

The last precedent was “**Goesaert v. Cleary**” and it mentions that “Mich.Stat.Ann. (Cum.Supp. 1947) § 18.990(1), which in effect forbids any female to act as a bartender unless she was "the wife or daughter of the male owner" of a licensed liquor establishment, does not violate the Equal Protection Clause of the Fourteenth Amendment.¹⁷” However while this law was found constitutional, it creates an actual “blanket ban” for the women and so on it does not provide the “Equal Protection Clause”.

Conclusion

In a 7-to-2 decision the court held that the statute creates an unconstitutional gender classification. The court held that the statistics relied on by the state of Oklahoma was insufficient to show a substantial relationship between the law and the maintenance of traffic safety. The Court also found that the Twenty-first Amendment did not alter the application of the Equal Protection Clause in the case.

Significance

In striking down the Oklahoma law, the Court established a new standard for review in gender discrimination cases. More demanding than the lowest standard for review -- rational basis -- but less demanding than the highest standard -- strict scrutiny, the majority articulated an in-between standard -- **intermediate scrutiny**.

¹⁷ <https://supreme.justia.com/cases/federal/us/335/464/>