

The CHAIRMAN. Ms. Yard.

#### STATEMENT OF MOLLY YARD

Ms. YARD. Senator Biden and members of the Senate Judiciary Committee—

The CHAIRMAN. Would you mind pulling that microphone closer. This hearing room is so hard to hear in, and if you do not put that right up close—

Ms. YARD. I have never been accused of not being heard. That is a new experience.

The CHAIRMAN. I was not accusing you of that. I just want to make sure I hear everything. My hearing is going. That is a joke, by the way, so there is not an article about that. I was only kidding, folks. [Laughter.]

Fire away.

Ms. YARD. These hearings are taking place on David Souter, because you must replace Justice Brennan. For women and all minorities, all women, no matter our color, no matter our economic circumstances, no matter our age, all Lesbians and gays, for all minorities of every race, Justice Brennan stood for the highest standards on individual rights, and it is painful for us to see him go.

I appreciate the fact that on the floor of the Senate last week, you spoke of Justice Brennan and his contribution to this country. I think I have never felt that I was speaking at a more solemn occasion, because we are here literally on behalf of the lives of the women of this country. It is no little matter. We have been struggling for years to eradicate discrimination and to be free in this society.

When this Constitution was written, African-Americans were slaves and women were the property of their husbands. We had no rights. We did not vote, we could not serve on juries, we could not own property, we could not be much of anything. And we had hoped that, through the democratic process of this country, we could step by step win our freedoms, and we have made progress. We did finally win the right to vote. We celebrate this year the 70th anniversary of the right to vote for women in this country.

But we have a long ways to go, and when the Supreme Court in 1973 gave us the *Roe v. Wade* decision edict, that Court declared freedom for the women of this country. You have no freedom if you can't control your life, and none of you will ever face that problem. Not one of you. If your birth control fails, which is why most women get abortions in this country, and you can't get an abortion and you are forced to carry a pregnancy to term, you haven't any freedom to plan your life, to carry out your life, to do with your life what you dream it to become.

You know, Justice Brennan said that the way women are treated in this society, we think we treat them well, but he said, "The real treatment is ending up not putting women on a pedestal but putting them in a cage." And we have been in that cage, and the door was opened in 1973. How can you contemplate letting that door close on us again? Because we are absolutely convinced that David Souter—and we listened very carefully. We hoped we were wrong, but we are not wrong. He will be the fifth vote to overturn *Roe v.*

*Wade*. And I tell you, we are not going to obey the law in this country. Women will not. There will be lawlessness everywhere. The jails won't be big enough to hold those who break the law and the people who help women break the law.

We are literally—I don't know how to say it to you so that you understand that women's lives are on the line. And if they can't control them because abortion is illegal, they will either break the law and/or they will die. Never, please, forget that illegal abortion was the leading cause of death in this country, maternal death. And it will be again. It will be again.

I would just like to say that, you know, I sit at a desk of the largest feminist organization in this country—250,000 of us—but we speak for many more than that. Last April 1989, we brought 650,000 people here, women, men and children, to petition this Government, Congress, the Supreme Court, and the White House, asking that *Roe v. Wade* not be overturned. And we understand so well why our forebears came to this country and why people keep coming to this country from all over the world. They come for freedom, for freedom from interference by Government on what they believe in, what religion they practice, with whom they associate, what they speak out on, and, above all, to run their lives as they see fit.

Would you deny women that right by allowing *Roe v. Wade* to be overturned? Would you allow the discrimination against women to go on and on, in education, in employment? In every area I get these letters day after day after day about what women suffer and the pain they go through, and yet we have a nominee and we have no idea how he is going to treat sex discrimination.

I wish there was some way to make every one of you understand what is at stake here.

[The prepared statement of Ms. Yard follows:]