



## NATIONAL CAMPAIGN TO **RESTORE CIVIL RIGHTS**

### **WOMEN'S RIGHTS**

In the past few years, the federal courts have stripped away basic protections for women across the board, from protections against violence and harassment to employment to recent rulings on abortion.

When Congress passed the Violence Against Women Act (VAWA) in 1994, it was intended to provide women with a strong legal remedy if they had been raped or a victim of domestic violence. To discourage gender-motivated violence, the law allowed women to sue their rapists and their harassers in federal court.

The Supreme Court, however, eliminated the legal remedy of the VAWA in a case called *US v. Morrison* in 2000. (The recent reauthorization of this statute, in December 2005, was only to the parts that weren't invalidated by this case.) Christy Brzonkala brought a case against Antonio Morrison and James Crawford, who repeatedly and forcibly gang raped her just after she enrolled as a student at Virginia Polytechnic Institute. Brzonkala's case eventually made it to the Supreme Court, which focused on whether Congress had the authority to enact the VAWA. The Court's ruling generally limited Congress' powers to affect civil rights laws in general and, more specifically, ruled that women could no longer take cases of gender-motivated violence to federal court.

Furthermore, federal laws prohibit discrimination on the basis of sex in any education program or activity receiving federal funding (with a few exceptions). This has meant that colleges should be fair in providing opportunities for programs such as team sports. If a university is 70 percent women and 30 percent men, for example, it shouldn't have more men's sports teams than women's.

The National Wrestling Coaches Association tried to challenge this in court, arguing that it was forced to terminate men's college-wrestling teams if they didn't have women's wrestling teams. The court ruled against the coaches, and we lost important Constitutional protections for women in the process.

Recently there have been a number of other significant challenges to basic laws prohibiting discrimination on the basis of gender. This year not only saw a big blow to protections of equal pay in the *Ledbetter v. Goodyear Tire Co.* case, but the Supreme Court ruled 5-4 in April 2007 to uphold the constitutionality of a federal ban against late-term or "partial-birth" abortion. This case alone seriously jeopardizes women's rights to make the choices about their own bodies that were guaranteed in the landmark *Roe v. Wade* ruling of the 1970's. Reproductive rights are among the most crucial rights to the equality of women in our society; protecting them is imperative,

especially in a political climate in which many people are seeking to deny women agency on the basis of their moral beliefs.

**For more information on women's rights and the courts, please contact the National Campaign to Restore Civil Rights at: [rollback@nylpi.org](mailto:rollback@nylpi.org).**

For detailed case information, please see the below:

- [\*US v. Morrison\*](#) (529 U.S. 598, 2000)
- [\*National Wrestling Coaches Assn v. Department of Education\*](#) (366 F.3d 930 (D.C. Cir.) 2004)