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**Testimony of the National Council of Jewish Women
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The National Council of Jewish Women (NCJW), the nation's oldest Jewish women's organization, represents 100,000 volunteers in 500 communities. Our members are active in a combined program of community service, education and advocacy serving the needs of women and their families.

Last year, NCJW testified before the Judiciary Committee in opposition to the confirmation of then-Judge David Souter, expressing our concern about the dangers of destroying the traditional balance on the Court--a balance that had served to foster healthy and creative debate among the Justices. This resulted in, for the most part, the protection of the constitutional rights and individual liberties so vital to our democratic way of life.

Now, a year later, we return again to submit this written testimony explaining our opposition to Judge Clarence Thomas' confirmation. The balance on the court has indeed shifted. Confirmation by the Senate of Judge Thomas would tilt the scales so much further that we fear that our constitutional rights would be seriously jeopardized.

Of all of the rights we prize, perhaps the most fragile is the fundamental right to privacy as it relates to reproductive rights. Recent Supreme Court decisions, most notably in Rust v. Sullivan have indicated to us that the Court is on the brink of overturning Roe v. Wade and, perhaps, rethinking other related cases. Therefore, Judge Thomas' writings opposing Roe and abortion rights were alarming to us. Despite his efforts during the hearings to distance himself from his past record on this issue and his incredible assertion that he has never discussed or formed an opinion on Roe, we were not reassured that he would respect precedent in respect to these rights. NCJW, as a strong advocate of women's reproductive rights, cannot take the risk of supporting a nominee with a record which repudiates these crucial rights.

With regard to other rights, during Judge Thomas' eight-year tenure as Chair of the Equal Employment Opportunity Commission, there was extensive erosion of anti-discrimination protection, especially in the area of age discrimination. NCJW has a long history of community service and advocacy on behalf of the aging ranging from its pioneering Golden Age Clubs, launched in 1946, to its current work with employers in the area of eldercare. Given this on-going concern, NCJW is deeply distressed that, under Judge Thomas' Chairmanship, 13,000 aging discrimination claims were allowed to lapse. During that same period, inaction on the part of the EEOC in the area of pension accruals cost elderly employees millions in benefits per year.

In addition to this, Judge Thomas' opposition to affirmative action in both word and deed as EEOC Chairman call into question his willingness to continue efforts the Supreme Court has made to eliminate and compensate for discrimination. We were not reassured by his testimony before the Committee which did little to explain his past actions at the EEOC or elucidate his views on affirmative action.

We are grateful to the Committee for the opportunity to share this explanation of the National Council of Jewish Women's opposition to the confirmation of Judge Clarence Thomas.