

March 5, 2021

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Page 1 of 1

## **Attorney General Steve Marshall Announces Victory in Fight to Stop An Illegal Rewrite of the United States Constitution**

(MONTGOMERY) – Alabama Attorney General announced that Alabama has secured a major victory in the District of Columbia District Court, which ruled Friday that plaintiffs could not force the federal Archivist to ratify the Equal Rights Amendment and alter the U.S. Constitution because the deadline to ratify the proposed amendment expired decades ago.

In February 2020, Alabama, Louisiana, Nebraska, South Dakota, and Tennessee filed a motion to intervene in litigation over whether the Equal Rights Amendment could be slipped into the Constitution more than 40 years after the proposed amendment expired without the support to ratify it. Illinois, Nevada, and Virginia had sued the Archivist, demanding that he add the ERA to the Constitution based on their recent decisions to ratify the ERA decades after its deadline for ratification had expired. Alabama had argued that the deadline was an essential and enforceable part of the proposed amendment, and thus that the decades-late ratifications were ineffective. The district court agreed, holding “that the ERA’s deadline barred Plaintiffs’ late-coming ratifications.”

“Today, the U.S. District Court for the District of Columbia agreed with our argument that the ERA expired decades ago and cannot be sneaked into the Constitution,” said Attorney General Marshall. “This is a significant victory for the rule of law.”

Siding with Alabama, the court held that it would be “absurd for the Archivist to ignore” the ERA’s clear deadline for ratification. As the court noted: “Given the debate over the deadline in Congress, the presence of the deadline in the proposing resolution, and the extensive media coverage of the ERA at the time, the Court cannot believe that the deadline took anyone by surprise.”

“We are glad the court rejected plaintiffs’ calls to unconstitutionally amend our Constitution,” said Marshall. “If activists want a new ERA, they should persuade their fellow Americans that it makes sense, then pass it through Congress and a new state ratification process. As the late Justice Ruth Bader Ginsburg – a noted proponent of the ERA – stated, the ERA cannot become law unless it is ‘put back in the political hopper and we start over again collecting the necessary states to ratify it.’ Any other route would undermine the rule of law upon which we all depend.”

*The Court ruling is [linked here](#).*

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