

HEARINGS  
BEFORE  
SUBCOMMITTEE NO. 4  
OF THE  
COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES  
NINETY-SECOND CONGRESS  
FIRST SESSION

ON  
**H.J. Res. 35, 208, and Related Bills**  
PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE  
UNITED STATES RELATIVE TO EQUAL RIGHTS FOR MEN AND  
WOMEN

AND  
**H.R. 916 and Related Bills**  
CONCERNING THE RECOMMENDATIONS OF THE PRESI-  
DENTIAL TASK FORCE ON WOMEN'S RIGHTS AND  
RESPONSIBILITIES

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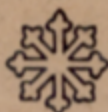
MARCH 24, 25, 31 ; APRIL 1, 2, AND 5, 1971

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**Serial No. 2**

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Printed for the use of the Committee on the Judiciary



Miss SCHURR. Thank you.

Mr. CONYERS. Our final witness for the day is Dr. Elizabeth Farians, representing the Joint Committee of Organizations Concerned About the Status of Women in the Church.

We welcome you here this afternoon, and I have noticed that your statement runs a good number of pages. Would it be possible, Doctor, for you to summarize for us so that we might be able to ask you directly any questions connected with your remarks? We would be happy to incorporate, of course, your full statement into the record and print it as such.

### STATEMENT OF DR. ELIZABETH FARIANS, JOINT COMMITTEE OF ORGANIZATIONS CONCERNED ABOUT THE STATUS OF WOMEN IN THE CHURCH

Dr. FARIANS. No, I will not do that, sir. I am very sorry. If you want me to do that, I will just take more time.

Mr. CONYERS. You will not do which?

Dr. FARIANS. I will not summarize my paper. It really is not very long. It is quite short, and it won't take long to get through it, and I have a few remarks to make after that, which will get us into the question period. But I can't summarize the paper too well, because of the fact that it contains certain theories which must be built up, and which nobody else in these testimonys is able to do but myself, and that is why I insist on testifying.

So I am uptight even without the question, because you see they have tried to prevent me from testifying in the first place, and so I will not, since I have been put last to testify and so on, be willing to do that.

It won't take too long. If we don't have to argue about that, we will get along much faster.

Mr. CONYERS. Well, without yielding any male prerogatives, I will be delighted to have the lady proceed as she desires.



Dr. **FARIANS**. Thank you very much.

I am Elizabeth **Farians**—woman, and therefore, nigger. I represent the Joint Committee of Organizations Concerned About the Status of Women in the Church. And I also represent NOW—by “NOW” I mean, NOW Ohio women, a coalition of the NOW chapters in Ohio.

Many people today dismiss religion as irrelevant and outdated. I do not wish here to defend religion nor do I wish to condemn it. I wish merely to call to your attention the fact that even in a country like the United States which rightly separates church and state, religion exerts a strong influence on thinking and culture. This would not necessarily be a problem if all so-called religions were good, for example, if certain ideologies masquerading as true and authentic religion were true and authentic.

But such is not the case. Much of what is preached in the name of God is instead ungodly, and much of what is attributed to deity could be unmasked and shown to bear the marks of misguided or even evil men—males, that is.

What makes this all the more difficult is that religion has an aura of holiness or taboo; it effuses a certain air or untouchableness which is difficult to penetrate. Even apple pie and the flag have taken on this religious character in our country. Motherhood has been raised to the level of God in a time of overpopulation. Who, therefore, could dare to question their rationale? The average person fears meddling in the profession of the divines.

But since religion does influence our culture even in a secular society, we ought to be aware of the influence and find a way to evaluate it. In a pluralistic society it is difficult to know which—if any—religious beliefs and doctrine are authentic. By what principle can we evaluate the religious influence on our society?

I should like to suggest that it is of the essence of true religion to be a liberating influence in the struggle humankind wage for self-fulfillment and personhood. A valid religion supports people and enables them to walk with dignity and freedom that befits human persons. Justice and love are the basis of true religion and any religion which does not foster these virtues is no religion at all.

I should like to suggest that only a religion which liberates people, only a religion which promotes growth and development, only a religion which fosters maturity and personhood can be a true and valid religion. And only such a religion can exert a good influence on our society. This is the principle on which we must evaluate the influence of religion.

If the religion benefits all by helping all persons to find fulfillment, then it is a good influence on our society and represents an authentic religion. But if the so-called religion or some of its doctrines or practices oppress people, then the religion is not good, if it reinforces prejudice, fear, hatred; if it excludes some from its membership or if it preaches privilege for some at the expense of others, then this is a bad influence on society and cannot be said to be a true or authentic religion.

The early feminists dared to assess religious influence on women. They analyzed how and why women were oppressed and they found that religion, as it was being preached and had been preached, was one of the root causes of the oppression of women. These early femi-

nists had the courage to break into the taboo; they attacked and condemned religion and they unmasked many of its pious preachers.

According to popular religion, there is a divine plan for women. God made woman inferior. Woman tempted Adam to sin and for this she was punished by God. She and her descendants were to suffer physical pain in childbirth and to be subject to the male. So goes the Hebrew Scriptures. The Christian Scriptures reinforce this. Woman is told to keep silent and to obey her husband. You know it well. We have all heard it.

Most of the major religions of our society take these ideas very seriously. Until recently few churches would ordain women and even now it seems as though the U.S. Congress and the church try to outdo each other as the last bastions of male privilege and prestige. We stand here today before an all male hierarchy of the House of Representatives and beg to be given back our birthright of personhood. We cannot demand it because you have the power.

Unless we take up violence, we must ask you to give us back what you have taken from us. To me it is absolutely incredible that in the 92d Congress it would be debated if women were persons. God help us.

But the church is no better. We are still asking for our God-given rights in the church. I personally am exhausted after several years of struggling with the hierarchy of the church and the hierarchy of the State to try to have them declare women legal persons in society.

But the point I want to make is that true and authentic religion oppresses no one. If we look more closely at Christianity and modern theological scholarship we find that Jesus was not a misogynist, nor a male chauvinist. Jesus was a feminist. That's also what the button I am wearing says. Many of you would be shocked by this button, and I think the early feminists would be, also, but look at the record and conduct of Christ on women.

He broke with the tradition of his day and publicly associated with women. He defended an adulteress and among his disciples was found a former prostitute. Christ spoke to women, entrusted his message to them and in general treated women with respect and dignity.

A closer look at the Jewish testament also would disclose many passages favorable to women. The second story of creation views woman with respect, and there are many outstanding women mentioned in the Jewish Scriptures.

Besides a revisit to the Bible to see how one-sided our view has been, it is important to note that modern theological scholarship has freed us from a primitive and naive approach to the Bible and religion. By using the methods of modern scholarship, much of the Bible can be seen to be in need of demythologizing. Now we can see that the stories of the Bible were conditioned by the historical situation in which they were told. We need not accept everything in the Bible literally.

As a theologian I would like to point out that a fundamentalist interpretation of the Bible which holds that women are divinely ordained to be helpmates of men, automatically in a secondary role, physically and mentally weak, responsible for the evil in the world, destined only to bear and nurture children, naturally shy and passive, et cetera, is not in keeping with the best Biblical scholarship.

For example, modern scholars hold that the first three chapters of Genesis are to be classified in the literary genre of "myth". This means that the "beginnings" story is not to be taken literally or in detail. It is neither history nor objective narrative nor scientific fact. The "creation" and "fall" stories are the recorded traditions of a simple people told to help them understand their sublime yet earthy destiny.

The stories in Genesis were not recorded until after much of the rest of the Hebrew Scriptures and, along with the Christian Scriptures, reflect the patriarchal values and attitudes of their human male authors.

For example, when Paul tells women to be silent in church and to ask their husbands if they have any questions, he is only reiterating a common household code of the culture in the same way male chauvinists do today.

Contrary to an older theology, modern Biblical scholarship holds that the story of Adam's rib was intended to show the basic equality of men and women. This was especially necessary in a culture used to treating women as the chattel of men. That men and women equally shared humanity was a new idea and is not really fully accepted even today.

The idea has had an uneven development and was always counter-balanced by a contradictory biblical passage. Thus the man/woman equality of the Adam's rib story is played off against the evil of apple-eating Eve and Paul's antifeminism is not in line with the wholesome attitude of Jesus toward women.

These contradictory views of women by the church are the cause of much confusion about the nature of woman both in the minds of some women and some men. It is therefore exceedingly important to make known the position of modern biblicists who say that the antifeminism of Paul was cultural and not religious.

Once we understand this it becomes easier also to realize that discrimination against women is not in accord with true religious values. Then one can see that it follows that the church must correct its own discrimination and that no one can honestly claim that discrimination is by divine intent or that the Bible supports the subjection of women.

I mention all this to you because most people have not heard such views of religion. They think that religion does oppose women. Perhaps if the Members of the House would carefully examine their own attitudes toward women they would find the misuse of religion to be a considerable cause of their feelings.

This is the result, I maintain, of a bad religious influence affecting our thinking and culture. Let us therefore be aware of this and let us denounce it for what it is.

We can no longer say that women are to be held down in the name of God. Those of you who continue to oppose the personhood of women must have some other motive, some human motive. If religion is removed as your motive, there must be some personal or class gain in it for you. Will it gain you votes or keep you in a position of privilege and power? Do you get rich on the slave wages of women? What is it? Why are we debating the equal rights for men and women amendment? And why is there debate if sex discrimination should be outlawed in



educational institutions, religious institutions, housing, education and public accommodations?

Incidentally, why should a religious institution involved in serving the public such as a Catholic university be exempted from the law? Should such institutions be permitted to refuse to employ women or blacks as teachers on the same basis as the white male? Title VII of the 1964 Civil Rights Act presently permits religious institutions to practice discrimination.

Why do you continue to hold women down? Rid yourself of primitive and childish religious fears which have been shown to be false about women. Women need encouragement, not discouragement. Women need an office of women's affairs to help them take their full measure of responsibility and opportunity. Why have you not seen to this? Why do you attach a 7-year limitation to ratification of the equal rights amendment? Why do you add obstacle to obstacle? What is your motive in refusing to allow women to have equal benefits with men?

You sit there in all your pomp while we stand here before you like outsiders to the human race. It is disgusting and outrageous. How dare you attempt to decide if I and my sisters can have our birthright?

Is Emanuel Celler here, the man who has kept women from their rights ever since he has chaired the House Committee on the Judiciary? Why? What are his motives?

The facts show that the situation of women in our society is deplorable. The denial to women of total personhood is not helping them to raise their position in society. Eleven percent of the women in the United States live in poverty as compared to 7 percent of the men. Most of the women who support themselves earn a wage only a little above the poverty level and 40 percent of all women do work, most of them for the support of themselves or their families.

When a household depends on the wages a woman can earn, the whole household usually exists in poverty. The welfare roles of this country are overwhelmingly made up of women and children.

On the other side of the scale, few women are in the professions; almost no women are in decisionmaking positions and only 1 or 2 percent of women earn more than \$10,000 per year.

Some of the persons who oppose the ERA are middle-class whites who think of a woman in terms of a husband who truly loves her, treats her well and earns a good living. These people see that this woman is often better off financially than her sister who is trying to go it alone. But what these people do not realize is that many women do not have or want a husband, eager and able to provide everything they desire.

When a woman is widowed or divorced she often finds she cannot support herself in the way she is accustomed. If her husband is ill or not so talented or if he is evil the woman may find herself in very difficult circumstances.

But the most fundamental argument against this position is that as a class women can never become full persons as long as they are forced as a class by society into dependent positions. What these middle-class whites fail to understand is that many women exist in dire circum-

stances either because they cannot or do not want to depend on a man for their support.

The whole argument is equivalent to saying it is good to have a dictatorship if the dictator is good or that it is good to be a slave if one has a good master. Women cannot make it on their own as a class unless they are guaranteed the full protection of the laws of this land by the Constitution. That a few exceptionally talented women have made it only proves the point. To keep women dependent is to keep them in a childlike status. The person of womanhood is at stake as is the welfare of all humanity.

Human rights are inalienable and indivisible and no individual or class can attain personhood and freedom at the expense of another individual or class. Justice and love must be the basis of our society if it is to flourish. The barriers and division between men and women is not in keeping with true religious value nor with democracy. Women must be helped to help themselves become persons in this society.

The reconciliation which can take place between men and women will release both from destructive stereotyping and make possible deep, life-giving love: a friendship of equals. Men and women could be partners in society. Cooperation could be an underlying tenet of our democracy instead of competition. An end to sexism could bring an end to racism and nationalism. It even could foster a deep peace.

I say to you, the person of womanhood is at stake as is the welfare of all of humanity. I say to you, let my people go.

Mr. CONYERS. Thank you very much.

Mr. Wiggins, do you have questions?

Mr. WIGGINS. Just a comment, Mr. Chairman. I want to thank the witness, and I think that it probably is particularly important that you develop the obviously correct position that true religion is incompatible with sex discrimination, especially in view of the testimony which you have heard last year in the Senate, by one of the witnesses, who developed a theory, extensively annotated by quotations from Scripture, that apparently such discrimination was justified.

I don't believe that, but it was important, I think, to rebut it.

That is my only comment, Mr. Chairman.

Mr. CONYERS. Thank you.

Mr. McClory?

Mr. McCLORY. Yes, I would like to compliment Dr. Farians on her statement. I think it is most interesting, and enlightening. I know that she was very anxious to testify, and I was very anxious to hear her. She has spoken forthrightly, and emotionally, and effectively. In my opinion, she has indicated a deep religious concept.

As a matter of fact, the concept of the first chapter of Genesis being a myth, in contrast to the chapters which recite the divine creation, and the equal recognition of men and women is a view which I happen to hold, likewise.

I might say to the witness that the religious denomination that I follow was founded by a woman, so that I think that the concept of women's inequality as a religious basis does not exist in my individual denomination. And I am glad that you have shed these enlightening remarks on our hearing.



I think also that you do present this subject in a very broad concept, just as the woman psychologist who testified earlier did, because I think that in coming to a decision on this subject, it is important for us to consider the bases for this discrimination, which problems we are put on the spot here to resolve although we didn't create them, but problems which we in turn have inherited. That does not, of course, relieve us of any responsibility. I am glad you testified, and I appreciate what you have had to say. Thank you.

Dr. **FARIANS**. Thank you very much.

Mr. **CONYERS**. Well, that concludes the witnesses.

Dr. **FARIANS**. I want to add a couple of things, you know, besides my statement, that didn't quite fit in the written statement if I may.

I want to call your attention to the fact that we need to have appended to the Mikva bill about Women's Equality Act that religious institutions shall be prohibited from discriminating on the basis of race, creed, sex, or national origin.

I think that is very important. I would like to make that recommendation. I have been a theologian in the Roman Catholic Church, and when I first got my degree, I could not get a job, and the reason was because only a priest could teach religion. Now I, at that time, was Catholic, and was teaching Catholic doctrine in the way as a priest would, and I think that is, you know, entirely unfair, that since I can't become a priest, and second I am not a man, that they said I could not teach religion.

I can see where it might be all right to say that you need to have a Jewish person to teach Jewish religion, but I don't think it is all right to say that you must have a white person to teach, say, Lutheran religion or something like that, so I think it is very important that we add religious institutions which are performing public services to these bills.

There is no reason why they should be exempted and I want that to be made very clear.

Another thing that I just want to mention is that the reason why I mentioned that there are some people who, in the name of religion, don't want women to have their equality, it is because of brainwashing. Just as there are women as though they represent all of the Catholic women, or they represent an authentic Catholic position who oppose the amendment. And I want it to be known quite clearly that they do not, when they oppose equal rights for women; that there are other opinions, and these people have been representing Catholic in women and opposing equal rights amendment, without a referendum in their organization, for something like 10 to 15 years. If you would scratch the average Catholic woman, she would never have heard of the equal rights amendment, and yet, they say that Catholic women are opposed to the equal rights amendment.

And I want to add one last thing, and that is, that we need a constitutional amendment, because a constitutional amendment is a general, universal statement, it is a principle, which guides us. Now we can't make specific legislation about every little thing that is going to happen, so we must have the equal rights amendment. However, you can't pick and choose. You have got to have all your rights; that is, the amendment and the bills being heard here.



When I was in Connecticut, several years ago, we were trying to get a law changed, which allowed a 19-year-old girl to be put in a penal institution, because she was having some kind of an affair, or something, with a man, but she had not committed a crime. There was a law which said that a female minor child could be put in a penal institution, even though she had not committed a crime.

We were trying to get that law taken off the books, and while we were doing that, the Legislature of the State of Connecticut was busy using our taxpayers' money to make a law which said if a woman is arrested, she need not tell her age.

Now you can't make laws to cover all the cases, and that's why you have got to have a constitutional amendment.

Mr. CONYERS. Well, we thank the witness so much.

This concludes the hearings for today. We will resume testimony on Monday, April 5, at 10 o'clock, here in this chamber.

(Whereupon, at 3:42 p.m., the committee adjourned, to reconvene at 10 a.m., Monday, April 5, 1971.)