—organized and led by women—to reassert a need for protection and to protest equality on account of sex. Similar objections had been offered in 1911 by women who opposed female enfranchisement. The modern version of the anti-feminist movement remains a potent force and has joined with those opposed to abortion, gay marriage, and transgender rights.

The anti-feminist movement is against many different things. The pro-feminist movement, on the other hand, supports just one thing—equality. The meaning of these statements will be made clearer.

Men and women still differ along a host of outcomes in the labor market, workplace, and home. But they differ far less in terms of the formal legal rights accorded them and in outcomes than before the 1960s. Many of the rights women gained during the century after 1920 are in the workplace, marketplace, school, and marriage. As I will show with a chronology of women's rights, the "germs" of most were added in a brief decade some fifty years after women gained the right to vote. These germs sprouted and took form through judicial decisions and clarifying legislation in the decades that followed.

Why the floodgates of gender equality suddenly opened in the 1960s was due to several factors. The most important concerns the complex relationship between civil rights and women's rights, which had been intertwined ever since women advanced the abolitionist cause in the early nineteenth century. Perhaps the most famous moment before the 1960s of the complex relationship was with the crafting of the Fifteenth Amendment, when the National Women's Suffrage Association, formed in 1869, proposed that the right "to vote shall not be denied ... on account of race" *or sex*. They lost.

The relationship between the civil rights and the women's movements finally bore fruit for women in the 1960s. Few ordinary Americans, including those in the corridors of power, had perceived that differences between men and women were due to discrimination even if they perceived that differences between Blacks and whites were. That began to change as the civil rights movement advanced in the nation's streets and in Congress, and as the women's rights movement followed.

Not that long ago, the word discrimination was rarely used to describe the treatment of women in the workplace and elsewhere. The term "sex discrimination" began to be used with greater frequency in the late-1960s, as can be seen in Figure 1.<sup>1</sup> The most likely reason was because the word discrimination was increasingly used to describe the treatment of Blacks.

The use of the phrase "racial discrimination" in books published in the US (see Figure 1, Part A) increased in the 1940s with the desegregation in the US armed forces, and increased again in the 1950s.<sup>2</sup> Discrimination with regard to "sex" (later using the word "gender") began to increase about 12 years later. Both series peak around the late 1970s and early 1980s.

Using major US newspapers (see Figure 1, Part B) rather than books produces a similar series, although the newsworthiness of the 1964 Civil Rights Act overwhelms the graph. Omitting the spike in 1964 produces a series for racial discrimination that is similar that for books. Race discrimination, as term, increases around 12 years ahead of sex discrimination and both series peak sometime in the late 1970s to early 1980s. The use of the phrase "sex discrimination" (or "gender discrimination") indicates an awareness that women's rights in the workplace, credit markets, housing, the court system, and marriage were restricted, in a similar manner to the way those for Blacks were.

There is no better demonstration of the absence of belief in the 1960s that women

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<sup>1</sup> Figure 1, Part A uses the Google N-gram program, which searches over books in this case, published in the US. Part B uses ProQuest Historical Newspapers, from major US cities.

<sup>2</sup> The spike in 1948 corresponds to Truman's segregation of the armed forces.

were differentially treated than the response in *Hoyt v. Florida* (1961) of the members of the most-liberal US Supreme Court in history. The same court that decided *Brown v. Board of Education* (1956), *Gideon v. Wainwright* (1963), *Griswold v Connecticut* (1964), and *Loving v. Virginia* (1965), would not, to a justice, state that women should serve on juries, even in the extreme case of a woman accused of murdering her husband. *Hoyt* demonstrates the conviction at the time, even among liberals, that differences between men and women should be maintained because they were beneficial. The Court stated that women were “still regarded as the center of home and family life” and could be excused from jury duty although that was not the case for Blacks. In a 9-0 decision the Court stated that the Fourteenth Amendment was for racial differences and sex differences in jury selection carried no constitutional significance.

Even college graduates in class of 1961 when interviewed in 1964, three years after graduation, were conservative in their thinking about the roles of men and women.<sup>3</sup> Change would occur rapidly.

#### *A Chronology of Major Women’s Rights Events: When It Happened*

A timeline of major US women’s rights events, including well-known legislation, important court rulings, political milestones in Congress, decisions made by the Social Security Administration and Internal Revenue Service, divorce laws, and critical moments in the women’s movement and their political representation in Congress is provided in Appendix 1. The full timeline begins in 1846 with the adoption by Massachusetts of a Married Women’s Earnings Act that enabled married women to keep the fruits of their labor. But my discussion as well as Figure 2, which graphs the timeline or chronology, begin sixty years later with the landmark Supreme Court case, *Muller v. Oregon* (1908).<sup>4</sup>

*Muller* established that women as a group could be restricted in their employment to protect them and the unborn. These restrictions, moreover, were not in conflict with the Fourteenth Amendment despite the famed *Lochner* (1905) decision, because even though “the general liberty to contract ... is protected by the Fourteenth Amendment that liberty is subject to proper restrictions under the police power of the State.”<sup>5</sup> Both cases concerned restrictions on hours, but *Muller* affirmed that because “healthy mothers are essential to vigorous offspring, the physical wellbeing of woman is an object of public interest.”

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<sup>3</sup> I refer here to the *Great Aspirations* surveys, which will be discussed further below.

<sup>4</sup> Court cases are listed, with their citations, after the references.

<sup>5</sup> *Lochner v. New York* (1905) invalidated a New York law that limited the hours of bakers. In a 5-4 decision the Court stated that “the general right to make a contract is part of the liberty of the individual protected by the Fourteenth Amendment.” But in *Muller v. Oregon* (1908), the Court stated (9-0) that the hours of women could be limited.

Restrictions by states soon included limits on the number of weekly or daily hours that a woman could work, prohibitions against night work, restraints on the weight a woman would have to lift, and various bans on the employment of married and of pregnant women. *Muller* is at the heart of a controversy regarding women's rights that has raged in the courts, Congress, and the women's rights movement even until today.

Protection was a critical factor behind the rocky road of the Equal Rights Amendment. It featured in numerous court cases that led Congress to pass the 1978 Pregnancy Discrimination Act (PDA) amending Title VII. The PDA was then subjected to court interpretation that limited workplace accommodations, and the role of special protections for workers during and after pregnancy was finally clarified by Congress in the 2022 Pregnant Workers Fairness Act (PWFA).<sup>6</sup> This is a tortured legal history.

Sixty years after the *Muller* decision, *Rosenfeld v. Southern Pacific Company* (1968), determined that women, as one of the protected groups enumerated in Title VII of the 1964 Civil Rights Act, could not be treated differently in the workplace by the laws of the various states. To do so would constitute unlawful discrimination.

The chronology ends today when several states have passed paid parental leave laws (CT to begin in 2022; OR to begin in 2023) but also when *Dobbs v. Jackson Women's Health Organization* (2022) overruled *Roe v. Wade* (1973). It is a history of many ups, and some downs. It is also a history of deep divisions among women and men regarding the rights for women they believe will further their cause.

Some entries in Figure 2 (and Appendix 1) concern state legislation (e.g., divorce laws), and in most cases, I have not counted each state as a separate observation. Rather, I have used the number that had passed legislation at various important junctures. Some entries are major legislative decisions that have affected millions of individuals. Some are events, legislation, and judicial decisions that have affected a much smaller number. Many are landmark judicial decisions.

I have based the entries on chronologies and accounts compiled by noted historians and scholars of the women's movement (e.g., Freeman 1975, Harrison 1989, Kessler-Harris 2001, Rosenberg 1992) as well as on my own reading of the vital moments and events in the history (see Appendix 1, *Sources*).

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<sup>6</sup> In *G.E. v. Gilbert* (1976), firms were allowed to exclude pregnancy from disability benefits. That case led to the passage of the PDA (1978). *Young v. UPS* (2015) determined that firms must accommodate pregnant workers if other disabilities are equivalently treated. That led to the passage of the PWFA.

To gauge if there are differences by year in the type of event, each of the entries has been placed in one of four areas: Workplace, Economic/Social, Political, and Own Body.<sup>7</sup>

- *Workplace* entries are those concerning legal protections in the workplace. They include cases, acts, and orders involving protective legislation, the EEOC, Title VII, equal pay, and affirmative action.
- *Economic/Social* entries include those concerning rights in education, marriage, divorce, marital property, contracts, Social Security, and taxes.
- *Political* items include key aspects of the women's movement, and milestones for women in Congress and the Supreme Court.
- *Own Body* matters include judicial cases regarding contraception and abortion, and landmark moments in the history of birth control and reproductive rights as well as laws regarding sexual harassment.

Several entries straddle two areas but have been, by necessity, assigned to one. The various entries for the Equal Rights Amendment (ERA), for example, have been placed in the Economic/Social sphere since the portion of the ERA that would have covered the Workplace is already included in Title VII, even though the ERA was first introduced in Congress in 1923 long before passage of the 1964 Civil Rights Act. There are, to be sure, other categorizations that could be employed, but these will demonstrate that the time series for all are similar. The decade from 1963 to 1973 was a golden one for establishing women's rights in America.

Counts of the entries, and by each of the four groupings, are graphed in Figure 2, aggregated quinquennially. The total number of events listed is 155. There are many years of quiescence surrounding a few moments of greater intensity. The first period of activity is from 1916 to 1923 with the formation of the National Women's Party, the passage and then ratification of the Nineteenth Amendment, the establishment of the Women's Bureau, and the first introduction of the ERA to Congress in 1923.

The next moment extends from 1963 to 1973 and includes by far the most entries. That decade, politically and socially tumultuous for reasons distinct from the women's movement, contains the Equal Pay Act of 1963, Title VII of the 1964 Civil Rights Act, the publication of *The Feminine Mystique*, the formation of the National Organization for Women (NOW), the shift to coeducation among many of the Ivies and little Ivies, the passage of the ERA in the House and Senate, Title IX of the 1972 Education Act, the spread of no-fault and unilateral divorce laws among the states, the first edition of *Ms. Magazine*,

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<sup>7</sup> I am following Tertilt, et al. (2022) in using four main categories. The World Bank's "Women, Business and the Law Index" has eight categories: Mobility, Workplace, Pay, Marriage, Parenthood, Entrepreneurship, Assets, and Pension (see Hyland, et al. 2021, 2022).

and *Roe v. Wade*, among other highlights. The period also includes the start of a formidable anti-feminist organization, STOP ERA. The final period of activity, from around 1987 to 1993, contains further sex discrimination cases and the passage of FMLA.

The Nineteenth Amendment set the stage for many of the events, particularly legislation. Three pieces of federal legislation, as well as related ones at the state level, have had outsized direct and indirect impacts on women's rights. These are Title VII of the 1964 Civil Rights Act, Title IX of the 1972 Education Act, and the Equal Rights Amendment, which was never ratified by the required number of states, but was passed separately by 26 state legislatures from 1879 to 2019.<sup>8</sup>

It would be instructive to weight each entry in Figure 2 (and Appendix 1) by the size of the group affected in each subsequent year. But that is infeasible for numerous reasons. I have, however, taken what are undoubtedly the two most important acts establishing women's employment rights, Title VII and the 1963 Equal Pay Act (EPA), and examined the relative importance of each by newspaper references (deflated by a neutral word to account for the overall size of the newspapers). The results are graphed in Figure 3.<sup>9</sup>

The importance of Title VII to women's rights, as judged by the relative number of articles devoted to it that concerned women (or sex) is given in Figure 3 Part A. The series surged after 1972 when the EEOC was given the ability to bring cases on its own, and the EEOC began to use the law to press charges "on account of sex" in areas such as pregnancy bars, credit discrimination, and those regarding the bona fide occupational qualification (BFOQ) exemption. Articles on Title VII and sex again increased in the 1980s especially EEOC cases concerning differential pension deductions at work, sexual harassment, and class action suits regarding pay. Articles decreased to the early 2000s and then rose again with cases regarding sexual preference.<sup>10</sup>

Articles that mentioned the Equal Pay Act (EPA), given in Figure 3 Part B, greatly increased in the early 1970s and remained high to the mid-1980s with a variety of cases

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<sup>8</sup> State legislation on workplace discrimination expanded the list of protected groups to include marital status, height, weight, genetic information, and ancestry, among others. Court interpretation of Title VII also expanded the groups and some were added as amendments to Title VII, such as in the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973 (disability), and the Pregnancy Act of 1978.

<sup>9</sup> In the case of Title VII, the search routine also used "sex" or "women" because reference to Title VII could have been for race alone. Articles on race that restate the act and thus include the word "sex," account for just a small fraction. The neutral word for both Title VII and the EPA is "January." ProQuest Historical Newspapers was used which contains a group of dailies from major cities in the US. See Appendix 2 on the ProQuest Newspapers.

<sup>10</sup> The increase after 2000 is slightly evident in Figure 3, Part A because the series stops in 2006. A full series from the *New York Times* indicate a sharp increase from the early 2000s to the present.



including the AT&T settlement, a resurgence of interest in the notion of the doctrine of “comparable worth,” and *Gunther* (1981), which raised the comparable worth issue in a serious manner for the first time since 1963 when it was removed from the wording of the EPA. The series for the EPA begins in the 1940s because the act was introduced in the Senate in 1945 and its guarantees had been included in governmental policies during WWII to prevent the hiring of women in various war industries from lowering the wages of men.<sup>11</sup> The increase in the 1940s was a mere blip relative to that in the 1970s.

In both cases the acts as judged by mentions in the national press remained in the public’s mind long after they were initially passed, although there were periods of heightened interest. Deflating by a neutral word renders each of the series comparable to each other and enables comparisons over time. Using that device we can judge how newsworthy Title VII and the EPA were in 1975 relative to 1995, for example. But how newsworthy were they relative to other items?

To provide some sense of newsworthiness, Title VII (as applied to women), when it was newsworthy, was about equally so as were the terms “hot coffee” and “pot roast” and somewhat less frequent than “ice cream cone.” Food terms are more evenly featured in newspapers than is legislation, like Title VII. The EPA was about half as newsworthy as Title VII, as is clear from comparing Figure 3, Parts A and B. The Equal Rights Amendment, however, was monumentally more newsworthy during the years from 1971 to the late 1980s than was either Title VII or the EPA (about ten times more than Title VII).

It would also be useful to know the impact of each of the laws, especially those concerning wages such as the EPA and employment rights such as Title VII, including its many amendments and court interpretations. That is an even larger project, begun piecemeal by several researchers.<sup>12</sup>

### *Women’s Movements: A Framework*

A simple framework or model will aid in understanding the impact of the emergence of national and local women’s organizations and movements. These movements were on two sides of the issue—one was for equality and the other was to maintain differences. The

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<sup>11</sup> The 1945 bill (79 S. 1178) was introduced by Senators Claude Pepper and Wayne Morse and included the language equal pay for work of “comparable quantity and quality.” The bill failed.

<sup>12</sup> The literature on the impact of women’s rights is extensive and expansive. See, for example, Bailey (2023), Beller (1979, 1982), Leonard (1989), and Stevenson (2010) on the impacts of the EPA, Title VII, Title IX, and Affirmative Action. See Jacob (1988) and Stevenson (2007) on divorce laws. Miller (2008) assesses the early impact of the franchise. Hyland, et al. (2022, 2021) correlate World Bank Women, Business and the Law data for 90 nations across 50 years with various outcomes.

model will demonstrate what happened to support for the two sides—equality and difference—as civil rights legislation gave strength to the feminist cause, producing legislative and judicial triumphs for those in favor. Another outcome was the emergence of an anti-feminist movement. Economic forces were also at work as women of various stripes entered the workforce in greater numbers and in more male-dominated areas of the economy. The framework will aid in understanding why the women’s movement was seen as more radical over time, why feminism has been eschewed by so many, and how the anti-women’s rights movement could gain traction and force so rapidly.

Assume that preferences exist for either equality (*E*) between men and women or for a variety of differences (*D*) between the sexes. Assume that at some age, say after schooling is completed, every woman in each birth cohort decides whether she stands for *E* or *D*. You can think of these as one might religions. An individual is Catholic or Jewish, rarely both at the same time or ever.

Every woman is endowed with a unit of time that she can devote to either group or use instead for leisure. Each woman then decides whether to spend this unit of time on one of the movements, once an official organization supporting each has begun.

“Differences” include various protections that women have been granted, some of which also limited their ability to work. Some of these protections are still defended. But any protection that differentiates women from men is a deviation from equality, just as any differentiation between whites and Blacks is a deviation from racial equality. The issue of differences was raised at various moments in the history of the movement, such as when NOW supported the ERA against the demands by union leaders to maintain certain workplace protections for women. But workplace protections were soon deemed contrary to Title VII and many of the working-class feminists became less conflicted.

Those who value equality (*E*) with men will be termed “feminists,” and those who favor differences (*D*) will be called “anti-feminists” or “traditionalists.” The latter moniker may seem a bit harsh because, as just noted, many liberally-minded women in the 1960s valued protections even though they also prized the ideals of the women’s movement. They would never have been considered anti-feminist or traditionalist and almost all relinquished the demand to retain protections.

Assume that the two groups initially have latent demands that get expressed when a viable organization for their views is formed. Birth cohorts may contain different proportions of the two groups, Feminists in each cohort will not actively work to reduce equality, and traditionalists will not actively work to reduce differences even if the value of *E* or *D* is greater than the target value each woman would work towards. The model that

follows is highly simplified, but it is one that will help with the complex narrative.

Preferences of individual women dictate whether they will give time to an organization. Each feminist has a desired value of  $E$ , say  $E^*$ , and each will give a unit of her time to the organization as long as the current level of  $E < E^*$ . In general, each woman will give her unit of time to  $X$ , either  $E$  or  $D$ , depending on the strength of her preferences, ignoring differential time costs for each woman. That is, woman  $i$  will give a unit of time to her chosen cause if  $X < X_i^*$ .<sup>13</sup> Note, as well, that to a traditionalist  $E$  is considered negative  $D$  and a feminist considers  $D$  to be a negative  $E$ .

The  $E^*$  and  $D^*$  values are assumed to be distributed across the female population as shown in Figure 4, where the  $E$  or  $D$  axis indicates a level of equality or difference for which the women might work. The probability distribution  $f(E_i)$  gives the fraction of women who would give a unit of time to the movement at each level of  $E$ , if a viable organization to support equality had been formed. Similarly,  $g(D_i)$  gives the fraction of women who would work for difference if a viable organization for their group was formed. There can also be a group of women who do not care enough about either  $E$  or  $D$  to devote time to a cause. They will occupy the point where both are zero. Therefore integral of the two PDFs will sum to one only when considering all in a cohort who are in either of the  $E$  or  $D$  camps.

The initial level of equality or difference, in say 1962, is given by  $D_1$  in Figure 4. All states in 1962 had extensive legislation regarding workplace protections for women in private and public employments. In addition, no federal law protecting women's rights in the workplace had yet been passed and the Constitutional guarantees of equal protection contained in the Fifth and the Fourteenth Amendments had not yet been successfully used for cases on account of sex.

All women to the right of and including  $E_0$ , for those in the equality group, can use their time to shift the equilibrium to their desired point when a viable women's movement or feminist organization is formed. Although it is not clear how individuals can change the equilibrium, they can protest, demonstrate, and appeal to their political representatives.<sup>14</sup> They may also withhold services in their own households. I will later show that public displays of strength for equality likely affected the political process. When the women's

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<sup>13</sup> It is a trivial matter to add a cost of time that is the same for all women but less trivial to add one that is a function of  $X^*$ .

<sup>14</sup> Working for  $E$  and  $D$  is a public good and few individuals can individually alter the equilibrium. I do not consider this complication and the more involved issues regarding "global game theory" (see Cantoni et al. 2019 section V.A. for a simplified version of Morris and Shin 2003). Each person acts independently even though the arena is one of meetings, demonstrations, and protests in which each individual's belief about other people's roles in the collective will be important.

movement was in full bloom few elected officials wanted to be branded “anti-woman.”

The entire distribution,  $f(E_i)$ , can shift to the right as the fraction of women who want greater equality increases. Such a shift likely occurred as jobs became more gender-mixed, exposing women to a greater need for equal workplace rights. They would also have occurred as women desired employments that were governed by legislation limiting hours, restricting weights to be lifted, and barring a host of other activities. These shifts doubtless occurred, in the 1960s with rising employment levels of women, particularly among those who were married, had children, and were more educated.

When workplace rights are increased, for example, to  $E_{ERA}$ , in Figure 4, all women with  $E_i < E_{ERA}$  will stop offering time to the movement. They will not, however, work to reduce the existing  $E$  level to their personal  $E^*$ . With the exit of those having lower demands for  $E$ , the movement will be seen as more radical. In fact, by the late 1960s and early 1970s, the women’s movement was often associated with more extremist groups. The term feminism began to be used to describe more radical and fringe elements, and the leaders of NOW faced difficult and touchy issues, especially with regard to lesbians.

Before 1973 the feminist agenda was taking shape, but it was unclear how it would matter to more-traditional women. The passage of the ERA and the *Roe* decision made that clearer and energized anti-feminists. Around 1973, they formed a national organization and mounted an attack to push back the level of equality, considered by them to be a “negative difference.” The once-latent demand of those represented by  $g(D_i)$  took shape. Most of all, the group wanted to demonstrate to those who represented them in DC and in their separate states that non-working women mattered, that family values were critically important, and that the women’s liberation movement did not represent all American women.

### *The Women’s Rights and the Anti-Women’s Lib Movements: How It Happened*

Women are found in nearly every racial, age, religious, ethnic, education, and income group. They are part of almost every family, and they live in most, if not all, zip codes. They were, for some time after the franchise was won, difficult to organize politically under one banner. They are often united because they are women but they are divided in most other ways. How did women’s rights get advanced?<sup>15</sup>

The framework just offered and the chronology that I will now expand upon construct a narrative that traces the formation of interest groups around two main goals.

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<sup>15</sup> Excellent histories include: Chafe (1977), Collins (2009), Freeman (1975), Harrison (1989), Kessler-Harris (2001), and Rosenberg (1992). See Goldin (2014) on women’s distinctiveness.

One was for a set of differences, including the protection of women's interests in marriage, the family, and the workplace. The other was for equality with men in all spheres, even at the cost of forgoing existing advantages.

"Equality," by and large, has meant one thing. "Difference," however, has meant a variety of things. The anti-ERA group in the 1970s made a host of wild claims about how equality would bring about single-sex bathrooms, compel women to take combat positions, end alimony and support for dependent children, and force women into employment. Most of the anti-feminists wanted to maintain a more traditional family. They probably would have supported fairness in hiring, pay, and treatment in the labor force, but those issues were not paramount to them. The women's movement seemed too extreme and appeared to denigrate their lives.

The story must also involve men since they controlled (and still control) Congress and the Executive branch. Men were mobilized to support women's goals, sometimes equality and at other times differences, when women's groups on either side became political forces. Those in power were often swayed by displays of political might through protests, demonstrations, other shows of strength, and by the ability of the few women in Congress and who were members of the administration to sponsor bills and gain their support.<sup>16</sup>

Women had become a potent political force by Kennedy's election in 1960 and their strength among the electorate further increased over time. In August 1970 when the House voted on the ERA, Eileen Shanahan, the *New York Times* economics journalist, made note of a remark by a male Representative: "If she's an equal rights advocate and you vote against this one, she'll vote for your opponent at the next election."<sup>17</sup> The floor vote on the ERA was an astounding 350-15 (recorded later as 354-23).

Among those who voted against the ERA was the powerful liberal Democrat Emanuel Celler (D-NY) who held sway over the House Judiciary Committee and prevented any hearings on the ERA. "There is no equality," Celler averred, "except in a cemetery ... there is more difference between a male and a female than between a horse chestnut and a chestnut horse."<sup>18</sup> Celler had been in office for almost a half century having entered the House in 1923, the year the ERA was first introduced. He had faced only one primary fight,

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<sup>16</sup> They were also influenced, according to Washington (2008), by whether they had daughters, but see Green et al. (2022) for a long time series that does not find any impact of daughters.

<sup>17</sup> *New York Times* August 9, 1970, Eileen Shanahan, "House Vote Expected Tomorrow on Amendment for Equal Rights for Women."

<sup>18</sup> *New York Times* August 11, 1970, Eileen Shanahan, "Equal Rights Plan for Women Voted by House 350-15." It is not clear whether Celler said these now-famous words to Shanahan, to another, or on the floor of the House.

in 1968 and easily defeated his rival. But he was older and had done what the Representative interviewed by Shanahan said would cost a politician his seat. And it did.

Elizabeth Holtzman was 30 years old, a very green entry into the primary fight for Celler's seat. She reminded voters that he opposed women's equal rights. He was, as well, a supporter of the Vietnam War, so his opposition to women's rights wasn't his only defect in the eyes of voters in New York City's Tenth Congressional District. But he was a powerful Representative, an old-fashioned liberal who was an ardent supporter of unions and civil rights. In June 1972 Holtzman narrowly defeated Celler.<sup>19</sup>

The impact of the women's movement in the halls of Congress and within the executive branch until the middle to the end of the 1970s cannot be understated. Almost every major women's rights bill passed overwhelmingly. And although Nixon and LBJ dragged their feet, each gave support to women's rights. LBJ signed the 1964 Civil Rights Act, which included Title VII, and in 1967 he signed EO 11375 extending affirmative action to include sex. Nixon set up The President's Taskforce for Women's Rights and Responsibilities, signed the ERA, designated 1975 as Women's Year in the US, reaffirmed his support for the ERA in 1974, and supported the Comprehensive Child Development Act until he vetoed it in 1971.<sup>20</sup>

The women's movement was on a roll and that was also evident to the anti-feminist forces that were gathering strength. As Schlafly deftly noted: "the women's lib agitators caught the Congressmen badly off-guard and they felt they could not risk being labeled 'anti-women.' The Congressmen," she continued, "simply didn't hear from the millions of happily married women who believe in the laws which protect the family and require the husband to support his wife and children. They only heard from the few but noisy unhappy women."<sup>21</sup> The anti-feminists will soon become noisy in this story. But first, the women's movement must take form.

Ever since the 1950s, certain groups of American women became increasingly more vocal about their unjust economic and physical treatment in the workplace, school, and home. The civil rights movement and anti-war protest activities endowed many of them with organizing skills.<sup>22</sup> In addition, their often disgraceful treatment in both organizations

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<sup>19</sup> Celler remains the most senior Representative ever to be defeated in a primary. Representative Peter Rodino (NJ-D) took over as the chair of the House Judiciary Committee and was more adversarial than Celler regarding the Nixon impeachment hearings. Rep. Holtzman founded the Congressional Women's Caucus and worked to extend the ERA deadline to 1982.

<sup>20</sup> *New York Times* February 3, 1974, "Nixon Reaffirms Support of Equal Rights Amendment."

<sup>21</sup> Schlafly (1972).

<sup>22</sup> Evidence in Carpenter and Moore (2014) suggests that antislavery canvassing taught women how to organize for women's rights after the Civil War. Petroff (2023) directly links women's

provided an impetus to demonstrate for their own rights.<sup>23</sup>

But, probably the most important role of the civil rights movement for the women's movement was to unite women under the banner of oppression. Betty Friedan's best-seller awakened yet others, often in the privacy of their homes. And there were still others whose sense of wrong arose from their treatment as workers. A growing fraction of women had entered the workplace, although they were mainly in female dominated occupations.<sup>24</sup> It was difficult to complain about labor market treatment when a minority were in the labor force and it would have been difficult to observe unequal treatment when jobs were highly sex-segregated. But much began to change.

Women's labor force participation began to increase from 1950 to 1960 among those (currently) married and older (45 to 49 years in Figure 5, Part A), whose children were likely in school and possibly already on their own. But from 1960 to 1980, the greatest increases were for younger women many of whom had young children. The changes, moreover, were similar by education levels (see Part B).

Workplace discrimination was rampant in the 1950s and 1960s, when outright discrimination against women in pay, hiring, and advancement was not illegal in most states and when women were routinely fired or not hired for being pregnant or for being mothers of young children or just for being capable of getting pregnant.<sup>25</sup> A few examples from interviews with personnel officers in the mid-1950s across a wide range of firms in Philadelphia will make the point.<sup>26</sup>

A representative from Equitable Life Assurance noted: "Mothers of young children are not hired" (9/7/56). Penn Mutual Life Insurance Co. did "not encourage married

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activism for temperance and suffrage after the Civil War to their wartime activities in support of the Union.

<sup>23</sup> Incidences of offensive public statements by important male members of the civil rights and anti-war movements are legion. Many, including Freeman (1975, p. 57), cite the public statement by Stokely Carmichael that the "only position for women in SNCC is prone."

<sup>24</sup> One may wonder why the increase in women's employment participation during the WWII years did not lead to a similar outcry. For some, it did. But most women accepted the notion that returning GIs deserved to have their jobs back. With the end of subsidized daycare and extended school hours for the children of working women, there was less incentive to stay in the workforce.

<sup>25</sup> Equal pay laws were passed by 22 states prior to 1963, although it is unclear what enforcement existed (Bailey, et al. 2023). Twenty states passed an ERA but none earlier than 1970. See the excellent compilation: <https://www.brennancenter.org/our-work/research-reports/state-level-equal-rights-amendments#washington>. On bans against the employment of fertile women, see *United Automobile Workers v. Johnson Controls* 499 U.S. 187 (1991).

<sup>26</sup> Extensive interviews were done for studies of local labor markets by the Industrial Research Unit of the Wharton School of the University of Pennsylvania. See Hussey (1958).

women with very young infants to return to work” (8/22/56). Provident Mutual Life Insurance stated that: “Pregnancy is cause for a voluntary resignation,” although “the company is glad to have the women return when the children are, perhaps, in junior high school” (8/14/56). An agent from the Heintz Manufacturing Co. (a steel company) stated that the “head of the engineering department admitted some women as tracers but not as draftsmen” (4/12/57).

These comments were often preceded by ones stating that the company, before the 1940s, had not hired married women but were now pleased to do so. In the words of the Sears, Roebuck official: “the best employee is a married woman with a mortgage on her house and her children partially raised.”<sup>27</sup>

These are just a few examples of a latent desire for the women’s movement. It initially coalesced around well-known figures and political leaders. But by the late 1960s and early 1970s it had shifted to younger unmarried women, often less well known, occasionally non-white, generally well-educated, and employed.<sup>28</sup> It also moved from a public sphere to one that was local, individual, grass roots, often in women’s own apartments and homes. It became known as the “women’s liberation movement” and later as just the “women’s movement.”

But, as noted before, many women were not united around the language of oppression and did not believe that they suffered “the problem with no name,” as Betty Friedan had labelled the reason for the unhappiness of full-time housewives and mothers in the 1950s and 1960s. Although, they too, were heterogeneous in their preferences and difficult to reach, they generally desired to build respect for homemakers, keep special privileges for divorced women, maintain workplace protections, and uphold the sanctity of family and of the unborn. As the pro-forces gained strength and the ERA passed Congress in 1972, the anti-forces began to organize the STOP ERA drive.<sup>29</sup> The pro-life (anti-abortion) movement was further energized by the *Roe v. Wade* (1973) decision.<sup>30</sup>

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<sup>27</sup> Quotations are from the archival documents for Hussey (1958), examined in the late 1980s by the author in box #167 at the University of Pennsylvania. They are currently housed in the University of Pennsylvania Archives and Records Center in box 14, folder 12 and box 55, folder 29. (See “A Guide to the Wharton School, Industrial Research Unit Records 1900-1996”; [https://archives.upenn.edu/wp-content/uploads/2017/02/upb5\\_9ir.pdf](https://archives.upenn.edu/wp-content/uploads/2017/02/upb5_9ir.pdf))

<sup>28</sup> The first group included the author, Betty Friedan, and members of Congress, such as Bella Abzug Shirley Chisholm, Ella Grasso, Edith Green, Martha Griffiths, and Patsy Mink. Also in the first group and linking it to the second is Gloria Steinem, the founder of *Ms. Magazine*.

<sup>29</sup> STOP was an acronym for “Stop Taking Our Privileges.”

<sup>30</sup> Members of the anti-forces of the past were mainly, but not solely, women. The recent anti-woke activities in schools, libraries, and civil discourse continues the group’s efforts. Another moment when antis were formed to defeat an expansion of women’s rights was in the 1910s. The National



### *The President's Commission on the Status of Women and the Equal Pay Act of 1963*

The story of the post-suffrage organized women's movement begins in 1960 with the election of President John Kennedy and the realization that the women's vote could be pivotal.<sup>31</sup> With that in mind and with the prompting of labor activist and Women's Bureau director Esther Peterson, Kennedy established "The President's Commission on the Status of Women" (PCSW) in 1961 (US Commission 1963). Its report demonstrated the many ways women were unequivocally discriminated against in federal and state laws and the degree to which the law restricted their employment in the public and private sectors.<sup>32</sup> The Commission set up fifty state Commissions, and the meetings of these commissions later facilitated networking by women across America who regularly met together.

The report did not advocate passage of the ERA, which had been floating around Congress since 1923. But the Commission did endorse the use of Fourteenth Amendment to prohibit states from discriminating against women and the Fifth Amendment for cases that concerned the federal government (US Commission 1963, pp. 44). Neither had previously been successfully used in sex discrimination cases.<sup>33</sup> The Fourteenth had been reserved for cases regarding race.

But in 1971, the Fourteenth was cited in the case *Reed v. Reed*, in which the US Supreme Court overturned an Idaho law that gave the administration of a child's estate to his father rather than his mother. The Fifth Amendment was similarly used in *Frontiero v. Richardson* (1973) regarding sex differences in the military's dependency allowances. Ruth Bader Ginsberg, as a lawyer, brilliantly argued both landmark cases.

The Commission did recommend passage of the Equal Pay Act. In February 1962, "the Commission endorsed the policy of equal pay for comparable work" and also noted that: "State laws should establish the principle of equal pay for comparable work" (US Commission 1963, p. 37). The final bill, signed into law by President Kennedy in June 1963 was an amendment to the Fair Labor Standards Act of 1938, which made it more palatable to opponents from the business community. Even more important to those groups was the

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Association Opposed to Women's Suffrage, founded by women in 1911, worked to defeat the Nineteenth Amendment, which they succeeded at until June 1919.

<sup>31</sup> According to Cascio and Shenhav (2020, p. 30), women were the majority of the electorate by the 1960 Presidential election because women were more than half of the voting-age population even though they were still less likely to vote than were men, a gap which closed in about 1980. Women's turnout had greatly increased from the 1948 election to that in 1960. But Kennedy lost the female vote to Nixon, something he needed to shore up for the future. The growing importance of the female vote does not necessarily mean that women changed their preferences.

<sup>32</sup> See US Commission on the Status of Women (1963).

<sup>33</sup> *Hoyt v. Florida* (1961), as mentioned previously, was an unsuccessful use of the Fourteenth.

substitution of the term “substantially equal jobs” for “comparable work.”<sup>34</sup>

Passage of the 1963 Equal Pay Act (EPA) might be viewed as a gain for women. It had been proposed, but failed, in 1945 and 1960. Equal pay, however, had been desired by men in affected jobs at various key moments in US history. When women were hired in positions identical to men’s, especially during wartime, equal pay for equal jobs would protect men’s wages.<sup>35</sup> In addition, there was overwhelming consensus at the time, as public opinion data will reveal, regarding equal pay for equal work. Furthermore, the 1963 EPA covered pay discrimination only for the same jobs, not for “comparable” jobs. And it was limited in scope and did not cover discrimination in hiring, promotion, retention, and other terms and conditions of work. Finally, the EPA (also later Title VII), excluded professional, administrative, and executive positions due to its reliance on the Fair Labor Standards Act, until the EPA was amended in 1972 to cover these excluded groups.<sup>36</sup>

#### *Title VII of the 1964 Civil Rights Act, the EEOC, and the Formation of NOW*

The civil rights movement did far more for the women’s movement than galvanize women, give them a lesson in organizing, and provide an awareness of “oppression.” It handed the nation’s women and the women’s movement a critical piece of legislation. That happened when the word “sex” was fortuitously inserted in Title VII of the 1964 Civil Rights Act. The addition of that one word to the title that dealt with private-sector employment was an amazing feat. It involved a bit of free riding, some clever negotiating, and a lot of luck. One cannot overestimate what it gave American women—the potential for workplace protection from discrimination of all types.

The act was nearly passed without the mention of the word “sex.” But two days before passage, the word “sex” was inserted in the list of protected groups by Congressman Howard Smith (D-VA), a known opponent of civil rights. The initial reason was probably to deal a deathblow to the entire bill although Smith, who supported the ERA, knew Alice Paul and other members of the National Women’s Party who had fought for decades for the

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<sup>34</sup> The precise wording of the 1963 Act is that it prohibits: “sex-based wage discrimination between men and women in the *same establishment* who perform jobs that require *substantially equal skill, effort and responsibility under similar working conditions*” [emphasis added].

<sup>35</sup> See Freeman (1975, pp. 174) on the history of equal pay and the notion that equal pay mandates and acts often protected existing workers from an influx of low wage women. That occurred during World War I when the War Labor Conference Board enforced an equal pay policy and again during World War II when the National War Labor Board did the same. Rosenberg (1992) notes that the 1963 EPA was less than its supporters hoped since it applied to businesses “engaged in,” not “affecting,” interstate commerce and was for “equal” not “comparable” work.

<sup>36</sup> The exemption for Title VII is implicit through a reliance on section 6(d) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 206(d)), due to the Bennett Amendment to Title VII which limited sex discrimination claims to those allowed by the 1963 EPA.

ERA.<sup>37</sup> The ensuing debate on the floor led to a bizarre switching of political positions, with progressives opposing workplace rights on account of sex and conservatives arguing for them.<sup>38</sup>

Meaningful support for the addition came from a group of pro-ERA congresswomen, and the word stayed in Title VII but was not added to other titles, including Title VI on education. The fact that it took so much finagling to add the word “sex” to one of the titles shows the overwhelming importance of race to progressives in Congress and to President Lyndon Johnson. As mentioned earlier, discrimination on account of sex was simply not a major policy issue at the time, although women’s issues were getting more attention.

Title VII set up the Equal Employment Opportunity Commission (EEOC) to enforce Title VII. But its inaction—worse, the actual hostility of its Executive Director—with regard to cases of sex discrimination in its initial years gave rise, in 1966, to the formation of the National Organization for Women (NOW), “the first avowedly feminist organization to emerge since suffrage.”<sup>39</sup> NOW would provide a real break with the past and allow women and men to work for women’s rights outside the constraints of being official members of governmental agencies and beholden to an administration.

NOW succeeded in pressuring Johnson to include women in affirmative action and to prohibit sex discrimination in the federal government. In 1970, NOW filed a “blanket” complaint against 1,300 companies for sex discrimination. It warred with EEOC concerning the “bona fide occupational qualification” (BFOQ) exemption, specifically with regard to state protective legislation and in particular with regard to marriage bars for stewardesses

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<sup>37</sup> Conservative support for the ERA was mainly to rid the labor market of regulations that constrained employers rather than provide rights for women.

<sup>38</sup> It is often claimed that the insertion of the word “sex” was a “joke” that Congressman Howard Smith (D-VA), an opponent of the 1964 Civil Rights Act, added it to kill the bill. But Bird (1997), see also Rosenberg (1992, p. 187), tells a more nuanced story in which the National Women’s Party, perhaps with clever intent, got Smith to add the word “sex” to demonstrate the impact of the bill. Although Smith may have intended to kill the bill, the addition of the word “sex” led prominent liberals to argue that it would endanger protective legislation. Conservatives argued for, and liberals against, the inclusion of the word “sex.” Congresswoman Martha Griffiths (D-MI) then supported the Smith amendment, noting that Black women could be protected but not white women. Other Congresswomen joined the pro-forces; the word remained, and the bill passed.

<sup>39</sup> NOW was founded in June 1966 at the Third National Conference of Commissions on the Status of Women (an outgrowth of the PCSW) by 28 women. Another 19 women and 2 men joined at the October 1966 conference. The original officers were Betty Friedan (president), Kathryn Clarenbach (board chair), and Aileen Hernandez and Richard Graham (VPs). Hernandez and Graham had been EEOC Commissioners and protested laxity in the enforcement of the sex provision of Title VII. EEOC Executive Director Thompson Powers and Herman Edelsberg, who succeeded him in 1965, did not want the EEOC to be known as the “sex commission” (Harrison 1989, pp. 187).

and in 1968 on the issue of separate help-wanted advertisements for men and women.<sup>40</sup>

The formation of NOW had several effects. Most important is that it gave women's rights activists a viable organization formed and led by prominent feminists, like Betty Friedan and Pauli Murray, Washington D.C. insiders, like Richard Graham and Shirley Chisholm, and public intellectuals and academics, like Carl Degler and Alice Rossi. NOW was partly responsible for the passage of various laws, such as the Equal Credit Opportunity Act and the ERA, and a host of landmark judicial decisions. But, because NOW was perceived as an elite organization, it also fostered dissent and the formation of more radical women's organizations some of which preceded the formation of NOW.

With pressure placed on the EEOC, and with its new-found ability to initiate charges on its own after passage of the EEO Act of 1972, the fraction of EEOC cases "on account of sex" rose. In 1970, the fraction due to sex discrimination was about 20%. After 1972 the fraction due to sex increased to 32% where it remained, with some ups and downs, to 1995, the end of the data series. The number of new charges soared after 1972 and was five times its 1970 level by 1975. The shift in the fraction on account of sex was due to the priorities of the EEOC rather than any underlying events.<sup>41</sup>

Title VII of the 1964 Civil Rights Act intentionally excluded employees at educational institutions and the word "sex" was not included in Title VI, which covered educational institutions and others that were federally funded. That omission would be partially fixed with the passage of Title IX. But in the meantime, some clever women's rights lawyers found a short-run "fix." Executive Order 11375 in 1967, one of the many achievements of NOW, extended affirmative action in federal contracts to include sex and gave the newly formed Women's Equity Action League (WEAL) the ability in 1970 to sue 160 universities and colleges for sex discrimination in employment.<sup>42</sup> Members of WEAL's board later helped craft amendments to the 1972 Education Act that included Title IX.

#### *Title IX of the 1972 Education Act*

Title IX of the 1972 Education Act had originally been drafted to correct the omission of the word "sex" from Title VI of the 1964 Civil Rights Act. Title IX read: "No

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<sup>40</sup> The BFOQ exemption to EEO laws allowed employers to use factors such as height, sex, strength, and religion, if these characteristics could be shown to be essential qualifications for effective performance on the job. Most marriage bars in teaching and office work had largely disappeared by the 1950s with little court or legislative fanfare. See Goldin (1992).

<sup>41</sup> See Appendix Figure 1. According to Kessler-Harris (2001, p. 277), the Department of Justice did not prosecute any case on account of sex until 1970 but had taken 45 regarding race.

<sup>42</sup> See Freeman (1975, pp. 75) on the difficulty in getting the Office of Federal Contract Compliance Programs (OFCCP) to implement the new guidelines, which occurred in the Nixon administration.

person shall, on the basis of sex, be excluded from participation in ... any educational program receiving Federal Financial assistance.” Few individuals, it appears, realized what a game changer those words would mean for women’s sports. Their eventual meaning, however, was not thought out as a stratagem for that end.

Bernice Sandler, who helped draft the 1972 amendments as a central player in WEAL, recalled that no one gave any thought to how Title IX would affect sports. According to “original testimony for Title IX in 1970 ... there is no mention whatsoever of sports” and, in addition, “Title IX,” noted Sandler, “was seen as a very minor bill” (Sandler 2007, p. 478). When Title IX was finally passed, with a host of exclusions for private universities and colleges, Title VII had already been amended to cover employment in higher education.

### *Equal Rights Amendment and the Rise of the Anti-Women’s Rights Movement*

Yet another apparent success for the women’s movement was passage of the Equal Rights Amendment (ERA) by Congress in 1972. The ERA had hung around Congress for a half century, from the time it was first introduced in 1923, to 1972 when it passed both houses by overwhelming majorities. It had been introduced into every session of Congress from 1923 to 1970 and gained momentum after the formation of NOW in 1966.<sup>43</sup> Even though the federal amendment was ultimately defeated in 1982, when it fell three states short of ratification after being given a three-year extension, equal rights amendments have been passed by 26 states and remain part of their state constitutions.

The wording of the amendment is simple: “Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.” The meaning is more complicated. The ERA was championed by feminists working to advance equality by sex. It was also supported by business and industry interests that wanted to end protective legislation and regulations at the state and federal levels that had originated legally with the landmark decision *Muller v. Oregon* (1908).

Protective legislation solely for women, as was codified in *Muller*, was originally intended as an opening wedge to lower hours and protections for *all* workers. *Lochner* (1905) effectively prevented states from passing minimum hours laws and *Muller* (1908), by arguing that women needed protection, was viewed as progressive. The lawyer who won the case before the US Supreme Court was none other than Louis Brandeis.<sup>44</sup> But by

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<sup>43</sup> The discussion in Freeman (1975, p. 212) links the political rebirth of the ERA to Title VII, changes in union and employer views with the demise of protective legislation, the writing of an important analysis of the ERA by a NOW founder Mary Eastwood of the Justice Department, and the work of Rep. Martha Griffiths to get the memo in the Congressional Record and be seen by Nixon.

<sup>44</sup> See Goldin (1988) on the *Muller* case as a reaction to *Lochner* (1905).

the 1940s, as hours had declined for workers and as the union movement was nearing its peak as a fraction of the labor force, protective legislation for women was no longer needed for the cause of all labor.<sup>45</sup> Although it was often passed to protect female workers, it also limited their employment options and was occasionally passed to protect male workers from their competition.

The ERA was part of the Republican platform as early as 1940 and remained as one of its stated goals to 1976 (except 1964 and 1968, though Nixon supported the ERA before he became President and when it passed Congress in 1972). Interestingly, the ERA was also part of the Democratic Party platform from 1944 and is included in the 2020 platform.

Liberal forces and unions, until the late 1960s, were almost uniformly against the ERA.<sup>46</sup> They argued that the amendment would strip working women of needed workplace protections. But in the late 1960s that began to change. Those who argued for equality between the sexes began to gain the upper hand in progressive circles and convinced liberal and union elements to join them.

But, perhaps of more importance is that protective legislation at the state and federal levels, as previously noted, was effectively ended by the landmark decision *Rosenfeld v. Southern Pacific Company* (1968). More decisions followed *Rosenfeld* to end protective legislation once and for all. By 1973 only Nevada had hours restrictions for women.<sup>47</sup> The main reason why liberals and union members were against the ERA was no longer an issue. Protective legislation, except in the case of pregnancy, was essentially dead.

In 1972, when it breezed through Congress, it seemed as if the ERA would be ratified in short order. Even though the ERA would eventually die, its passage may have had long-lasting impact on the use by federal courts of the due process and equal protection clauses in the Fourteenth and Fifth Amendments to include women.<sup>48</sup>

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<sup>45</sup> Also *West Coast Hotel Co. v. Parrish* (1937), upholding state minimum wage legislation, had already overturned *Lochner*.

<sup>46</sup> The inclusion of the ERA in the Democratic platform, with 1944, does not negate the fact that although most in the liberal wing were for equality they were against jettisoning many protections

<sup>47</sup> Legal cases concerning state protective legislation continued for many years, some having begun prior to the *Rosenfeld* (1968) decision. *Weeks v. Southern Bell T&T* (1969), for example, is similar to *Rosenfeld*. Weeks lost her case in 1967 but won on appeal in 1969. The BFOQ defense was first struck down by the US Supreme Court in *Dothard v. Rawlinson* (1977).

<sup>48</sup> According to Mansbridge (1986, p. 55): "It is difficult to determine whether or not the Supreme Court would have broadened its interpretation of the Fourteenth [and Fifth] Amendment[s] to include women as rapidly as it did had Congress not passed the ERA in 1972." Justice Brennan in *Frontiero v. Richardson* (1973) argued: "Congress itself has concluded that classifications based

Though many of the legislative acts and court decisions in the critical decade from 1963 to 1973 were fortuitous, they greatly expanded women's rights. They created a national women's rights movement that led to even greater rights. But the successes of the women's rights movement also produced to changes that reduced its impact.

As the movement succeeded in Congress and the courts, many women returned to their ordinary lives and left formal and informal networks, as in the model of the previous section. The other change was the organization of an effective anti-women's rights group—STOP ERA—spearheaded by Phyllis Schlafly and the Eagle Forum. It eventually helped to halt ERA ratification at 35 states. Even with a Congressional extension of three years, ERA ratification died in 1982.<sup>49</sup>

Abortion reform arrived unexpectedly in the form of *Roe v. Wade* (January 1973) after the passage of the ERA. The decision was a success that none of its supporters could have predicted. In fact, members of the women's movement had argued vociferously for the inclusion of a plank on abortion rights in the 1972 Democratic platform. They lost that bid, but just a few months later, that no longer mattered.<sup>50</sup>

The traditionalist and anti-feminist movement gathered strength in ways that are similar to those of the women's movement. The women who wanted to protect their lives and esteem as homemakers and desired to maintain differences between men and women were also difficult to organize. They, too, needed a national movement and united under the STOP ERA banner. They were joined by pro-life supporters ignited by *Roe v. Wade*. Prior to *Roe* and to state laws enabling abortions there was little need for an anti-abortion movement. State governments were the enforcers.

Returning to the model of Figure 4, passage of the ERA shifted the equilibrium. Those in the interval from  $E_0$  to  $E_{ERA}$ , if they believed that ratification was fairly certain (and 30 states had ratified in the first year), would no longer take part in the movement's activities. The voices of the movement would then be dominated by more extreme ones, those of women to the right of  $E_{ERA}$ .

Recall, as well, that various radical groups, incensed by NOW's stance on various matters, formed new groups and reinvigorated existing ones. They engaged in demonstrations, such as the 1970 *Ladies Home Journal* sit-in and the 1968 Miss America

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upon sex are inherently invidious." *Frontiero* involved a violation of the due process clause of the Fifth Amendment since it concerned a federal law.

<sup>49</sup> See Mansbridge (1986).

<sup>50</sup> They did succeed in including the statement that "maternity benefits should be made available to all working women."

Pageant disruption. Although bras were never burned (as many have claimed), this and other demonstrations by were seen as anti-male. As the movement began to tilt in a more radical direction, dominated by those to the right of *E<sub>ERA</sub>*, the term “feminist” became a less honorable title. By the mid-1980s, just a small fraction of Americans, I will soon show, considered themselves “feminist,” and although women did more so than men, their fraction was also small.<sup>51</sup>

In an extraordinarily brief period, women’s rights had changed mainly for good. But the potential that the ERA would become an Amendment to the US Constitution and the *Roe v. Wade* decision, led an anti-feminist and traditionalist group to take up arms in short order. In terms of the framework, once that group had an effective organization in STOP ERA, they tried to shift the equilibrium to the median for its group.

The fact that radical elements had become more vociferous in the women’s movement was also used to unify the anti-feminist group. Schlafly noted in reports and speeches that: “The women’s libbers are radicals who are waging a total assault on the family, on marriage, and on children.”<sup>52</sup> The traditionalist group likely contributed to the defeat of the ERA and probably stymied a host of equality measures, such as paid family leave and subsidized childcare.<sup>53</sup> It did not, however, greatly roll back the equality gains of the women’s movement with the exception of the constitutional right to abortion. It did help to demonize the term “feminist.”

The words “feminist” and “feminism” had been used in a host of ways before the 1960s, but soon took on new meaning. The terms began to be preceded by words such as militant and radical, in the 1960s. The term “radical feminist” increased in usage from 1965 to late 1970s when it jumped (with the final ERA push), then levelled off and increased more slowly to 1995. Even supporters of the women’s movement began to shy away from the term “feminism,” and the anti-feminist forces began to use these terms to denigrate the women’s movement.

Defeating the ERA did not take much more than preventing a few states from ratifying the Amendment. Of the 15 states that had not ratified by 1982, ten were in the south (AL, AR, GA, FL, LA, MS, MO, NC, SC, VA). IL had been targeted early on by the STOP ERA forces. UT, NV, OK, and AZ were the others. The vast majority of Americans, both men

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<sup>51</sup> See Figure 12,

<sup>52</sup> Schlafly (1972).

<sup>53</sup> Leading feminists in the movement, such as Gloria Steinem and Eleanor Smeal, have continued to insist that insurance company lobbyists, not Schlafly, defeated the ERA. These remarks were made in response to the *Mrs. America* series (Smeal and Steinem 2020). I have not found evidence to bolster that claim.



and women, supported passage. According to the General Social Survey (GSS), of the almost 90% who had heard of the ERA, 73% supported the amendment in 1977 and about the same percentage did in 1982. Women were only slightly more in favor than were men.<sup>54</sup>

### *Views of American Women at Mid-Century and Beyond: Why It Happened*

To understand why women's rights were expanded, I use public opinion poll data from the 1930s to the 2000s. These include surveys from well-known sources like Gallup, the General Social Survey (GSS), and the American National Election Surveys (ANES). I also use lesser-known sources including the Virginia Slims polls, the Life Style Survey, and the *Great Aspirations* (GA) longitudinal survey.

In some cases, the same wording of a question covers an extensive time period. In others, the question was asked in just a few years. The polling organizations often attempted to get nationally representative samples, but in some instances wanted a representative sample of the electorate. In most cases, I have either used existing sample weights that attempt to return the sample properties to a population-based one or have constructed them. (Appendix 3 lists the surveys and gives construction of sample weights).

To summarize the findings that follow, public opinion surveys from the 1940s to the 2000s show that, at least by the early 1960s, there was wide-ranging support for women to take an active role in the workplace and politics, even at the highest levels. By the 1960s, the majority of Americans believed that married women could be employed for pay even if her husband could support her and that the US would be governed better if women were more politically involved. Even in the 1940s, the majority of Americans stated they were in favor of electing a competent woman if she ran for President in their party.

Women, it appears, were deemed capable of handling the double shifts that they were just beginning to assume in the 1960s. But support for the employment of mothers with pre-school children was low until the late 1970s to early 1980s.

In the early 1970s most wanted to strengthen women's status; somewhat later a majority warmed to the women's movement (also termed the women's liberation movement). Yet, only by the 1990s did a majority of Americans believe that women should be granted an equal role running businesses, industry, and government.

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<sup>54</sup> Data are from population-weighted tabulations from the General Social Survey. Gallup data for 1975, 1976, 1980, 1981, and 1982 are similar and show decreasing support after 1980. In the data for 1975 to 1982, women were 3 percentage points less in favor than were men (a difference from the GSS data) and nonwhites were 14 percentage points more in favor than were whites, on a base of 68 given age and year.

Despite growing sentiment favorable to the women’s movement and women’s rights, Americans never warmed to the concept of feminism. Some of their reluctance may have come from the belief in the 1970s that the movement had become too radical. But their aversion to the moniker may also have been influenced by the emergence of an avowedly anti-feminist and traditionalist group that sullied the concept of feminism.

For most of the key issues, men and women were generally in agreement. But, women, far more so than men, were divided by personal characteristics, such as marital, parental, and employment status and geography. In expressing their opinions, some argued for equality—term them “feminists,” whereas others argued for differences, protections, and more traditional ways—term them “anti-feminists.”

There wasn’t much belief before the 1970s by men or women that women were treated poorly in the labor market in the same manner that they thought Blacks were. A sense that women were discriminated against in both low- and high-level jobs increased from 1970 to 1974, and a majority held that opinion by the mid-1970s. But the belief that women were discriminated against in any but the highest positions then decreased somewhat. Furthermore, it was never the sense from 1970 onward among more than about 15% of Americans that women were discriminated against in college admissions.<sup>55</sup>

I begin with relevant questions from the Gallup and GSS surveys, many of which were initially asked before the 1960s.<sup>56</sup> The issues addressed by these questions concern whether respondents: approved of a married woman’s working when her husband could support her (Figure 6), felt women would improve government (Figure 7), would vote for a competent woman who ran, in the respondent’s party, for US president (Figure 8), and believed that men and women should receive equal pay for the same work (no figure).

Among the most recurring questions across polls is whether the respondent believed that pre-school children would suffer if their mother worked. It was asked by the GSS from 1977 to the present. It was also asked using almost precisely the same language in 1964 of a large group of men and women who had graduated college in 1961. That question and how respondents answered it are positioned between the notion that women were capable of working and the idea that family responsibilities took precedence.

Public opinion questions that concerned women’s rights and status were asked by

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<sup>55</sup> I include the answer “not sure” with “no,” for whether women were discriminated against in various positions. The variable is discussed below.

<sup>56</sup> Some of these questions have been used in related research. For example, Cascio and Shenhav (2020) use the question on voting for a female president in their analysis of political participation by sex. Charles, Guryan, and Pan (2018) construct a sexism index using questions from the GSS including that on a married women’s working for pay and on voting for a female President.

the GSS, Virginia Slims, and the ANES, starting around 1970. The most revealing with regard to women's rights are whether respondents wanted to grant women an equal role running business, industry, and government (Figure 10), favored efforts to strengthen women's status in society (no figure), felt positive toward the women's movement (Figure 11) and toward feminism (Figure 12), and considered themselves to be feminists (no figure). There are also several years, as previously mentioned, with questions concerning whether women were subjected to discrimination in various jobs and in education.

The responses to these survey questions are summarized in Table 1. Baseline agreement with the question posed is provided for the closest year to 1970 by sex and age group (younger and older). In most of the cases, survey respondents are studied with regard to age (younger is 20 to 34 and older is 35 to 64 years) and sex (male, female), thereby forming four groups, not necessarily of equal size in the population or electorate. The year when more than 50% of each of the four groups (two genders  $\times$  two ages) agreed with the question is also provided. When possible, I also provide the polling data separately for college graduates.

*Should married women be employed for pay?*

The Gallup question most germane to the topic of workplace rights is: "Do you approve or disapprove of a married woman earning money in business or industry if her husband is capable of supporting her?" The question was asked in 1938, 1945, 1970, and 18 of the remaining years to 1998. Therefore, there is considerable information after 1970, but none for the 1950s and 1960s. The mean responses for two age groups, 20 to 34 years and 35 to 64 years, are graphed in Figure 6, parts A and B; responses for college graduates are in Figure 6, parts C and D.

With the exceptions of the 1938 and 1945 data, for which women relative to men were more inclined to approve of a woman working, there are few differences by sex. The fraction agreeing was around 30% early on and rose to 80% by 1970 for the younger group and to 60% for the older group. By the 1980s approval exceeded 80% for all ages given. College graduates had high levels of agreement by 1970 and experienced little change after.

It is likely that the increase in approval was somewhat continuous from the 1950s since other Gallup polling data on women, for which more years exist, show little sudden change in the 1960s.

By 1970, the vast majority of Americans, both men and women, and around 85% of those who had graduated college, saw no problem with a married woman's working for pay even if her husband could support her. None of these results should be surprising since

labor force participation rates for women had increased substantially in the 1960s. The figure for all currently married women 25 to 29 years old was 27% in 1960 but 38% in 1970 and 59% in 1980 (see Figure 5).<sup>57</sup> The rate for the 25 to 29 year old group had increased so rapidly that by 1980 it equaled that of the older group (45 to 49 years). And although participation rates were higher for college graduates than for those who had only a high school degree, both groups had rates for the 25 to 29 year old group that greatly increased in the 1960s and 1970s.

Among all married-couple families with children under 18 years old, the fraction with both husband and wife in the labor force passed the 50% mark sometime around 1975.<sup>58</sup> The dual employed married couple with children were the norm. Working women had become mainstream and possibly even mundane.

A related question, for which sample sizes are quite small, is whether the respondent preferred to work under a male or female supervisor (“boss”) or was indifferent. Gallup data exist for 1953, 1975, and various years after. Until the 1980s, the majority of both men and women preferred to work under a male supervisor. In 1953, a greater fraction of women than men (23% of men and 41% of women, 35 to 64 years old) answered that they would work under a woman (or were indifferent), but men rapidly caught up and both groups had more positive answers over time. How the change was influenced by whether women were supervisors or if respondents had been employed is unclear.

*Would the US be better off if more women took a greater role in politics?*

Another question with responses that traverse the 1950s to the 1970s is whether the respondent thought the US would be a better place if more women were politically active or in charge. The question was generally phrased as: “Do you think that the US would be governed better or worse if women had more say in politics?” It isn’t clear what “more say in politics” meant and whether respondents interpreted the question to mean that women governed better generally or that getting more women into political positions from the very low level that existed would be beneficial.

Although many women were involved in local politics, the average person in 1950

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<sup>57</sup> Figures for women with children are almost identical to those for married women, not surprising given the high fraction of married women 25-29 years with children in the 1960s. These data come from the 1960 and 1970 US Census of Population IPUMS. See also Goldin and Mitchell (2017), which uses the CPS-ASEC beginning with 1963. The data for nonwhite women, regardless of marital and motherhood status had higher participation rates.

<sup>58</sup> Blau and Winkler (2018, table 17.3) report that 54.3% of married couples with children under age 18 were dual-earner households in 1976.

would have known few women who held an elected federal office. Fully one-third of those who had served in Congress before 1950s had succeeded their (deceased) husbands. Eighteen women were elected to Congress in the 1950s, but just five were in the 1960s (although that group includes Patsy Mink and Shirley Chisolm). Many would have known that Frances Perkins had served as the Secretary of Labor under Franklin Roosevelt and almost everyone would have known of Eleanor Roosevelt, who is the longest serving First Lady in US history and held various appointed positions until her death.

By the mid-1970s, as can be seen in Figure 7, around 80% to 90% of men and women for both age groups believed that having more women in political positions would benefit the nation. Perhaps they even thought that women were the equals, or better, than men in running the country.<sup>59</sup> But in the early 1950s the fractions were much smaller. As in the responses for approval of a married women's working, there is a large increase in the 1950s and 1960s, and the responses are almost identical by sex. The data do not reveal whether an inflection point occurred in the 1960s or there was a more continuous increase from 1953 to 1969. Answers to the next question provide some guidance.

*Would you vote for a female presidential candidate?*

The survey question on whether the respondent would vote for a female candidate has considerably more years as well as several in the 1960s. The question, in addition, was carefully worded so that the respondent was given information that the hypothetical female candidate would be an exceptional individual running in the respondent's party.<sup>60</sup> Therefore the respondent would hypothetically have to vote for the candidate in the opposing party, or not at all, if the respondent did not want to vote for a woman.

Whatever the interpretation given to the question, the answer seems clear from Figure 8. There are few consistent differences between men and women, except in the early years when women had a stronger preference for the female candidate. Around 30% to 40% of male and female respondents, respectively, approved of the female candidate starting in the 1930s. Astonishingly, about 80% did among the older group by the mid-1970s and astoundingly 90% did for the younger group.

The gain for the full period is 50 to 60 percentage points and although the increase

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<sup>59</sup> The fraction who say that with more women in politics the US would be governed better, rather than equal, greatly increases from 1984 to 1995.

<sup>60</sup> The question in 1937 was: "Would you vote for a woman for President if she qualified in every other respect?" In 1945, 1949, 1955, the question was: "If the party whose candidate you most often support nominated a woman for President of the United States, would you vote for her if she seemed best qualified for the job?" All other years have a similarly-worded question.

began in the 1940s and 1950s, from the late 1960s to the mid-1970s agreement increased by 30 percentage points. The bottom line is that considerably more men and women were willing to vote for a female candidate from the late 1930s to the early 1980s. In addition, the greatest change was in the 1970s and any gains that occurred previously were in the 1940s. The increase expressed by both younger and older women from 1970 to 1975 was 10 percentage points.

The findings from the more expansive group of years for the question on President suggests that change for that on women's work, for which no data exist from 1945 to 1970, also began to increase in the late 1960s. The early- to mid-1960s appear to be years of quiescence regarding the public's opinion of women's status, role, and rights. The nation was consumed with civil rights, and civil rights had not yet begun to affect women's rights in the public's consciousness.

*Should women be paid the same as men for the same work?*

The answer to whether women should be paid the same as men was a resounding "yes" in all years from the 1940s to the 1990s. The question was generally worded: "Do you approve or disapprove of paying women the same salaries as men, if they are doing the same work?" The responses reflect the notion that if people are doing equal or nearly identical work (same firm, same establishment, same job) they should be paid the same.

It was also a way for men and unions during World War II, for example, to protect salaries by not having their replacements paid less. In fact, in 1942 respondents were given the hypothetical: "If women take the place of men in industry, should they be paid the same wages as men?" But even for that less-direct question, since it does not state that they are doing the same work, the vast majority of men (about 80%) and somewhat more women said they should. In 1962, almost 90% of men and 92% of women agreed. The answer to the question shows the overwhelming support that the limited guarantees of the 1963 Equal Pay Act had just before its passage. But it does not mean that the vast majority of Americans supported the far broader workplace rights for women that were implicitly guaranteed by Title VII of the 1964 Civil Rights Act or that they would have been in favor of the broader concept of "comparable work."

*Would pre-school children suffer if their mother worked for pay?*

We have just seen that the majority of men and women supported the notion that married women could work even if their husbands could support them beginning sometime in the 1960s. But having pre-school children altered that consensus and around 60% of college graduate women and 66% of college graduate men in the mid-1960s

believed that having a pre-school child meant that a mother's employment came at considerable cost (Figure 9).

The view that pre-school children would suffer rapidly changed among college graduate women and by 1977 just 30% still believed it to be true. However 63% of college graduate men hung on to the notion. They began to change their minds gradually during the 1980s and by the 2000s there was close agreement by gender on the question.

The data for those without a college degree begin in 1977 and the starting level for those women is around 60%. Views on the topic changed rapidly and by the 1980s only 30% of non-college women saw pre-school children as an obstacle to women's employment. Non-college men had levels that were similar to the college graduate group until the 1990s when they were higher although they gradually declined in the 2000s.

College graduate women in 1964 who disagreed with the question were those who went to the highest-ranked colleges, excelled at their studies, did not major in education, and had generally liberal views.<sup>61</sup>

*Should women be granted an equal role in running business, industry, government*

The ANES asked voters whether "women should have an equal role with men in running business, industry, and government." The question began with the statement: "Recently there has been a lot of talk about women's rights." The question was first asked in 1972, the year the ERA was overwhelmingly passed by Congress, and was also asked almost every two years to 2008.<sup>62</sup>

Among the younger group of women, about 40% were in agreement with the statement in 1970 and 50% were in 1990, as seen in Figure 10, whereas for the older group, 30% agreed in 1972 and 50% did in 1990. Women were slightly more in agreement with the statement than were men, and all groups increased their belief in equality of roles to the 2000s, winding up with 70% of the younger group and 60% of the older group in agreement. Being employed, not married, not having children, and being college educated all increased support for improving women's status.

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<sup>61</sup> A liberal woman from the best institutions (15% of undergraduates) with a GPA  $\geq 3$  who was not an education major had an agreement rate of around 41%, whereas an education major with a GPA  $< 3.0$  from a lower ranked institution (23% of undergraduates) who was not a liberal had an agreement of 63%. Differences for men are considerably smaller even without considering the role of the education major for either group.

<sup>62</sup> "Equal role" is defined as giving 1 as the answer. Respondents could give rankings from 1, meaning an equal role, to 7 meaning "women's place is in the home."

The absence of data before 1972, as in some of the other cases, probably means that much of the initial increase in agreement had already occurred in the late 1960s and early 1970s. Yet, it is not until the 1990s that the majority of women, even younger ones, agreed with the statement that women should have a greater rights putting them on a more equal standing with men. Moreover, women, of any age group, were not much more likely to agree with the statement than were men.

Until the late 1980s or 1990s, the electorate as a whole did not appear to have thought that women should be granted more power in the economy and polity. There were exceptions, but even the most liberal men (young, from the northeast or west, college graduates, single) were not fully on board until the 1990s. And those from the more traditional groups (from the south or the northcentral regions, not college graduates, married) were not largely in agreement until 2004. Women, themselves, did not differ much in their views from men with the exception that the younger group was 5 to 10 percentage points more in favor of granting women a greater role ever since 1980.

#### *Support for strengthening women's status*

The question on support for strengthening women's status was asked by the Virginia Slims survey from 1970 to 1989 in, approximately, five-year intervals. Respondents were asked: "On the whole, do you favor or oppose most of the efforts to strengthen and change women's status in society today?"

In 1970, about 40% of women supported an expansion of efforts to improve women's status (no data were collected for men in 1970). Whereas more than 50% of the youngest group did, about 35% of the oldest group did. By 1990, around 80% of women across all ages supported these efforts, and the increase occurred primarily in the early 1970s, similar to the Gallup data regarding the vote for a female President. Recall that the female President data precede 1970, whereas these do not. Once again, it is likely that support for change in women's status increased in the late 1960s. By 1974, virtually all age groups and both genders wanted to uplift women's status. Those in the south and Midwest were less eager and the college educated were most enthusiastic.<sup>63</sup>

#### *Warmth to women's (liberation) movement*

The ANES asked respondents how warmly they felt toward various social

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<sup>63</sup> From a base level of 0.7, those from the south and Midwest were -7 pp and the college educated were +9 pp. These values are from a regression for post-1974. In addition, those who viewed that there was discrimination against women, were far more in favor of efforts to strengthen women's status.



movements, among them the women's (liberation) movement and feminism.<sup>64</sup> Warmth toward the women's (liberation) movement greatly increased from 1970 to 1974 for both men and women, as seen in Figure 11. There was a dip in esteem for the movement around the establishment and surge of STOP ERA but the women's movement regained approval among a majority of women and men in both age groups by the mid-1980s. Not surprisingly, a larger fraction of younger than older women favored the movement.<sup>65</sup>

Gallup also asked a variety of questions about the women's movement.<sup>66</sup> These differed by year, were often asked only of women. They demonstrate generally positive views toward the movement. By 1985, around 75% of women and 65% of men held either very or mostly favorable opinions of the women's movement, somewhat higher than in the ANES data. Despite the STOP ERA movement's gains and the Reagan revolution, just 20% of women in 1986 thought that the women's movement was "anti-family."

When women were asked by Gallup in the years around 1990 whether they were personally helped by the women's movement—then about two decades old—most agreed that that they were, to a modest degree.<sup>67</sup> More than 70% thought that they were "made better" personally, but just 16% thought they were "greatly" helped. About 90% thought the movement helped "professional" women and almost 40% thought the movement gave that elite group a large boost. But just 34% thought it helped "poor" women and a mere 6% thought it greatly helped that group.<sup>68</sup> That is, they saw the movement as fairly elitist.

In addition, around half of all women around 1990 believed that the movement made men's lives harder than in 1970 at the inception of the movement. The men, moreover, generally agreed with that assessment. But although most women (54%) thought the movement made women's lives "easier," a substantial group (42%) thought it made women's lives "harder." Furthermore, although 80% thought it made their personal

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<sup>64</sup> After 1984 the question changed from the "women's liberation" to just "women's" movement and support remained about the same.

<sup>65</sup> The Life Styles opinion poll (see Appendix 3) also included a question on approval of the women's liberation movement ("I think the women's liberation movement is a good thing"). The survey was annual from 1975 to 1998. The responses are almost identical to those in the ANES by age and sex.

<sup>66</sup> The first of the questions on the women's movement was in 1975 and asked whether the movement was responsible for bettering women's position. More than 70% of women said that it was and 84% did among those who view women's position as having improved. The question did not specify a time period for the improvement.

<sup>67</sup> In 1986, 53% said "fairly well" and 17.5% said "very well" for a total of 70.5%. In 1992 the total was a bit higher at 73%.

<sup>68</sup> These insights come from questions on the women's movement asked only of women in 1986 and 1992. The results are weighted and are provided for women 20 to 64 years old. In most cases the fraction stating that the women's movement did "very well" decreased somewhat from 1986 to 1992. The small group with no opinion are excluded.

lives somewhat easier, fewer than one in five believed their lives were greatly improved by the movement.<sup>69</sup> It was clear by the 1980s, that the women's movement had been a force, creating divides and ambiguities along many lines.

### *Warmth toward feminism and identifying as a feminist*

Americans may have viewed the women's movement in a generally positive manner, but neither men nor women in either of the two age groups was keen on the concept of "feminism," however they interpreted the word. Both the ANES and Gallup asked questions on feminism: the ANES asked how respondents felt about the movement and Gallup asked whether individuals identified as feminists. The ANES responses show that around 30% to 35% of men and 40% to 50% of women had "warmth" toward feminism with an increase for all groups in 2016.<sup>70</sup>

The *Great Aspirations* (GA) longitudinal data for 1964 contains a special section for women devised by Alice Rossi. These data provide a unique portrait of college graduate women, just before the women's movement took shape, that includes a direct question on whether a woman identified as a "feminist" or "traditionalist." The words were defined such that a feminist stressed "great equality and similarity in the roles of men and women than now exist," whereas a traditionalist stressed "the difference between the roles of men and women." The person was also asked whether she would want to help an organization trying to increase women's rights.

Overall, just 20% agreed strongly or moderately with the feminist view and 32% agreed strongly or moderately with the traditionalist view. The remainder (48%) had "mixed" views of being partly feminist and partly traditionalist. Of those with the feminist view 70% said they would (definitely or probably) want to help an organization working to increase women's rights whereas 15% did for those who held a traditionalist view and 32% did for those with mixed views. Those ascribing to the feminist viewpoint had disproportionately gone to the highest ranked schools and were not Catholic.

Beginning in 1986, Gallup asked a question about identifying as a feminist, but without any definition. Responses, given in Figure 12, show little support. Rarely did more than 30% of either the younger or older women respond in the affirmative. Only with the 2008 survey did the younger group come close to having a majority identifying as

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<sup>69</sup> These values are computed for the 20- to 64-year-old group (weighted) and do not change much for an older group, who would have known life as an adult in 1970.

<sup>70</sup> The fraction of articles in the *New York Times* that used the terms sex or gender discrimination were substantial in the early to mid-1970s, declined to around 2014 and then started to rise again. The same change can be seen in the Google N-Gram in Figure 1. The #MeToo movement did not attract much attention until 2017.

“feminist.” Men responded 5 to 10 percentage points lower when information from them was asked. Because the college graduate sample is small, comparisons cannot easily be made with the 1964 GA results. In addition, there is no data on the question for 1965 to 1985. It is possible that there was an increase in identifying as a feminist in the 1960s and 1970s and then a decrease as feminism was vilified.

### *Were women subjected to discrimination?*

The Virginia Slims survey asked whether women were discriminated against in their employment. In the case of discrimination against women for “top jobs in the professions,” about 50% of the respondents—both men and women—answered in the affirmative, even as early as 1970. There was little change in the answers to 1990, and the overall fraction stating there was discrimination was only slightly higher for female than male respondents. The older group gave answers that were 10 percentage points lower than the younger group in 1970 but they were not much different by 1990. The younger group had aged and became the older group. Those who believed there was greater discrimination against women expressed a greater desire to strengthen efforts to uplift women’s status.<sup>71</sup>

Interestingly, the fraction stating that women were discriminated against in college education was miniscule: around 15%, in 1970, declining to 10% by the 1980s. No one seemed to think that women were being prevented by the institutions from “getting a college education” despite the fact that, at the time, a tiny fraction of professional school enrollment was female, and women were, until 1980, still a minority among the graduates of four-year institutions. Furthermore, in 1970 many of the Ivies and the “little Ivies” had only just begun to open their doors to women, and some did not admit their first class of women until later.

### *Civil Rights and Women’s Rights*

The civil rights movement gave energy, organizational talents, and meaning to the women’s movement. It also provided a key piece of legislation. Yet another way that the civil rights movement may have impacted the women’s movement is the possibility that it encouraged white men to advance white women’s rights. If rights were being given to Blacks, including Black women, some may have wanted to grant more rights to white women to even the scales. That had been the key rationale offered by Rep. Martha Griffiths for keeping “sex” as part of Title VII after Rep. Smith had inserted the word.

But did the “Griffiths notion” operate among the electorate? Did white men want to

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<sup>71</sup> There were three possible answers (see Appendix 3). “Not sure” was coded as believing that women were discriminated against in the given occupation or education.

increase the rights of white women when Black women (and men) were gaining more especially in the workplace? The opinion polling data just discussed can be used to explore the possibility.

The Voting Rights Act of 1965 rendered illegal various voting eligibility procedures, such as the literacy test. It was binding in nine states (AK, AZ, TX, LA, MS, AL, GA, SC, VA) and a set of counties in other states, particularly NC. I take these ten states to be “treatment” states to see if the opinions of whites, particularly males, with regard to women’s rights became more positive after 1965. The only opinion poll question regarding women’s rights or approval that was asked before and after 1965, with sufficient surveys on either side of 1965 to perform a standard difference-in-difference analysis, concerns voting for a female presidential candidate (see Figure 8).

Voting rights states (and the south in general) had about a 6 pp lower fraction of (white) men favoring a female presidential candidate before 1965. The increase in that approval after the Voting Rights Act was passed was 7.5 pp on a base of about 50 percent. There is no change for women. The results, given in Table 2, are for whites of all ages, with age and education controls.

The graphical analysis in Figure 13 explores pre-trends and trend breaks. There was little change before the Voting Rights Act. The act appears to have had an impact on white men’s views of women directly following its passage in the late 1960s and then dissipated. Part A uses each of the ten opinion poll years as a separate unit of observation. Because sample sizes for each “year” are small, I create four combined years in Part B. The results are stronger because sample sizes are larger. According to those results, the act increased white men’s approval for a female President by 10 percentage points, which is 20% of the base level of 53% around 1958-1963. There was no differential impact for white female respondents in the states constrained by the 1965 Voting Act.

The evidence presented in Table 2 and Figure 13 is suggestive of a response that benefited views toward and about women in states that were compelled to have additional civil rights. These results are consistent with a model in which women had fixed preferences about their own rights but in which white men increased their preference for the rights of white women when Blacks got more rights.<sup>72</sup>

### *Women’s Movements and Divisions among Women*

The story about why women won began with women’s emerging political clout

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<sup>72</sup> I thank Brian Wheaton for suggesting the analysis of the Voting Rights Act. See Wheaton (2022) for a model of, and evidence concerning, backlash regarding state ERA laws.

around 1960. But at the time, sex discrimination was not thought to be an issue of great importance unlike racial discrimination. A stroke of good luck occurred in 1964 when the word “sex” was added to Title VII of the Civil Rights Act. The rise of an organized women’s movement led by dedicated women and men soon followed. The movement revealed latent demands for change among “feminists.” These demands were fueled as well by events that I have grouped under the heading “the Quiet Revolution,” which led to heightened career aspirations and education among women (Goldin 2006).

It is also the case that women in the US (and Europe) began to shift “left” around 1960. In every year after 1960 the female electorate had a higher fraction supporting the Democrat candidate for president than the male electorate (Casio and Shenhav 2020; Edlund and Pande 2002). But even though the female vote became a more potent force around 1960 and even though women shifted left on average, they soon realized that they were not unified in their demands, certainly not by the later third of the twentieth century.

The dissimilarities in women’s support for their own rights were considerably larger than were those between men and women. And these differences were far larger than were those regarding women’s rights among men.

Women were more divided as they gained more rights. These insights are the essence of the framework offered earlier in this paper. The women’s movement, the perceived electoral clout of women, and a bit of luck, led in the 1963 to 1973 decade to a torrent of women’s rights legislation and favorable court decisions. That ironically served to weaken the women’s movement from within and it also produced an anti-movement from without. In addition, members of Congress who thought the women’s movement represented American women began to realize that women were not as unified.

I explore the notions that women were divided through an analysis of the responses to two ANES questions: (1) whether women should be granted a more equal role in running business, industry and government (see also Figure 10) and (2) whether the respondent had warmth for the women’s (liberation) movement (see also Figure 11). I show that proponents and opponents of the expansion of women’s rights were divided far less by gender than they were split within gender by education, marital status, parenthood, employment, race, age, and region. In fact, many of the polling questions after 1970 had few differences by gender.

Each of the regressions, in Table 3, is run separately by gender. Note that the difference in the means of the dependent variables by gender for “equal role” are small, whereas those for “women’s movement” are larger, as was clear from Figure 11. But the coefficients on characteristics that might type a person as more or less traditional are far

greater for women than for men. Because these data begin in 1970 or 1972, they reveal that differences among women were substantial even before the anti-feminist movement of the 1970s and 1980s was underway.

Currently married respondents were far less in favor of granting women an equal role than those who were not and were less warm to the women's movement.<sup>73</sup> College graduates and those currently employed were more in favor of giving women an equal role and warmer to the women's movement. But in both cases differences were far greater among women than among men.

Simple conditional means will make the point by comparing more versus less traditional groups. Among young, non-Protestant college graduate women who were not currently married and were employed (the less traditional group), 71% were in favor of more equality and 69% had warmth to the women's movement across all years in the sample.<sup>74</sup> Among older Protestant women who were not high school graduates, who were currently married and were not employed (the more traditional group), 25% were in favor of more equality and 29% had warmth to the women's movement. These large differences lay underneath the gains that women made in period of the women's movement. There were those who wanted change and those who didn't.

The differences between traditional and less traditional men, particularly with regard to increasing equality, were more muted.<sup>75</sup> The difference for the equality question between traditional and non-traditional women was 46 percentage points but was 19 percentage points for men. The difference for the women's movement question between the two groups of women was 40 percentage points but was 12 percentage points for men.

Women with less traditional characteristics were to the left of men with the same characteristics and women with more traditional characteristics were to the right of similar men. Women demonstrated and voted to protect their identities. Men were apparently less

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<sup>73</sup> Hunt and Rubin (1980), in a state-level analysis, find that single women were more in favor of the ERA than were married women. Married women, to them, would have gained from the higher earnings of their husbands but single women simply lose from statistical discrimination. My interpretation is more that married women were less likely to have been employed than single women and more likely to have wanted to protect their status as homemakers.

<sup>74</sup> The importance of the evangelical movement in Protestant denominations may be the reason Protestant is significant whereas Catholic is not.

<sup>75</sup> I did not use "employ" as a condition for the men, since most were employed or in school. About 57% of young men who were college graduates and who were unmarried favored more equality and 39% of the opposite group of young men did. Note that given the other covariates, the presence of children, even very young ones, did not matter.

concerned, and non-whites, especially non-white men, had considerably more warmth to the women's movement than did white men.

The battle lines had been drawn between women, less so between men and women. Phyllis Schlafly's Eagle Forum and the anti-abortion movement were pitted against Gloria Steinem and her *Ms. Magazine*. Betty Frieden, Bella Abzug, and the National Organization for Women clashed with busloads of women campaigning with STOP ERA. Anita Bryant and the "Save Our Children" crusade denounced lesbians, who were also deemed the "lavender menace" by Betty Frieden for supposedly destroying the movement's credibility.

An insightful set of papers has explored other mechanisms for the expansion of women's rights. Doepke, et al. (2009, 2012), for example, posit that a large group of men expanded women's rights to serve their own self-interest in binding other families with regard to increasing women's education. Men who vote for the expanded rights gained from having their sons marry more educated women.<sup>76</sup> The premise of the model, however, is not applicable to mid- to late-twentieth century America where women already had the vote and returns to education had risen long before.

#### *Why Women Won: Making Sense of a Complex History*

Around 1972, at a high point of the flow of acts, decisions, and events concerning women's rights, the majority of Americans believed that married women could work outside their homes and that the US would be better governed if more women were more politically active. But just a third wanted to grant women an equal role running the rest of the system, and it was not until the 1990s that a majority thought women could be trusted with running government, business, and industry.<sup>77</sup>

Most Americans, by the early 1970s, wanted to strengthen women's status, but there was little warmth accorded the women's movement among men to the 1980s and women wavered until then as well. Identifying as a "feminist" never generated much support at any point for which these opinion data exist. By 1990, the women's movement was viewed as elite, improving the wherewithal of professional women but making men's lives more difficult, while women's lives were somewhat bettered but made more taxing.

That history began here with President Kennedy's appointment of the Presidential Commission on the Status of Women in 1961. It was followed by a dazzling array of legislative acts in rapid succession: the 1963 Equal Pay Act (EPA), Title VII of the 1964 Civil

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<sup>76</sup> Fernández (2014) argues that as fertility declines, men vote for more female schooling since families have a lower probability of having a surviving son. See also Geddes and Lueck (2002).

<sup>77</sup> Table 1 provides a summary.

Rights Act, Title IX of the 1972 Education Act, passage of the Equal Rights Amendment (1971 House/1972 Senate), the 1972 Equal Employment Opportunity Act, and the extension of the EPA in 1972 to cover professional, administrative, and executive occupations. Furthermore, all these acts passed Congress with astonishingly wide margins.<sup>78</sup> Add to the list President Lyndon Johnson's 1967 extension of the affirmative action mandate to women, through Executive Order #11375.

Did this flood of women's rights legislation make a difference with regard to their earnings? There isn't much statistical confirmation that it did. Bailey, et al. (2023) find some evidence that the Equal Pay Act and Title VII raised female earnings at the bottom of the distribution but not that they moved the rest.<sup>79</sup> Similar legislation, however, did far more for Blacks than for women. The reason is probably that it changed the sectors and the jobs in which Blacks were hired, especially in the south.

But even if the laws didn't change women's earnings, it made their lives better and expanded their options. Workplaces became safer for them. They were no longer barred or excused from juries because of their presumed household responsibilities. They could not be fired when pregnant and could not be refused a job because they had children. They received better education and more resources even as girls.

The story I have told began with the civil rights movement and the somewhat fortuitous nature of the early and key women's rights legislation. A straight line has taken us from the fact that the women's vote became more important than ever before in the 1960 Kennedy-Nixon election to the formation of the Commission on the Status of Women and, in turn, to the greater ability of women to organize for their own rights. Additional formal organizations and mobilization produced an even larger movement that rapidly filtered down to the streets, individual homes, and even bedrooms. But it also produced a powerful anti-women's rights movement that rapidly joined with the anti-abortion and anti-gay/woke lobbies to remain a potent force in America to this day.

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<sup>78</sup> The vote for the 1963 Equal Pay Act was 362-9 House and a voice vote in the Senate. The vote for the ERA was 354-23 House and 84-8 Senate. The 1972 EEO Act was 303-110 House and 62-10 Senate. Title VII of the 1964 Civil Rights Act and Title IX of the 1972 Education Act were not voted on separately.

<sup>79</sup> Because these laws were national, Bailey, et al. (2023) compares the impact on those in states that had an equal pay law before the national one to those that did not. A confounding factor is the extension of minimum wage to service and retail jobs in mid-1960s covering more low-wage women. To the extent that there was an effect, it is likely that it was due to the Equal Pay Act, not Title VII since EEOC was not immediately funded and did not take the "sex" cases seriously for several years. Even when it did, its cases rarely concerned pay inequities. Leonard (1989) examines the impact of affirmative action on women's progress in the workplace and finds that female labor supply changes rendered the program ineffectual even though it was effective for minorities.



The role of civil rights pervades the discussion, and I am brought back to the relationship between racial and sex discrimination with which I began. The lines in Figure 1 are related in a multitude of ways—through people, events, legislation, and politics. Note that sex (and gender) discrimination did not enter the American lexicon until long after racial discrimination did. The two lines in Figure 1, Part A ascend about 10 to 12 years apart beginning with that for racial discrimination in 1958. By the mid-1970s they rose and fell together, and both rose again in the 2010s.

Given that there was only moderate national support for strengthening women’s status around 1970, probably less before, and that an even lower fraction of respondents wanted to give women an equal role in running the nation, it is astonishing that so much was accomplished in so brief a period.

Women won some of their most important workplace rights in the 1960s because of a set of fortuitous events. They continued to win in the early 1970s because of a movement that gave them influence. They won yet more because groups that were supportive of their cause—college graduates, single women, Black women—expanded relative to others.<sup>80</sup> They won when they had the political clout to get men, especially those in Congress and the White House, to see that women’s rights were as valid as civil rights. Yet, women’s rights had setbacks when, in light of many gains, women abandoned the movement. Women’s rights has had a truly “strange career.”

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<sup>80</sup> On the increase of female college graduates, see Goldin, Katz, and Kuziemko (2006).

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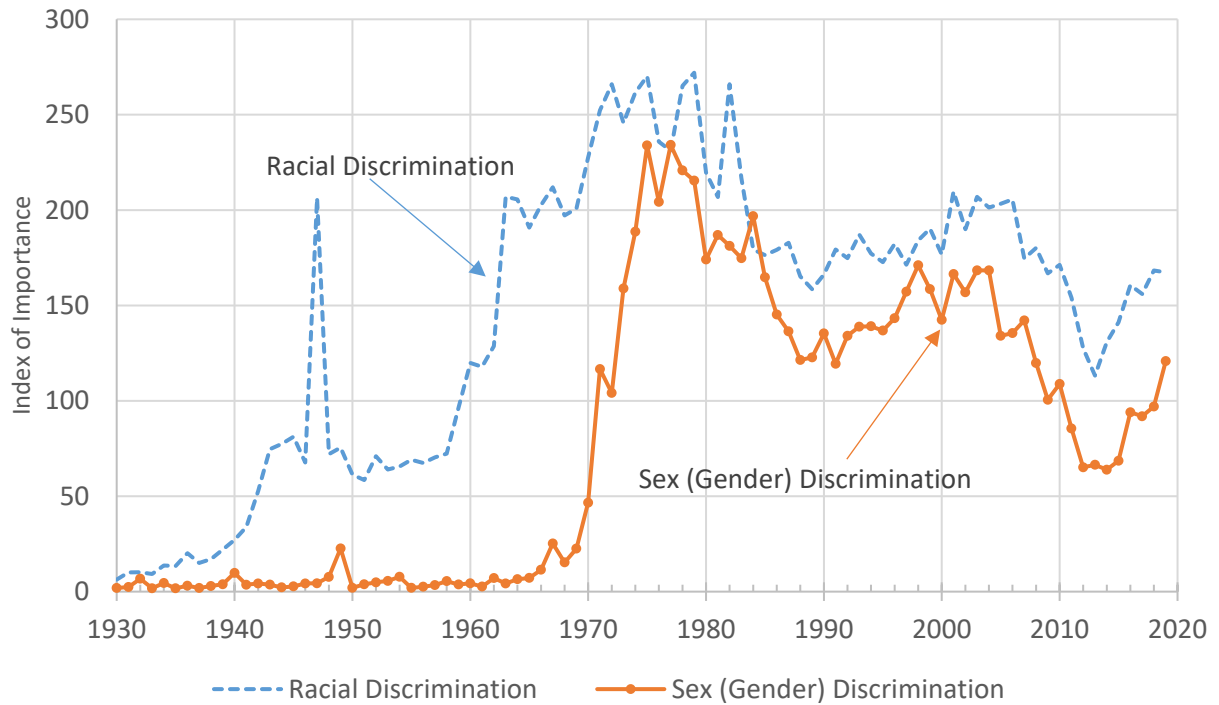
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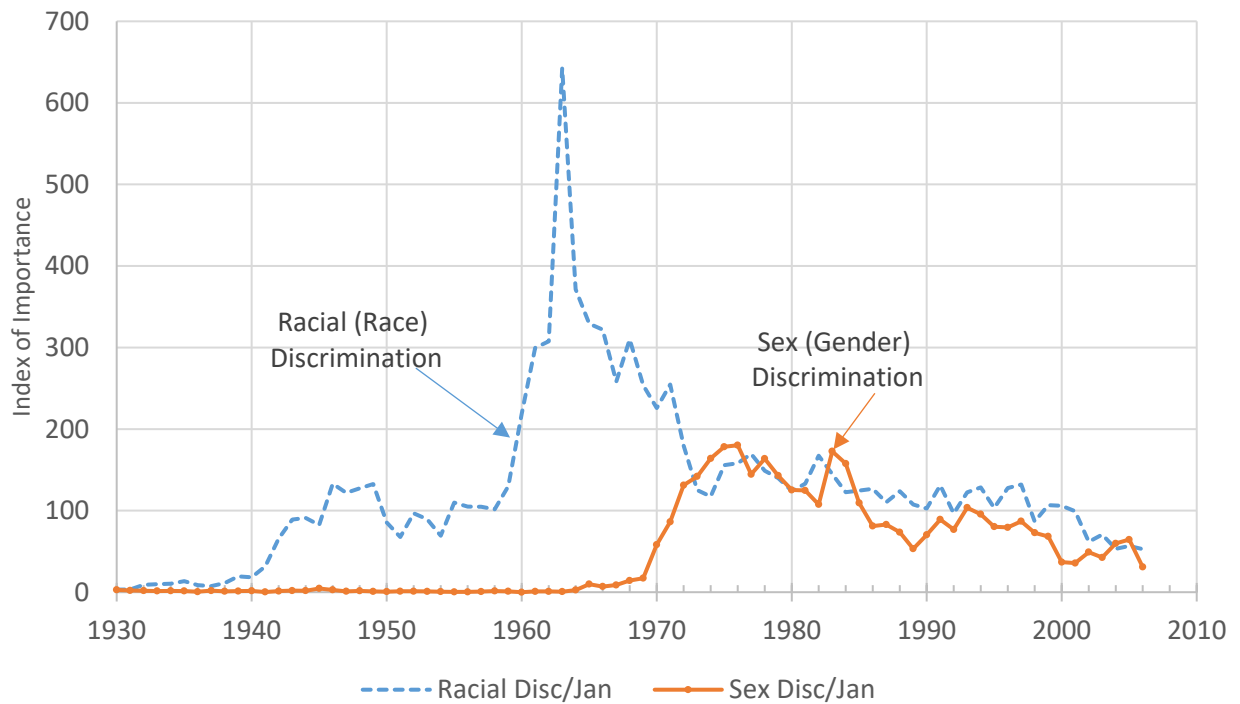
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Figure 1: Sex (and Gender) Discrimination versus Racial Discrimination: 1930 to 2019

Part A: In US Books



Part B: In Major US Newspapers

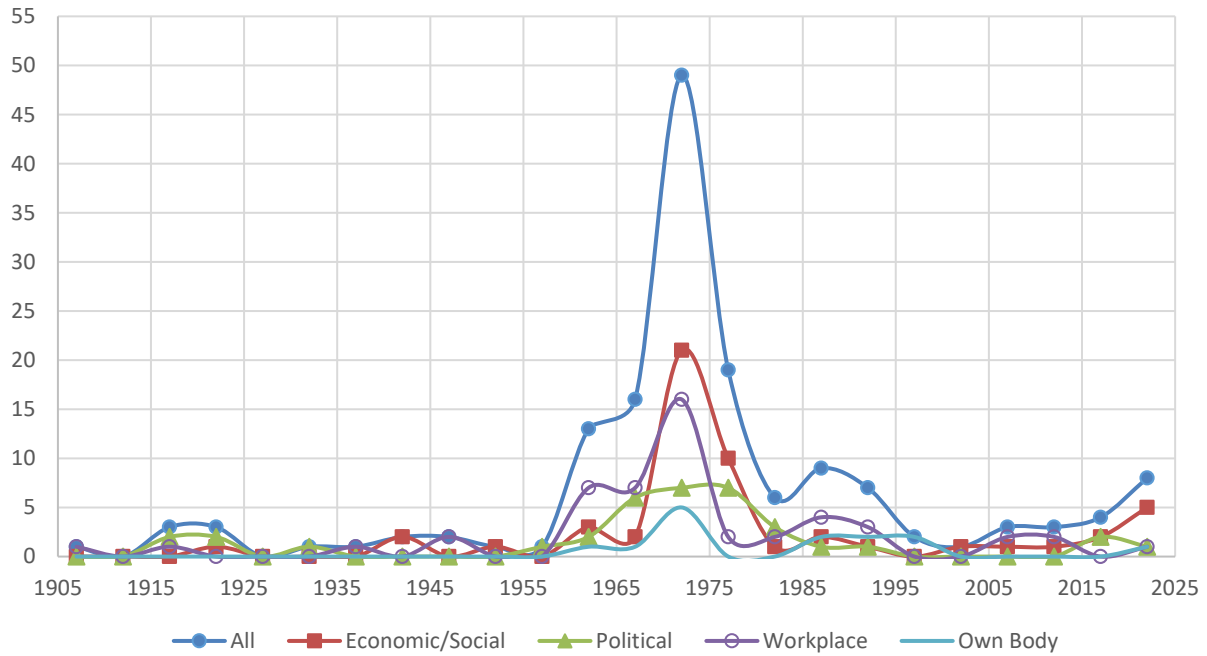




*Source:* Part A: Google N-Gram, American English 2019 corpus. Computed 12/27/22. Part B: ProQuest Historical Newspapers. See Appendix 2.

*Notes:* Part A: No smoothing, case-insensitive. Sex (gender) discrimination combines the two separate terms. The vertical scale is multiplied by  $10^8$ . Part B: Results of annual searches for “race discrimination” or “racial discrimination” and “sex discrimination” or “gender discrimination” in ProQuest Historical Newspapers scaled by searches for the neutral word “January” to adjust for the size of the newspaper. The vertical scale is multiplied by 100.

Figure 2: Chronology of Critical Moments in US Women’s Rights History: 1908 to 2023

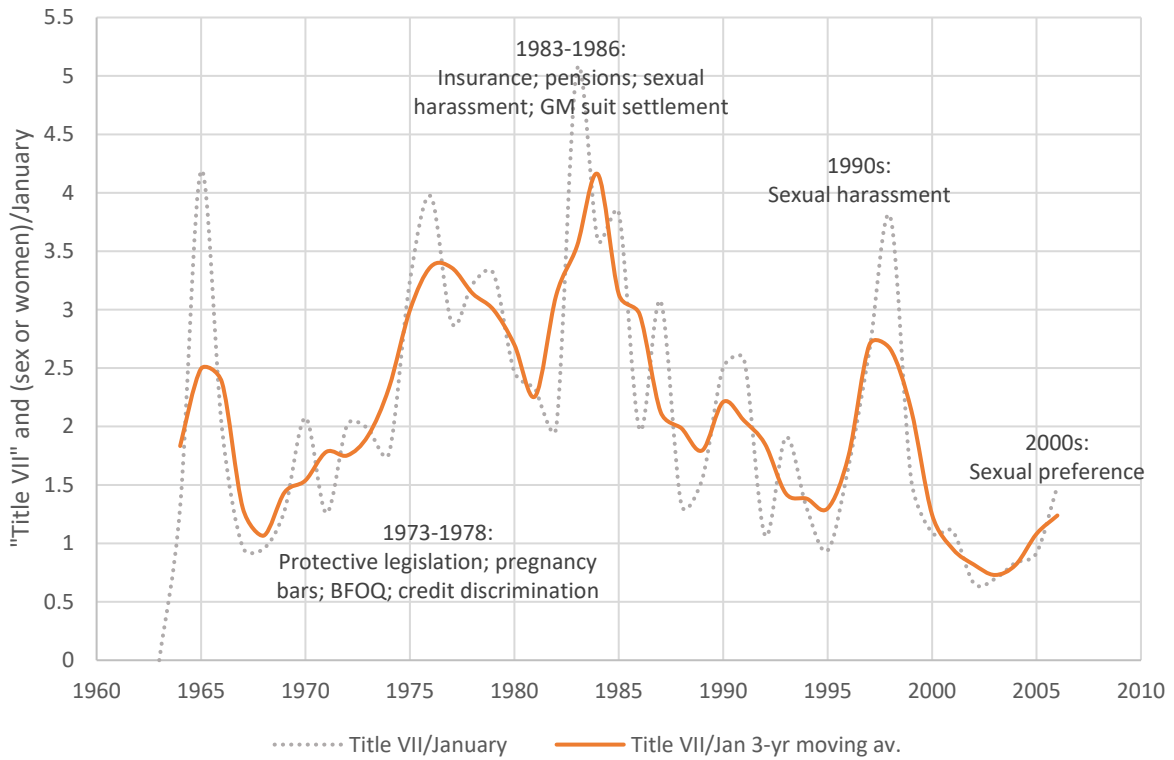


Sources: See Appendix 1.

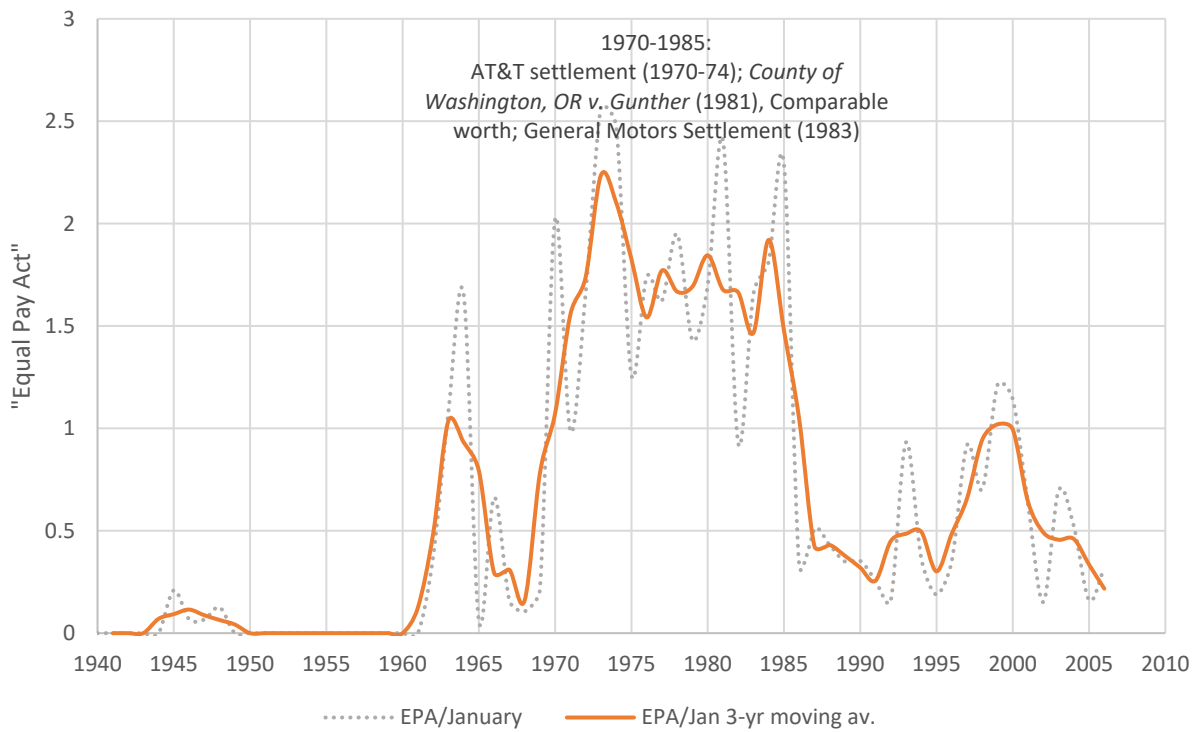
Notes: “All” is the sum of Economic/Social, Political, Workplace, and Female Body rights. Each point is the number of events on the chronology of women’s rights history given in Appendix 1. The five-year bins are sums of the number of entries for “all” or in the four separate groupings.

Figure 3: Women's Rights Legislation in the News

Part A: Title VII, 1963 to 2006



Part B: Equal Pay Act, 1940 to 2006



*Source:* ProQuest Historical Newspapers. See Appendix 2.

*Notes:* Part A: Results of annual searches for (“Title VII” + [“sex” or “women”]) in ProQuest scaled by searches for the neutral word “January” to adjust for the size of the newspaper. Part B: Results of annual searches for (“Equal Pay Act”) in ProQuest scaled by searches for the neutral word “January” to adjust for the size of the newspaper. Three-year centered moving averages and the original are graphed in both cases. The ratios given are the search term(s) times 1000 divided by the count of the neutral word. Because of copyright laws greatly reduce newspaper coverage in the early 2000s, the graphs end with 2006. See Appendix 2 for the years that each newspaper ends its coverage.

Figure 4: A Framework for Understanding the Impact of Competing Women's Organizations

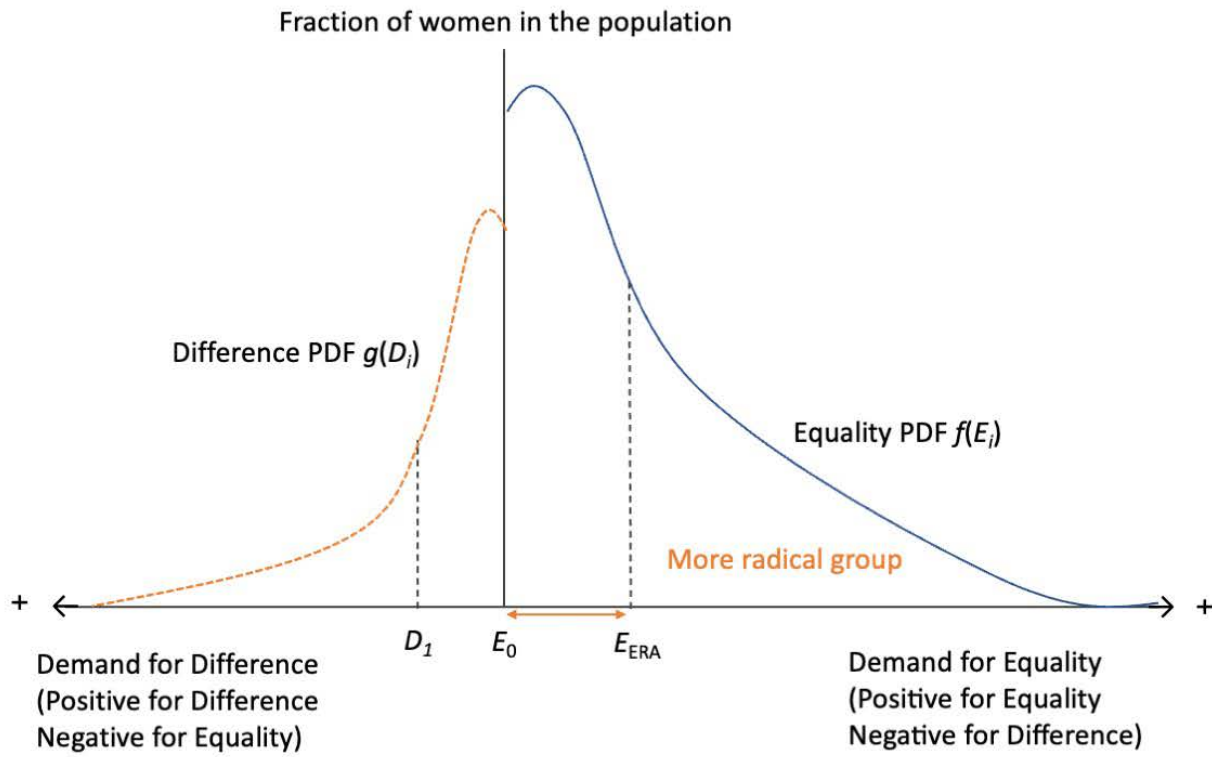
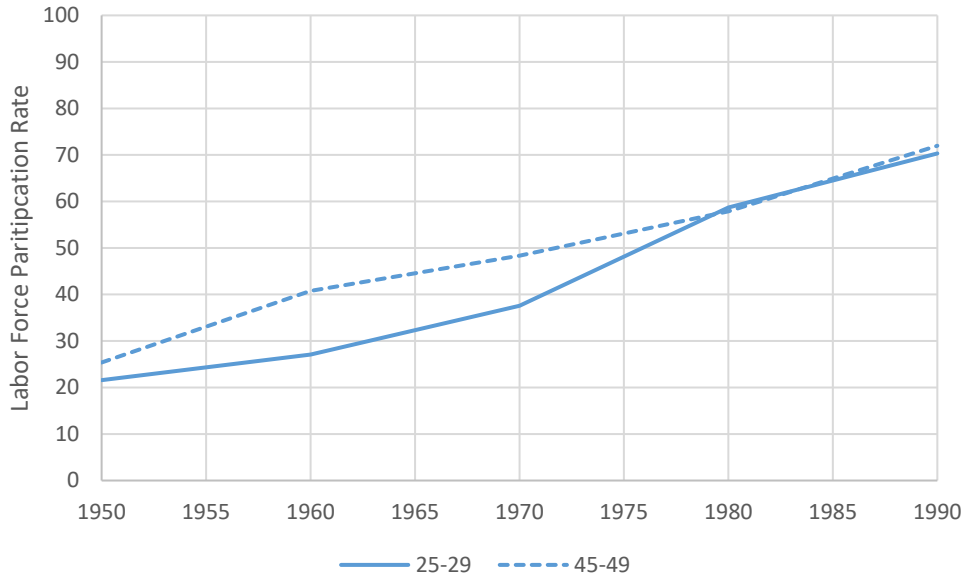
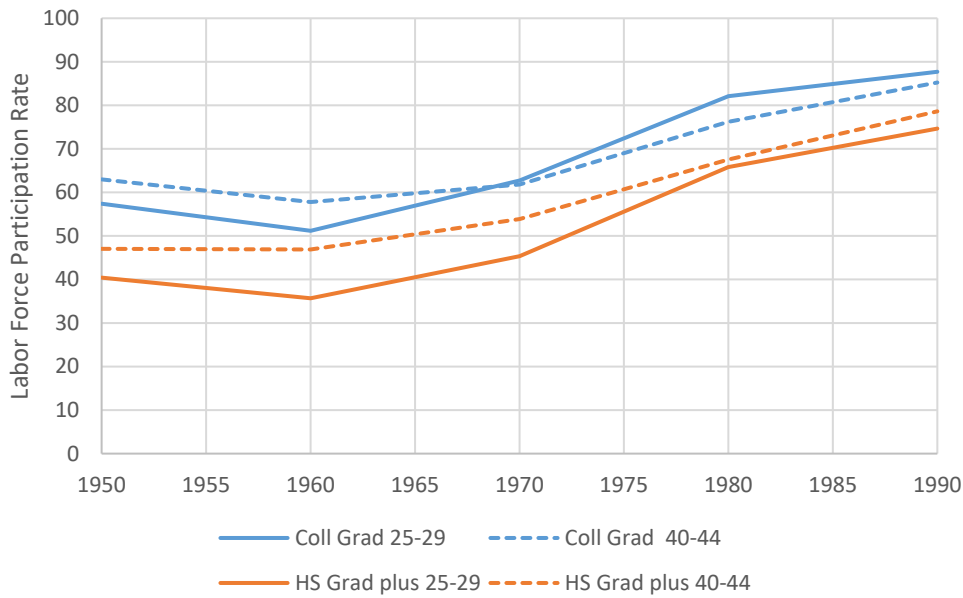


Figure 5: Female Labor Force Participation, 1950 to 1990

Part A: Currently Married



Part B: By Education, All Marital Statuses

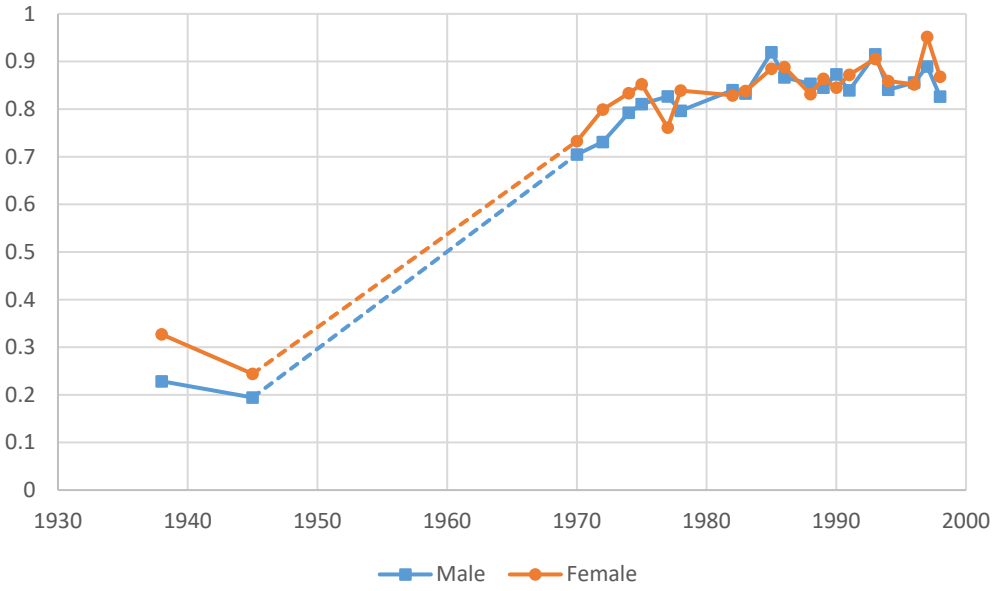


Sources: 1950 to 1990 US Census of Population, IPUMS

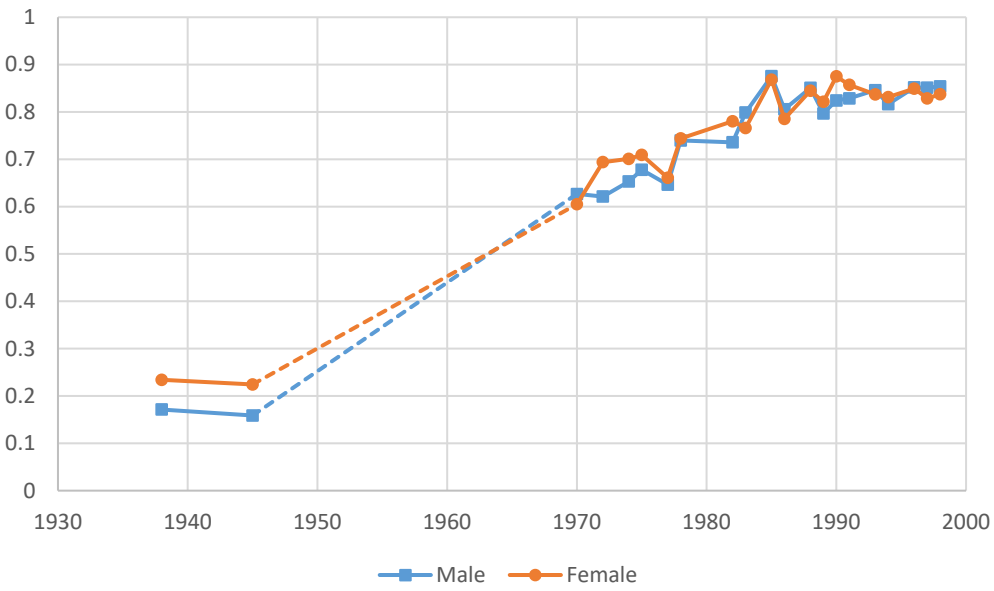
Notes: "HS Grad plus" includes those with some college.

Figure 6: Should a Married Women Work for Pay?

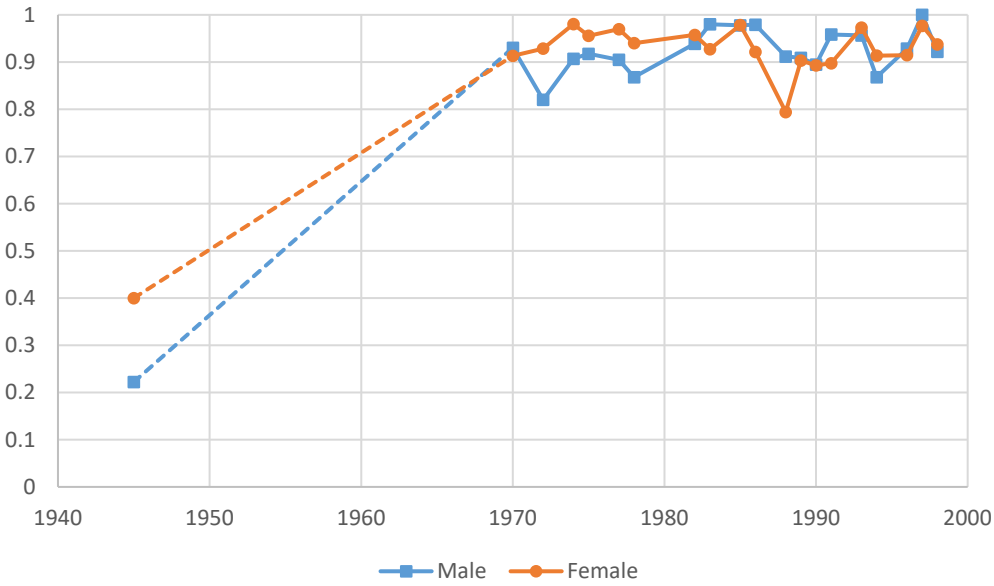
Part A: All individuals 20 to 34 years old



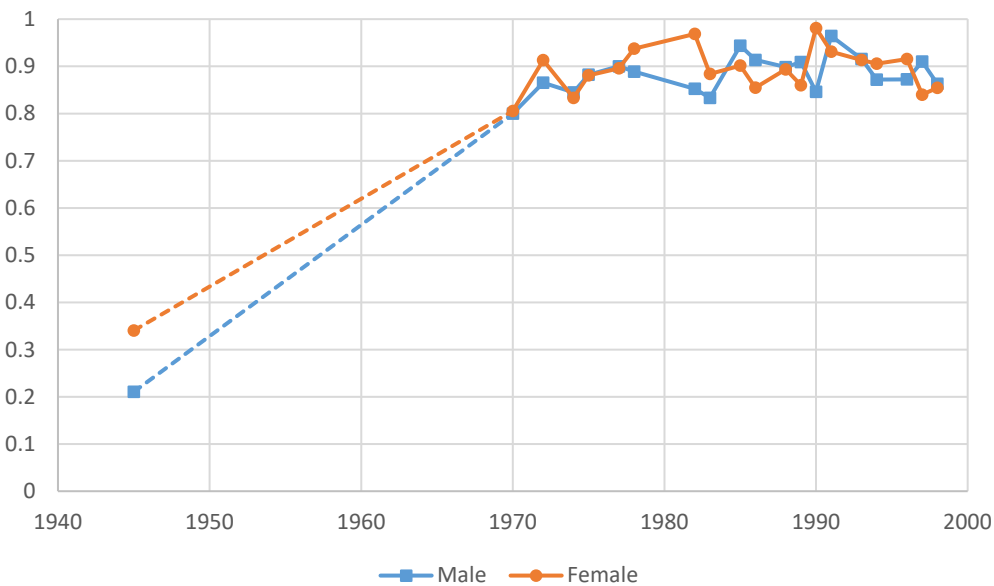
Part B: All individuals 35 to 64 years old



Part C: College graduates, 20 to 34 years old



Part D: College graduates, 35 to 64 years old



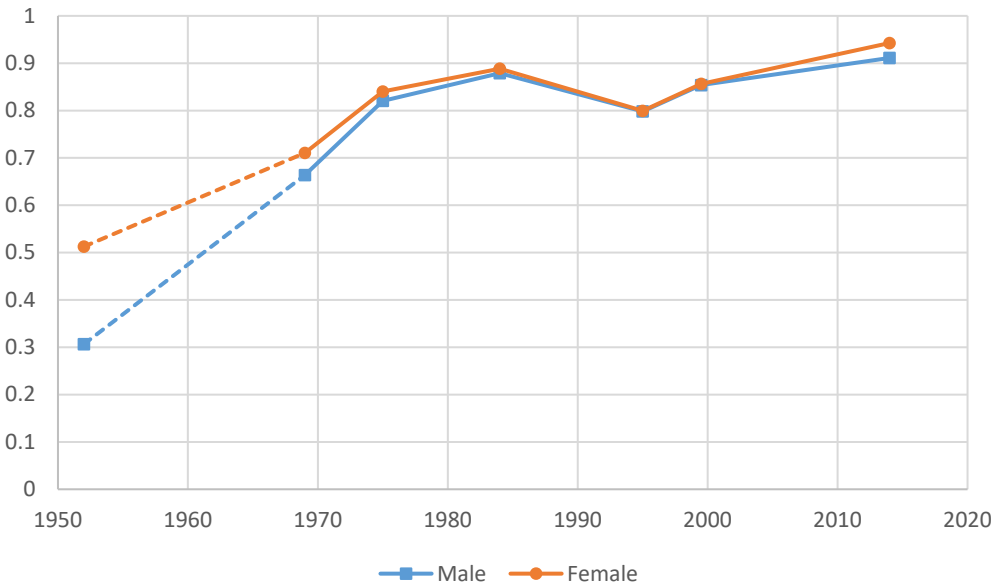
Sources: See Appendix 3. Gallup survey years are: 1938, 1945, 1970, 1975, 1993, 1997. GSS years are: 1972, 1974, 1975, 1977, 1978, 1982, 1983, 1985, 1986, 1988, 1989, 1990, 1991, 1993, 1994, 1996, 1997, 1998.

Notes: Graphs provide the answers to the question from either the Gallup or GSS surveys. "Do you approve or disapprove of a married woman earning money in business or industry if her husband is capable of supporting her?" Qualified answers in 1945 are coded as "disapprove." Dotted lines indicate that there are no data points between 1945 to 1970.

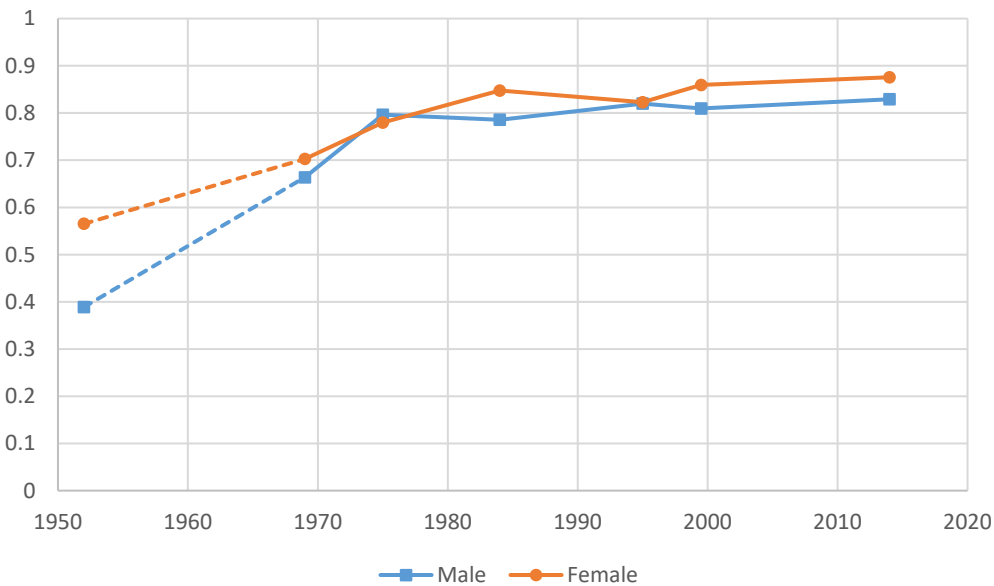


Figure 7: Would the US Be Better Governed If Women Were Politically More Active?

Part A: All individuals 20 to 34 years old



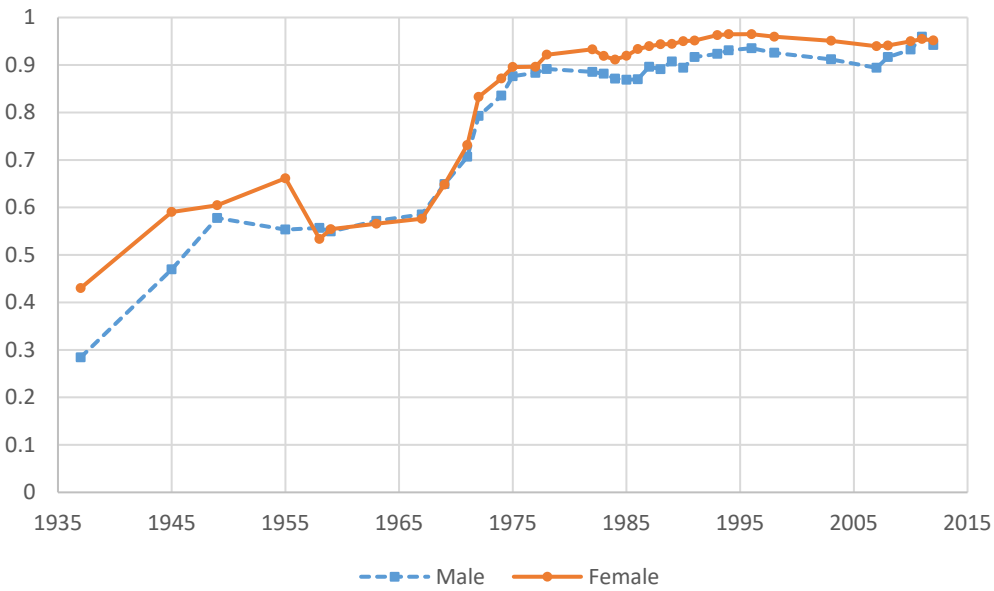
Part B: All individuals 35 to 64 years old



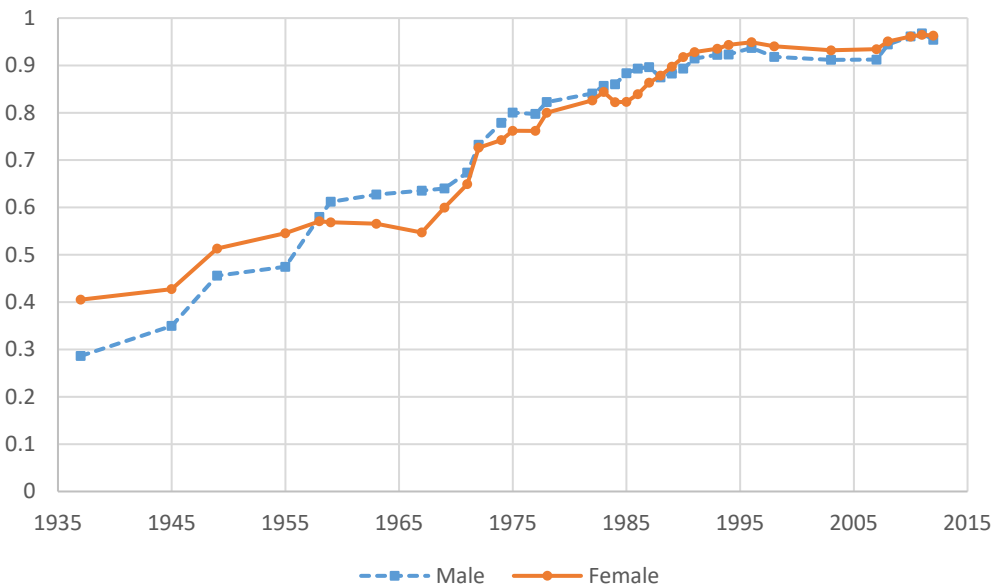
Sources: See Appendix 3. Gallup survey years are 1952, 1969, 1975, 1984, 1995, 1999, 2000, 2014. Notes: Graphs provide the answers to the question: “Do you think that the US would be governed better or worse if women had more say in politics?”; the question in 1952 was worded slightly differently. Responses for 1999 and 2000 have been averaged. Dotted lines indicate no data from 1952 to 1969.

Figure 8: Would You Vote for a Woman President?

Part A: All individuals 20 to 34 years old



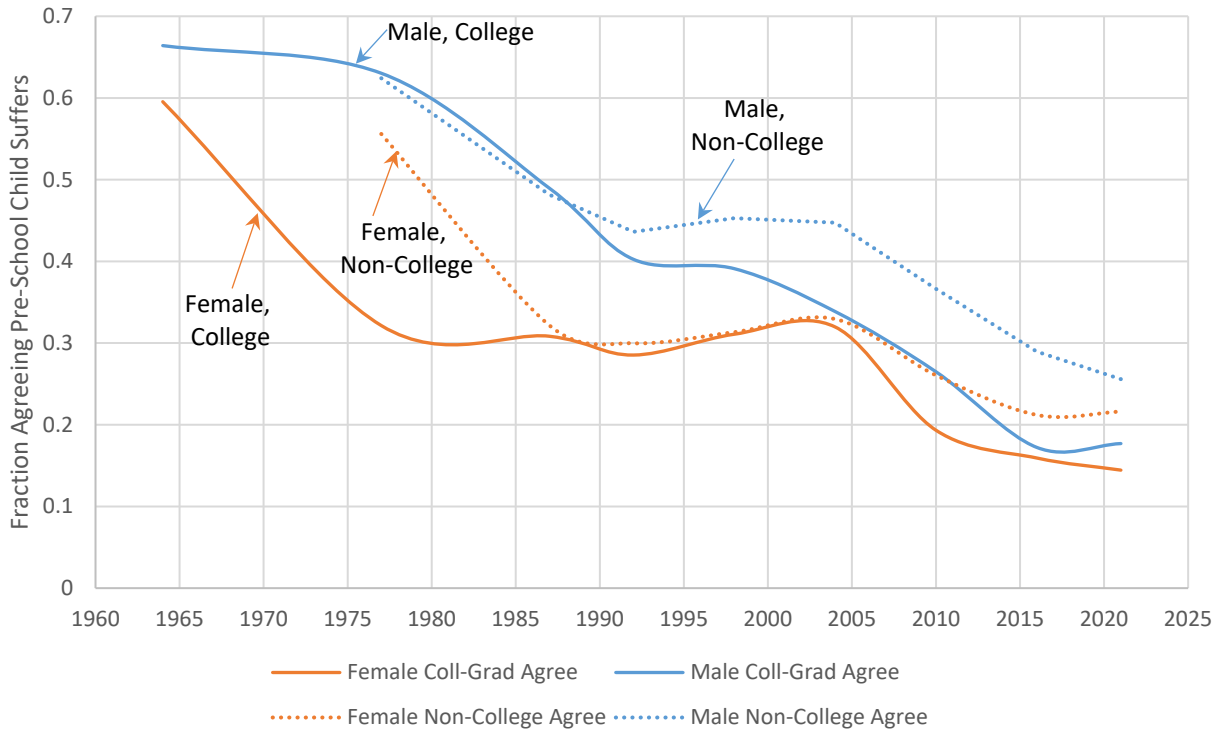
Part B: All individuals 35 to 64 years old



Sources: See Appendix 3. Gallup survey years are: 1937, 1945, 1949, 1955, 1958, 1959, 1963, 1967, 1969, 1971, 1975, 1978, 1983, 1984, 1987, 2003, 2007, 2011, 2012, 2015. GSS years are: 1972, 1974, 1975, 1977, 1978, 1982, 1983, 1985, 1986, 1988, 1989, 1990, 1991, 1993, 1994, 1996, 1998, 2008, 2010. Overlap years are pooled. “No opinion,” and “don’t know” responses (3% of GSS, 7% of Gallup) are treated as missing values.

Notes: Graphs provide the answers to the question (varied slightly across years): “If your party nominated a woman for President, would you vote for her if she seemed [was] qualified for the job?” Unweighted results are given; weighting does not make much of a difference. Approximate (due to missing years) three-year centered moving averages given after 1958.

Figure 9: Pre-School Children Would Suffer if Their Mother Worked for Pay: College Graduates, 1964 to 2021, Non-college Graduates, 1977 to 2021

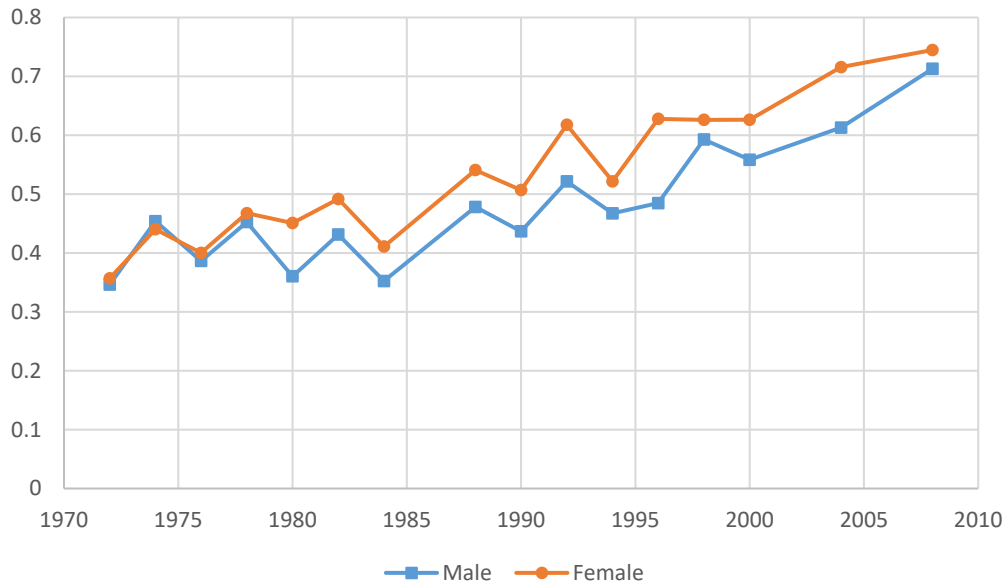


Sources: 1964: Great Aspirations (GA) survey; 1977 to 2021 General Social Survey (GSS). See Appendix 2.

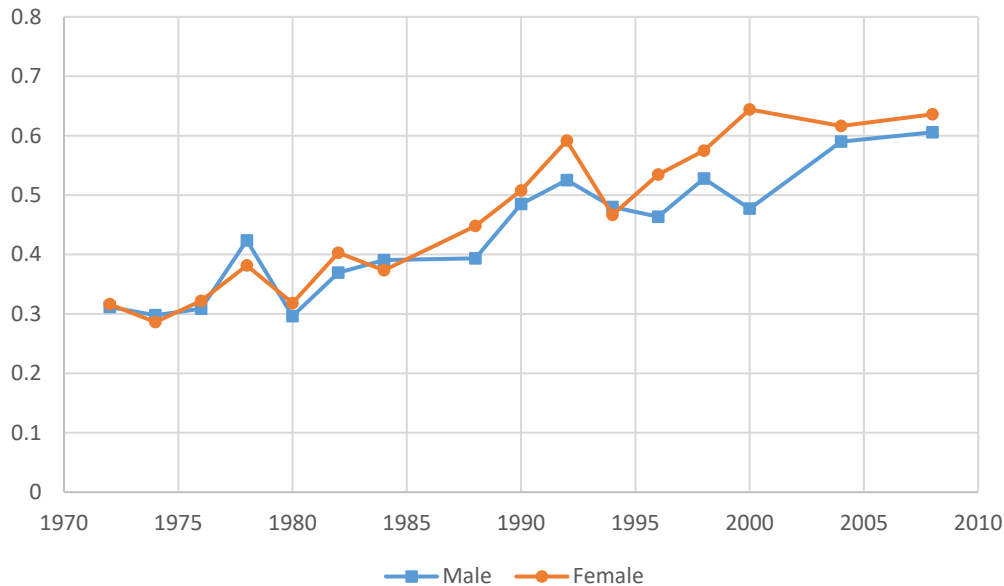
Notes: 1964: 8,079 women, whose median age was 24; 14,192 men, whose median age was 25. 1977 to 2021: Years (except 1977, 2021) have been grouped because the sample of college graduates is small. Ages used are 20 to 39 for consistency with the GA sample and to get a large enough sample in the GSS: 1977 (45 F, 62 M), 1985-89 (240 F, 242 M), 1990-94 (273 F, 218 M), 1996-2000 (328 F, 260 M), 2002-2006 (191 F, 166 M), 2014-2018 (199 F, 154 M), 2021 (162 F, 145 M). GSS data are coded 1 for agree or mildly agree and 0 otherwise; GA data are coded 1 for agree or mildly agree and 0 otherwise which includes neutral. The reason for the similarity in this question (and other questions) between the GSS and GA is that the opinion polling company NORC, which produces the GSS, also did the *Great Aspirations* surveys.

Figure 10: Grant Women an Equal Role

Part A: All individuals 20 to 34 years old



Part B: All individuals 35 to 64 years old

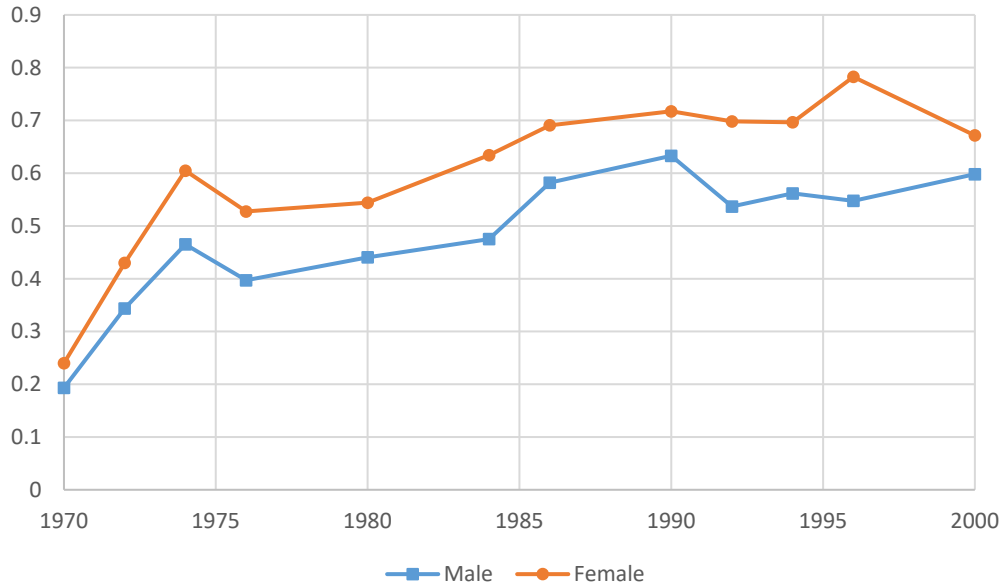


Sources: See Appendix 3. ANES years are: 1972, 1974, 1976, 1978, 1980, 1982, 1984, 1988, 1990, 1992, 1994, 1996, 1998, 2000, 2004, and 2008.

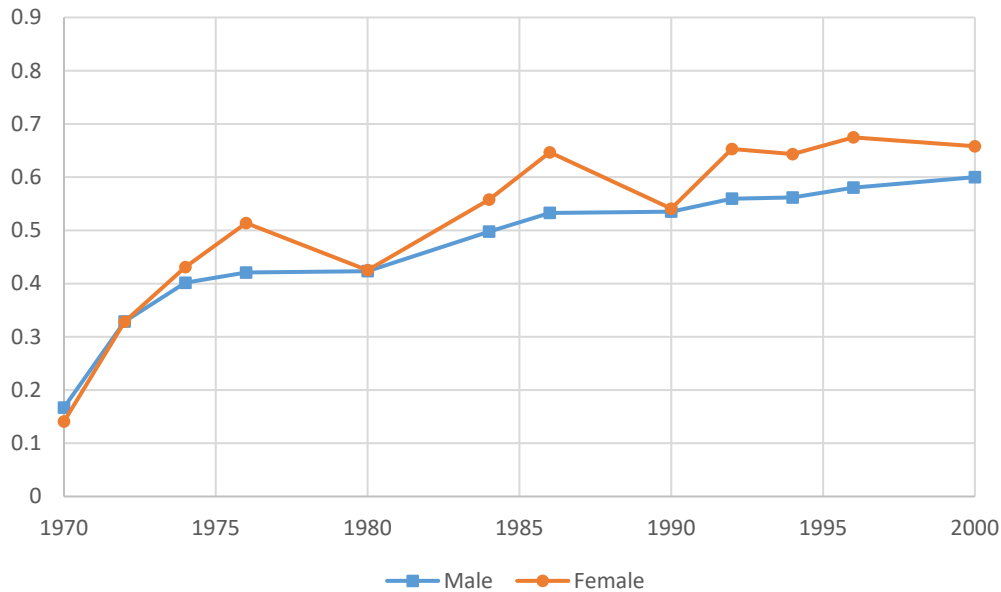
Notes: Graphs provide the answers to: “Recently there has been a lot of talk about women’s rights. Some people feel that women should have an equal role with men in running business, industry, and government. Others feel that a women’s place is in the home ... some people have opinions ... in between. Where would you place yourself on this scale?” 1 = equal role; 0 = all other answers omitting the small group who had not thought about the issue. Weighted tabulations are given..

Figure 11: Warmth for the Women’s (Liberation) Movement

Part A: All individuals 20 to 34 years old



Part B: All individuals 35 to 64 years old

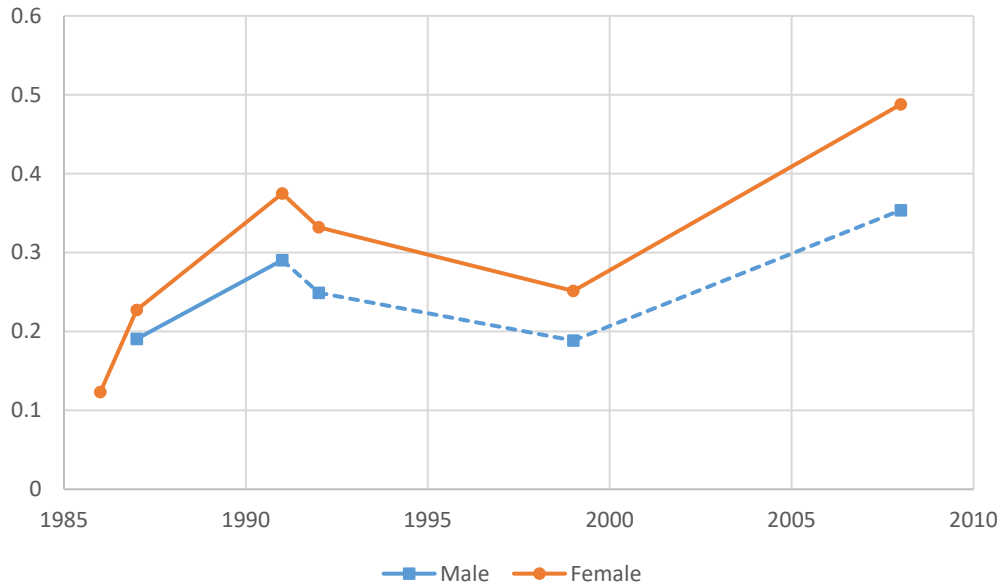


Sources: See Appendix 3. ANES years are: 1970, 1972, 1974, 1976, 1980, 1984, 1986, 1990, 1992, 1994, 1996, and 2000.

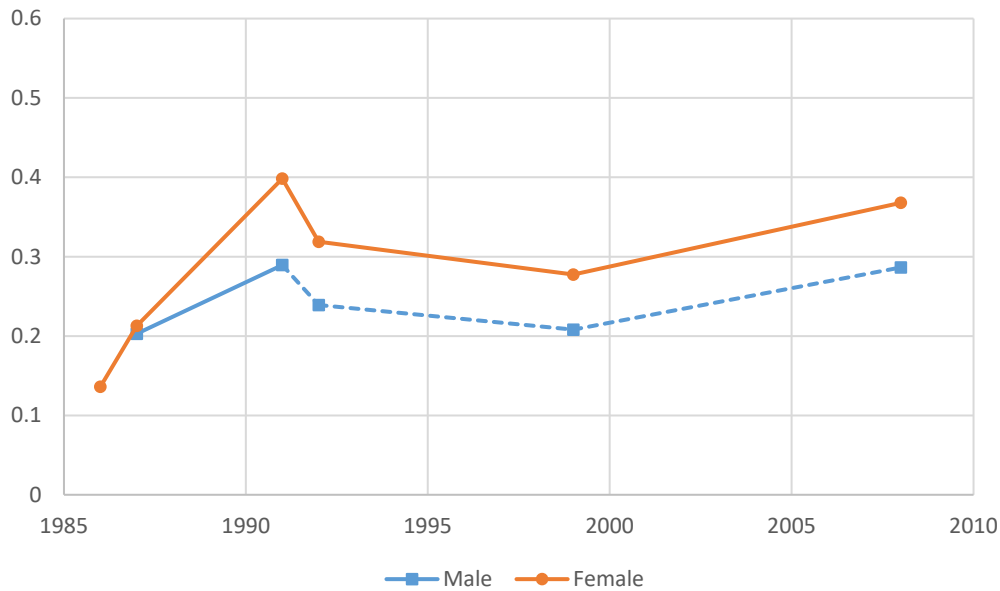
Notes: Graphs provide the answers (weighted) to a “feeling thermometer” question on women’s liberation or women’s movement, where “warmth” or support is indicated by a score > 50. A score of 50 means indifference and one that is < 50 indicates a lack of support. The term “women’s liberation movement” was used from 1970 to 1984 and “women’s movement” was used from 1986 to 2000.

Figure 12: Do You Consider Yourself a Feminist?

Part A: All individuals 20 to 34 years old



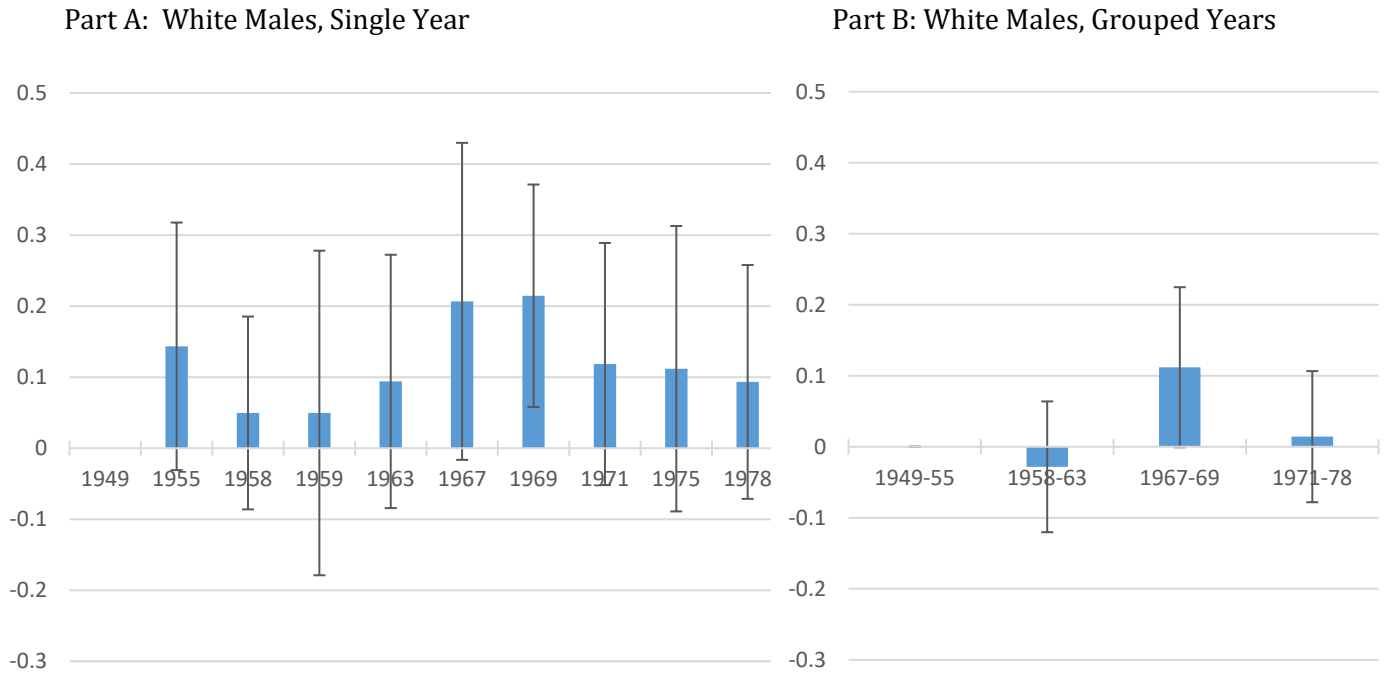
Part B: All individuals 35 to 64 years old



Sources: See Appendix 3. Gallup survey years are: 1986 (females only), 1987, 1991, 1992 (females only), 1999 (females only), and 2008. That is, data for men exist for 1987, 1991, and 2008.

Notes: Graphs provide the answers to the question: “Do you consider yourself a feminist?” Positive answers are coded only for “yes.” Dotted lines for male indicate that data for 1992 and 1999 are constructed by assuming that males are 0.75 the value of females as is generally the case for the three years when both have data.

Figure 13: Pre-trends and Trend Break in the Relationship between Civil Rights and Women’s Roles



Sources: See Table 2.

Notes: The analysis uses the ten states (AK, AZ, TX, LA MS, AL, GA SC, NC, VA) most constrained by Voting Rights Act of 1965 as the treatment and the remaining states as the controls. The outcome is whether a respondent would vote for a (competent) woman who ran for President on the respondent’s party. Part A uses each survey as a separate year. Part B aggregates 1949 and 1955; 1958, 1959, and 1963; 1967 and 1969; 1971, 1975, and 1978. Both use only white male respondents. There was no impact on women. Control variables include: age group dummies and education. Standard errors are clustered by state; sample weights are used.

Table 1: Summary of Opinion Poll Responses in c.1970 and When a Majority Agreed

Issue or question [Figure]	Percentage Agreeing, c.1970		Year > 50% Agreed	
	Female (%)	Male (%)	Female	Male
Should women work for pay? § [6]				
Younger (25 to 34 years)	70%	70%	~1960	~1960
Older (35 to 64 years)	60	60	~1965	~1965
College graduates (younger)	90	90	~1950	~1950
Should women be more politically active? * [7]				
Younger (25 to 34 years)	72	68	< 1950	~1962
Older (35 to 64 years)	70	66	<1950	~1960
College graduates (younger)	82	74	~1954	~1954
Vote for a female President? § [8]				
Younger (25 to 34 years)	65	65	~1943	~1948
Older (35 to 64 years)	64	60	~1949	~1956
College graduates (younger)	79	76	<1945	<1945
Pre-school child does not suffer ° [9]				
Younger (25 to 34 years)	49 (1977)	38 (1977)	1977	1983
Older (35 to 64 years)	32 (1977)	22 (1977)	1985	2005
College graduates (younger)	45	65	1968	1980
Grant women an equal role? # [10]				
Younger (25 to 34 years)	36	35	~1982	~1996
Older (35 to 64 years)	32	31	~1990	~1992
College graduates (younger)	49	45	~1974	~1978
Strengthen women's status? ^ [no figure]				
Younger (18 to 29 years)	46	n.a.	~1972	~1973
Older (40 to 64 years)	38	n.a.	~1974	~1973
College graduates (younger)	53	n.a.	< 1970	n.a.
Warmth to women's (lib) movement? # [11]				
Younger (25 to 34 years)	24	19	~1973	~1985
Older (35 to 64 years)	14	17	~1978	~1982
College graduates (younger)	25	23	~1971	~1973
Warmth to feminism? # [no figure]				
Younger (25 to 34 years)	38 (1988)	37 (1988)	2001	never
Older (35 to 64 years)	40 (1988)	36 (1988)	2001	never
College graduates (younger)	56 (1988)	41 (1988)	< 1988	never
Do you consider yourself a feminist? * [12]				
Younger (25 to 34 years)	23 (1987)	19 (1987)	never	never
Older (35 to 64 years)	21 (1987)	20 (1987)	never	never
College graduates (younger)	28 (1991)	17 (1991)	2008	never



*Sources:* See Appendix 3, text, and text figures. \* = Gallup; § = Gallup and GSS combined; ° = *Great Aspirations* (GA) and GSS; # = ANES; ^ = Virginia Slims.

*Notes:* Year when a majority of the respondents (> 50%) agreed is approximated when surveys are separated by many years. The first [last] survey year for each issue or question is as follows: Work for pay 1938 [1998]; Politically active 1952 [2014]; Female President 1937 [2010]; Pre-school children 1964 [2021]; Equal role 1972 [2008]; Strengthen status 1970 (women only) and 1974 (both) [1989]; Women's Liberation 1970 [2000]; Feminism 1988 [2008]; Feminist 1986 (women only), 1987 (both) [2008]. Virginia Slims data have broad age groups. The "child suffer" question is given as (1 - "child suffer"), thus as "a pre-school child does not suffer if the mother works." GA college graduate data are for 1964 when respondents were about 25-26 years. Weights are used when possible; see text figures for more detail.

Table 2: Relationship between Approval of a Female Presidential Candidate and the Voting Rights Act

Variable	White Males		White Females	
	Coefficient	S.E.	Coefficient	S.E.
Event (year > 1965)	0.121	0.0135	0.110	0.0200
Voting Rights Act state	-0.0561	0.0228	-0.0385	0.0234
Event × Voting Rights Act state	0.0747	0.0253	-0.000829	0.0349
College graduate	0.0705	0.0245	0.0926	0.0206
High school graduate	0.0292	0.0162	0.0212	0.0142
Age group dummies	yes		yes	
Constant	0.601	0.0980	0.830	0.0331
R <sup>2</sup>	0.0283		0.0426	
Number of observations	7,955		8,320	

*Sources:* See sources to Figure 8 for the opinion data and <https://www.justice.gov/crt/jurisdictions-previously-covered-section-5> for Voting Rights Act 1965 covered jurisdictions.

*Notes:* The ten states with the most covered jurisdictions are the treatments (AK AZ, TX, LA, MS, AL, GA, SC, NC, VA) and are the “Voting Rights Act” states. The “event” year is 1965. Years (1949, 1955, 1958, 1959, 1963) are untreated and years (1967, 1969, 1971, 1975, 1978) are treated. The opinion poll series contain more years. I begin after the 1945 survey and stop before the 1983 survey, to provide a balanced group of almost 15 years on either side of the event and not to go out too far after the event. Regressions use sample weights and include age group dummies, where the omitted dummy is 18 to 24 years old. Age group dummies are small (negative) for males but larger (negative) at older ages for females. Standard errors are clustered by state. See also Figure 13 for an analysis of pre-trends and trend break.

Table 3: Correlates of Whether Women Should be Granted an Equal Role with Men (1972 to 2008) and Whether Respondent Has Warmth for the Women's Movement (1970 to 2000)

	(1) Equal Role		(3) Women's Movement		
	Female	Male	Female	Male	
Dependent variable means	0.479	0.441	0.551	0.477	
Grouped year dummies for					
Cols. (1), (2)	Cols. (3), (4)				
1978-84	1974-76	0.0347** (2.79)	0.0344* (2.40)	0.184*** (11.60)	0.138*** (7.44)
1988-92	1980-86	0.148*** (10.61)	0.111*** (7.12)	0.267*** (16.89)	0.207*** (11.48)
1994-98	1990-92	0.152*** (10.52)	0.125*** (7.61)	0.319*** (19.93)	0.245*** (13.78)
2000-08	1996-2000	0.236*** (14.44)	0.212*** (11.56)	0.301*** (16.31)	0.220*** (10.44)
College graduate		0.144*** (11.96)	0.0759*** (6.23)	0.135*** (10.07)	0.0258 (1.93)
High school graduate		0.0402** (3.20)	0.0219 (1.50)	0.0389** (2.97)	0.0377* (2.50)
Currently married		-0.117*** (-12.19)	-0.0475*** (-4.14)	-0.0851*** (-8.24)	-0.0705*** (-5.63)
Young (20 to 34 years)		0.0521*** (5.60)	0.0273* (2.50)	0.0720*** (7.18)	-0.0164 (-1.39)
Currently employed		0.0604*** (6.33)	-0.0124 (-0.85)	0.0310** (3.02)	-0.0361* (-2.28)
Protestant		-0.0886*** (-9.08)	-0.0544*** (-5.06)	-0.0727*** (-6.88)	-0.0718*** (-6.18)
White		-0.0366** (-3.14)	-0.0249 (-1.82)	-0.125*** (-9.70)	-0.172*** (-11.48)
South		-0.0403** (-3.02)	-0.0109 (-0.73)	-0.0272 (-1.89)	-0.0257 (-1.58)
Northcentral		-0.0728*** (-5.31)	-0.0452** (-2.94)	-0.0413** (-2.80)	-0.0542** (-3.27)
West		-0.00879 (-0.60)	0.000310 (0.02)	-0.0144 (-0.91)	-0.0345 (-1.93)
Constant		0.451*** (23.23)	0.418*** (16.55)	0.447*** (20.27)	0.566*** (19.88)
Number of observations		11,084	9,164	9,255	7,757
R <sup>2</sup>		0.0982	0.0414	0.1181	0.0746

t-statistics in parentheses

\* p<0.05; \*\* p<0.01\*\*\* p; <0.001

*Sources:* See Appendix 3, and Figures 9 and 11.

*Notes:* The dependent variable in cols. (1) and (2) is “Equal Role,” and is the (0,1) answer to whether the respondent believes that women should have an equal role with men in running business, industry, and government. In cols. (3) and (4), the dependent variable is “Women’s Movement,” and is the (0,1) answer to a “feeling thermometer” question on the women’s (liberation) movement, indicated by a score of > 50. The separate years of the survey have been aggregate into five grouped years due to small sample sizes (1972, 1974, 1976), (1978, 1980, 1982, 1984), (1988, 1990, 1992), (1994, 1996, 1998), and (2000, 2004, 2008) for Equal Role and (1970, 1972), (1974, 1976), (1980, 1984, 1986), (1990, 1992), and (1996, 2000) for Women’s Movement. Young is 20 to 34 years old. Omitted variables are (1972, 1974, 1976) for cols. (1) and (2) and (1970, 1972) for cols. (3) and (4), below high school graduate, older (35 to 64 years old), not currently married, not currently employed, religions other than Protestant, not white, and northeast. Sample weights have been applied.