



The Equality Act: Promoting Equality Under the Law

Rule of law is a term that has been used as early as 2000 B.C. and is an ideal which serves to promote political morality. This timeless standard plays out on the global stage and even has an [index](#) which measures the strength of the rule of law in a given country. The United States has consistently had a high score, thanks in part to efforts like the Equality Act.

The rule of law includes key tenets, one of which is “equality under the law.” This means that the law applies to everyone in the same way, no matter who you are, and that everyone—people, business, government—is accountable. One significant piece of U.S. legislation to address equality under the law is the [Civil Rights Act of 1964](#). While necessary and appropriate for the inequities of the time, it lacks anti-discriminatory language that is relevant today, specifically sexual orientation and gender identity.

ENTER THE EQUALITY ACT ...

The [Equality Act](#) is a human rights bill which would amend the *Civil Rights Act of 1964*, *Fair Housing Act*, *Equal Credit Opportunity Act*, *Jury Selection and Service Act* and several laws regarding employment with the federal government to include sexual orientation and gender identity protection clauses. It would also modify the *Civil Rights Act of 1964* to prohibit sexual discrimination in public spaces, public services and federally funded programs.

While the Equality Act has been introduced in many forms since 1974, it has never become law. Championed by Democrats, the most recent version of the act was introduced in May 2017 to a Republican-led 115th Congress, with little action. It has recently received a second chance with the 116th Congress, which has a “pro-equality” House. The bill was [officially reintroduced](#) on March 13, 2019 by House and Senate Democrats, including Senator Tammy Baldwin, a co-sponsor of the bill and the country’s first openly gay Senator. It has never garnered such attention from Congress; but with strong House support, it is projected to be passed by the House. It will likely not be passed in the Republican-held Senate, which means proponents will need to look to 2020 elections for supporters.



Today, it is lawful to discriminate against lesbian, gay, bisexual, transgender and queer (LGBTQ) Americans in [30 states](#) in the areas of employment, housing, education or public accommodations. Until the Equality Act is passed, it is lawful for a landlord to refuse rent to a same-sex couple. Medical care is still routinely denied transgender individuals. A lesbian could be fired from a job simply for posting her wedding photo online. LGBTQ residents of the 20 states who have enacted LGBTQ discrimination protections enjoy the same freedoms as other citizens, but it stops at the state line.

Until the Equality Act is passed, which will override any state laws, there is no federal protection for the LGBTQ community. Equality under the law, one of the foundations of the rule of law, does not exist today for all citizens of the United States. The Equality Act has gained traction in the last year, but it is far from becoming law. This means it is up to individual states to adjust their moral compasses and pass discrimination protections—protections which hold up in court and promote the sacrosanct principles of the rule of law.

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