

STATEMENT OF ROSA CUMARE

Ms. CUMARE. Distinguished Senators, it is a great honor and privilege to address you today on this historic occasion of the confirmation hearings for the second woman to be nominated to a seat on the Supreme Court.

When my parents and I emigrated to the United States in 1965 from Venezuela via Holland, we never conceived of the notion that I would one day be speaking my mind to the U.S. Senate on a subject of such importance.

But then, ever since my arrival in this country, I have enjoyed much that America has to offer, from an undergraduate in legal education at the University of Southern California to a graduate education at Harvard University. That education led to a job at Munger, Tolls & Olson, one of the leading law firms in Los Angeles, and the training I received there recently enabled me to carry out the American dream of going into business for myself, by hanging out a shingle with a partner to practice labor and employment law.

I am also privileged to serve as a member of the board of directors of Holy Family Counseling and Adoption Services, the largest private nonprofit adoption agency in southern California.

I am deeply grateful for the many opportunities America has given me, because, before coming to this country, my family had personally experienced the consequences of having our options curtailed by an intrusive government.

I hope you will consider my presence here today, among other things, as a reminder of our Nation's diversity, of backgrounds and beliefs, and remember that respect for each person's uniqueness lies at the heart of our democracy.

As a woman and lawyer, I admire Judge Ginsburg for her achievements over the years and the personal qualities she demonstrated here before this committee. She has been rightly lauded as a pioneer in developing our current laws dealing with equal protection and gender discrimination.

Unfortunately, Judge Ginsburg's pioneering efforts appear to be inextricably linked to her view that women must have an unfettered right to abortion. In fact, Judge Ginsburg's words, when speaking of the so-called right to choose, demonstrate that she considers a woman's ability to abort her child a precondition to equality. During these very hearings, she said, in response to Senator Brown's questioning,

I said on the equality side of it that it is essential to a woman's equality with man that she be the decisionmaker, that her choice be controlling.

Judge Ginsburg's writings underscore this thesis. Her now famous article in the North Carolina Law Review quoted with approval scholarly commentary that "solidly linked abortion prohibitions with discrimination against women," and viewed the conflict in the abortion issue as—

Not simply one between a fetus' interests and a woman's interests narrowly conceived, nor is the overriding issue State versus private control of a woman's body for a span of 9 months. Also in the balance is a woman's autonomous charge of her full life course, her ability to stand in relation to man, society and the State as an independent self-sustaining equal citizen.

Why aren't we all shocked and outraged by these views? Why is Judge Ginsburg hailed for being a moderate jurist? The implications of her statements are clear: Unless women are also able to put an end to life, they cannot be regarded as equals in our society. Only by being legally permitted to do violence to their bodies and their children, can women achieve full human dignity. Women will not achieve parity with men until they are able to negate their anatomical differences.

These notions appear firmly based on Judge Ginsburg's acceptance of the idea that child-bearing is a burden and not a blessing, that child-rearing poses problems, instead of being a source of joy, and that women, but not men, are disadvantaged by what their bodies do.

Moreover, Judge Ginsburg regards as closed the question of whether men who beget children have any rights in the matter of bringing those children into the world. One is led to wonder if her gender discrimination personal autonomy analysis would lead her to strike down State laws that require men to support children they do not want.

My life, unlike Judge Ginsburg's, has not been blessed with the love and support of a husband and children, so I cannot testify from personal experience about the rewards of such a life. But I can tell you that I consider my potential ability to bear children to lie at the core of my being and establishes my place in the human family.

I can also tell you, based on my association with Holy Family Adoption Services, that many men and women consider their lives diminished because they cannot have children. If I thought it was true that, in America, the potential to become a mother is regarded as a handicap to be overcome before I could be considered the equal of a man, I would be far less grateful for being an American.

I believe, however, that one of the primary reasons we don't all cry out at the horror of Judge Ginsburg's expressed opinions and their consequences is that they have been drummed into our ears by the media and by powerful, though unrepresentative women's organizations.

One of the reasons I have come all the way across the country to be here today is to tell you that an organization like California Women's Lawyers, which will appear before you shortly, does not represent the interests of over 30,000 women attorneys in the State of California, as I believe they claim. California Women Lawyers does not represent me, nor many women lawyers who believe, as I do, that abortion kills innocent human life.

It is a sad fact of my professional life that I and other pro-life women and men cannot in good conscience join California Women Lawyers nor the American Bar Association, the Los Angeles County Women's Law Association and similar legal societies, because of their pro-choice policies.

Ironically, many of the same women who fought in the name of equal rights to open up formerly all male bastions of the legal profession are now discriminating against another group, those who are pro-life. In the name of equality, these women impose conformity. To my way of thinking, that is profoundly un-American and antidemocratic. Worse yet, I suspect these groups laud themselves

for having advanced the woman's cause, because they are pro-choice.

I know that my name came up as a participant in these proceedings, because I was one of the women lawyers who actively opposed the pro-choice position adopted in recent years by the L.A. County Bar Association and the ABA. I argued then, as I am arguing now, that these organizations do nothing to help women lawyers in their everyday lives as lawyers, when they declare that they are pro-choice.

This position does not address the problems of juggling home and career or the discriminatory attitudes of male judges and colleagues who measure achievement and success solely in male terms of power and victory, or the scarcity of women as law professors, judges and managing partners. Instead, it pays lipservice to the cause of women, while providing women lawyers with no tangible support or gains.

Likewise, to the extent you, as Senators, are inclined to confirm Judge Ginsburg, because she appears to represent women, without careful consideration of precisely what is implied by the particular views she holds of women's place in society, you will not be advancing the cause of American women. Instead, I regret to say you will be granting lifelong authority to a woman who believes we should deny our womanhood to be an equal with men.

Because Judge Ginsburg holds this view, I oppose her nomination and urge you to vote against confirmation.

Thank you.

Senator HATCH [presiding]. Nellie.

STATEMENT OF NELLIE J. GRAY

Ms. GRAY. I am Nellie Gray, president of March for Life Education and Defense Fund.

We are deeply concerned and have been for more than 20 years now about the value and dignity of life in America. What I see is certainly that abortion is the most visible sign of a callous disregard for our right to life. Abortion is murder. Yet, Mr. Chairman, after listening to some of the hearings this week, I come to you today in strong opposition to the confirmation of Judge Ginsburg as a Justice of our Supreme Court, because she has, by her own testimony, shown a personal and professional inclination to factors which disqualify any American as one to decide the fate of human beings; namely, she has shown prejudice against a whole class of innocent human beings. She has shown privilege for criminal behavior of women. She has shown a fatal error of both fact and law, and this whole coverup of this terrible error about murdering innocent children.

I want to address the prejudice and also the privilege first. What I see is that no American and no nominee to the Supreme Court may announce with impunity that any member in a whole class of innocent human beings is a nonperson who is the subject of deliberate killing by another human being. Yet, the nominee seeking confirmation by this committee indicated in her testimony that she is prejudiced against preborn human beings. She has elevated her prejudice to the right of a pregnant mother to murder her own