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WBASNY urges support of "gender-neutral" constitutional amendment on the November 6 ballot.

Posted by Administrator WBASNY on 05/05/2002

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WBASNY URGES SUPPORT OF GENDER-NEUTRAL CONSTITUTIONAL AMENDMENT ON THE NOVEMBER 6 BALLOT

On March 10, 2001, the WBASNY Board voted to support legislation to place on the ballot a referendum to amend the New York Constitution to make it gender-neutral. The bill was sponsored by Assemblywoman Sandra Galef (Democrat) and by State Senator Patricia McGee (Republican). It passed both houses of the Legislature for the second consecutive year, as required, by unanimous vote, and the referendum will be on the ballot on November 6, 2001. WBASNY strongly supports passage of this proposed amendment to the New York State Constitution. If the amendment passes, New York will become the seventh state with a gender-neutral Constitution. Eight other states are considering similar amendments, and two other states have gender-neutral sections in their Constitutions.

At the request of Assemblywoman Galef and Victoria Lutz, Executive Director of the Pace Women's Justice Center, Westchester Women's Bar Association President Kathy N. Rosenthal and the Co-Chairs of the WWBA Legislative Committee (Jeanne M. Frey, Susan W. Kaufman and Lorian Vita) met with Assemblywoman Galef, Ms. Lutz and others to discuss how to inform voters that the referendum is to be on the ballot and is worthy of strong support. Assemblywoman Galef is seeking the active support of WBASNY and its chapters in this effort.

The proposal would change the approximately 170 references to males in the New York State Constitution either to add a female reference (i.e., his becomes his or hers) or to use gender-neutral language (e.g., fireman becomes firefighter). If the changes are approved, references in the New York Constitution to offices currently held by women (such as that of Lieutenant Governor, held by Mary O. Donohue; that of Chief Justice, held by Judith Kaye; and state legislative offices, 46 of which are currently held by women) would henceforth be described in gender-neutral terms.

WBASNY believes that there is great symbolic benefit to be gained by passage of the referendum. By including female references in the State Constitution, we eliminate the exclusionary symbolism of the document. We pay tribute to the substantial contributions of women such as Susan B. Anthony to the history of New York State. The change in the State Constitution would reflect the presence of women in both government and public life today, a reality that is far removed from the times in which the Constitution was written.

The possible objections to passage of the referendum are easily dismissed. Some argue that the amendment alters an historic document, ignoring the fact that there have been over 57 amendments to our state Constitution since 1938. Opponents of the proposal also criticize it as a waste of effort and tax dollars, but this is simply wrong. The ballot proposal will cost nothing. Furthermore, each year 5000 copies of the State Constitution are printed, and there would be no extra cost in time or money to include the gender-neutral changes, which are already on a computer file. The argument that the amendment is unnecessary because women have de facto equality in New York is misguided in two respects. First, the referendum is not an equal rights amendment. The amendment would not alter the rights, duties, powers or privileges enumerated in the Constitution. Second, the visible under-representation of women in political life is one indication of the continued resistance in some quarters to women's complete equality, and the proposed amendment will help to create an atmosphere of inclusion.

It is important that WBASNY join other non-partisan professional women's organizations to take an active role in publicizing and promoting passage of the amendment. Accordingly, WBASNY urges all members not only to look for the referendum on the ballot on November 6 and to vote in its favor, but also to write to your local newspaper editors and in other ways to communicate the importance of this matter to all voters and to other professional and women's groups statewide.

Susan W. Kaufman
WWBA State Director to WBASNY

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