his relations are with his own senator? He was the attorney general. This is his own senator. Listen to what he said as a racial joke: "Jesse Jackson has stopped running for President because it was found out that his grandmother had posed for the centerfold of National Geographic."

That is a pretty rough joke.

I want to make perfectly clear that I am not accusing Judge Souter of ever having done these things. I am saying he should be questioned about them when he brought up—the leadership conference didn't bring up here that the State of New Hampshire does not have racial problems. Nobody on our side has ever said that. That was brought up by Judge Souter.

I am saying if Judge Souter is so insensitive to these problems of race, to these problems that are going to come before the Court, so insensitive that he says they don't exist, I don't see how a man can get a fair deal from him.

Finally, I see my time is up, and I have appreciated what you gave me, Senator. But I do want to make this point because it is so important. There are ways of finding out Judge Souter's views without asking him how he is going to vote. What you simply didn't do that you should have—and I think if you will recall him, you can do it—you can ask him what he ever said to people about a particular case, using *Roe* v. *Wade* as an example, although I don't mean it as the thing. He should be asked, Did you ever discuss *Roe* v. *Wade* with your nice friends and lawyers in the situation there? Why, he would have had to answer, and if he hadn't told the truth, why, someone would have come forward. There is a way of finding what a person said about a thing, and that is a fact, not an opinion.

I thank you for the chance to be here. I hope you will recall the judge. I think we are entitled to that. Everything that I have said has come up since last night because we didn't know what you would ask about. Please analyze the record, work with us, and there will be plenty to ask. I have only given you 10 examples. There are at least that many more in here of racism in New Hampshire, which Judge Souter says doesn't exist. I hope that these can all be put in the record, and I hope your staff will examine them to see whether we do not have a real case of new items for a new interrogation. Thank you.

The CHAIRMAN. Thank you very much.

Ms. Bronk.

STATEMENT OF JOAN BRONK

Ms. BRONK. Thank you, Mr. Chairman.

Senators, I am Joan Bronk, national president of the National Council of Jewish Women. I am not an attorney. I am not a constitutional law scholar, and my testimony has not been prepared in consultation with such experts. I proudly speak as an American Jewish woman on behalf of an organization of 100,000 volunteers serving women and their families through community service, education, and advocacy in 500 communities nationwide.

Each day, NCJW volunteers deal with the outcomes of court actions, as volunteer service providers for homeless families, juveniles involved in abuse and neglect cases, victims of domestic vio-

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lence, and youngsters in correctional facilities. These people are affected by the courts and so, too, by the outcome of your deliberations. They depend on the courts to make "the promises of the Constitution a reality," an obligation expressly recognized in Judge Souter's testimony before this committee.

We have listened carefully to the nominee's comments and explanations to discover the extent to which he is likely to fulfill that obligation. In two areas of vital importance to the National Council of Jewish Women, we were not reassured.

Time and again throughout his testimony, Judge Souter adamantly refused to discuss the issue of reproductive rights. Despite the fact that the nominee expounded on issues related to other upcoming or controversial cases, such as church-state relations and criminal justice, he would not elucidate even his methodology for approaching reproductive rights. He merely promised to listen to both sides—a restatement of what we know to be the obligation of all jurists.

Based on the testimony we have heard, it would require a leap of faith to assume that Judge Souter recognizes and would protect the fundamental right to privacy beyond the right of married people to bear children. And as for the fundamental right of privacy for unmarried people, the judge remains silent.

Reproductive rights, including abortion, is not just a woman's issue. It is a family issue. If women are not free to control their reproductive lives without Government intervention, what kind of future can their families expect? If the Court continues to limit or eliminates the ability of women to make this basic personal and private decision, how can women ever hope to realize equality and freedom? In fact, NCJW believes that reproductive freedom is a religious liberty issue. When Government eliminates that freedom, it preempts individuals from basing their decisions on religious beliefs and practices.

In addition to our concern about Judge Souter's silence on reproductive rights, we are wary of his views on gender discrimination. Although Judge Souter recognizes that such cases should not be left to the minimum scrutiny, his vagueness on how to handle gender discrimination is disturbing. So, too, was his statement to you, Mr. Chairman, expressing concerns about the present middle tier because he has yet to support this as a minimum starting point.

In recent years, NCJW's community service and educational projects have focused on women in the workplace. From our experience, we are aware of the importance of protections against gender discrimination in employment and on the worksite. We are concerned that antidiscrimination protection for all workers has been severely eroded by recent Supreme Court decisions. We cannot risk continued setbacks in this critical area.

The committee's deliberation on this nomination covered many areas beyond those we have addressed in our testimony. NCJW also has a wider range of concerns and activities. However, the National Council of Jewish Women believes that the right to privacy and equality for women are promises of the Constitution that must be kept.

Judge Souter's intellect and apparent warmth are to be admired, but Judge Souter's failure to respond directly and adequately to questions concerning privacy and equality for women lead us respectfully to ask you to oppose this nomination.

Thank you for inviting us to participate in the process.

[The prepared statement of Ms. Bronk follows:]