*Betty Friedan was a strong believer in the rights of women. In 1970, Judge G. Harrold Carswell had been proposed for the U.S. Supreme Court. Congress was hearing people’s testimony, or statements, about the nomination. On January 29, 1970, Friedan gave her testimony. The following is part of what Friedan said before Congress*.

**Excerpt from**

**the Testimony of Betty Friedan**

*1*      I am Betty Friedan and I am a writer. I wrote a book called *The Feminine Mystique*, and I am here to testify before this committee to oppose Judge Carswell’s appointment as Supreme Court Justice on the basis of his proven insensitivity to the problems of 51 percent of U.S. citizens who are women, and especially his explicit1 discrimination in a circuit court decision in 1969 against working mothers.

*2*      I speak in my capacity as national president of the National Organization for Women (NOW), which has led the exploding new movement in this country for “full equality for women in truly equal partnership with men,” and which was organized in 1966 to take action to break through discrimination against women in employment, in education, in government, and in all fields of American life.

*3*      On October 13, 1969, . . . Judge Carswell was party to a most unusual judiciary2 action which would permit employers in defiance of the law of the land . . . to refuse to hire women who have children.

*4*      The case involved Mrs. Ida Phillips, who was refused employment by [a corporation] as an aircraft assembler trainee, because she has preschool age children, although the company said it would hire a man with preschool age children.

*5*      This case was considered a clear-cut violation of the law which forbids job discrimination on grounds of sex as well as race. The Equal Employment Opportunity Commission . . . filed an amicus brief3 on behalf of Mrs. Phillips. An earlier opinion of the fifth circuit . . . upholding the company was considered by Chief Judge John Brown such a clear violation of the Civil Rights Act that he vacated the opinion4 and asked to convene5 the full court to consider the case.

*6*      Judge Carswell voted to deny a rehearing of the case, an action which, in effect, would permit employers in the United States today to fire 4 million working mothers who have children under 6. These mothers comprise 38 percent of the nearly 11 million mothers in the labor force today.

*7*      Judge Carswell said yesterday in answer to [a senator’s] question—I was here in the room—that he understood full well—it was not a pro forma matter6—that he understood full well the effect of his ruling here.

*8*      Now, in his dissent7 to this ruling in which Judge Carswell with others claimed no sex discrimination was involved, Chief Judge Brown said:

*The case is simple. A woman with preschool children may not be employed; a man with preschool children may. The distinguishing factor seems to be motherhood versus fatherhood. The question then arises: Is this sex-related? To the simple query, the answer is just as simple: Nobody—and this includes judges . . .—has yet seen a male mother. A mother, to oversimplify the simplest biology, must then be a woman.*

9      It is the fact of a person being a mother—i.e., a woman—not the age of the children, which denies employment opportunity to a woman which is open to men.

*10*      It is important for this committee to understand the dangerous insensitivity of Judge Carswell to sex discrimination. . . .

*11*      I trust that you gentlemen of the committee do not share Judge Carswell’s inability to see women as human beings too. I will put, however, this question to you: How would you feel if in the event you were not reelected . . . and you were then forced to return to the private sector.8 How would you feel, if when you went back to your State and applied for an executive job of the sort for which you would otherwise be eligible at some company or law firm or university, if you were told you were not eligible because you have a child or children, as I assume most of you do?

*12*      How would you feel if your sons were told tomorrow, explicitly or implicitly,9 that they could not get or keep certain jobs if they had children?

*13*      Then how do you feel about appointing to the Supreme Court a man who has said your daughters may not hold a job if they have children?

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1. **explicit:** clear, obvious

2. **judiciary:** legal; related to judgment by a court

3. **amicus brief:** a legal opinion filed by those who are not part of an action but have a strong interest in it

4. **vacated the opinion:** requested that the opinion be ignored

5. **convene:** summon, assemble

6. **pro forma matter:** a matter of standard procedure

7. **dissent:** opposition

8. **private sector:** includes businesses run for profit, by anyone other than the government

9. **implicitly:** in a way that suggests but does not directly state

*The story* . . . A Captain at Fifteen *was published in 1878. This excerpt, which is most likely set during the early 1800s, describes Richard Sand’s life before he became a captain and as he is about to embark on a voyage on a ship called the* Pilgrim.

**from *. . . A Captain at Fifteen***

**by Jules Verne**

*1*      This young novice,1 aged fifteen, was the child of an unknown father and mother. This poor being, abandoned from his birth, had been received and brought up by public charity.

*2*      Richard Sand—that was his name—must have been originally from the State of New York, and doubtless from the capital of that State.

*3*      If the name . . . of Richard . . . had been given to the little orphan, it was because it was the name of the charitable passer-by who had picked him up two or three hours after his birth. As to the name of Sand, it was attributed to him in remembrance of the place where he had been found; that is to say, on that point of land called Sandy-Hook, which forms the entrance of the port of New York, at the mouth of the Hudson.

*4*      Richard Sand, when he should reach his full growth, would not exceed middle height, but he was well built. One could not doubt that he was of Anglo-Saxon origin. He was brown, however, with blue eyes, in which the crystalline2 sparkled with ardent fire. His seaman’s craft had already prepared him well for the conflicts of life. His intelligent physiognomy3 breathed forth energy. It was not that of an audacious4person, it was that of a darer. . . .

*5*      At fifteen he already knew how to take a part, and to carry out to the end whatever his resolute5 spirit had decided upon. His manner, at once spirited and serious, attracted attention. He did not squander6 himself in words and gestures, as boys of his age generally do. Early, at a period of life when they seldom discuss the problems of existence, he had looked his miserable condition in the face, and he had promised “to make” himself.

*6*      And he had made himself—being already almost a man at an age when others are still only children.

*7*      At the same time, very nimble, very skil[l]ful in all physical exercises, Richard Sand was one of those privileged beings, of whom it may be said that they were born with two left feet and two right hands. In that way, they do everything with the right hand, and always set out with the left foot.

*8*      At eight, the taste for the sea, which Richard had from birth, caused him to embark as cabin-boy on a packet ship of the South Sea. There he learned the seaman’s trade, and as one ought to learn it, from the earliest age. Little by little he instructed himself under the direction of officers who were interested in this little old man. So the cabin-boy soon became the novice, expecting something better, of course. The child who understands, from the beginning, that work is the law of life, the one who knows, from an early age, that he will gain his bread only by the sweat of his brow—a Bible [principle] which is the rule of humanity—that one is probably intended for great things; for some day he will have, with the will, the strength to accomplish them.

*9*      It was, when he was a cabin-boy on board a merchant vessel, that Richard Sand was remarked by Captain Hull. This honest seaman immediately formed a friendship with this honest young boy, and later he made him known to the ship-owner, James W. Weldon. . . .

*10*      During the course of his studies, Sand showed a particular liking for geography, for voyages, while waiting till he was old enough to learn that branch of mathematics which relates to navigation. Then to this theoretical portion of his instruction, he did not neglect to join the practical. It was as novice that he was able to embark for the first time on the “Pilgrim.” A good seaman ought to understand fishing as well as navigation. It is a good preparation for all the contingencies7 which the maritime8 career admits of. Besides, Sand set out on a vessel of James W. Weldon’s, his benefactor,9 commanded by his protector, Captain Hull. Thus he found himself in the most favorable circumstances.

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1. **novice:** beginner

2. **crystalline:** refers to the crystal quality of his eyes

3. **physiognomy:** the appearance of his face

4. **audacious:** bold or fearless, but not always thinking first

5. **resolute:** determined

6. **squander:** waste

7. **contingencies:** events that could happen but cannot be predicted

8. **maritime:** related to the sea

9. **benefactor:** a person who gives help or money to a person or cause