

Statement of Judge Clarence Thomas to the Senate Judiciary Committee October 11, 1991

Following is the text of the opening statement by Judge Clarence Thomas at the Senate Judiciary Committee hearing on his nomination to be an Associate Justice of the Supreme Court.

Mr. Chairman, Senator Thurmond, Members of the committee.

As excruciatingly difficult as the last two weeks have been, I welcome the opportunity to clear my name today. No one other than my wife and Senator Danforth, to whom I read this statement at 6:30 A.M., has seen or heard the statement. No handlers, no advisers.

The first I learned of the allegations by Professor Anita Hill was on Sept. 25, 1991, when the F.B.I. came to my home to investigate her allegations. When informed by the F.B.I. agent of the nature of the allegations, and the person making them, I was shocked, surprised, hurt, and enormously saddened. I have not been the same since that day.

For almost a decade, my responsibilities included enforcing the rights of victims of sexual harassment. As a boss, as a friend, and as a human being I was proud that I have never had such an allegation leveled against me, even as I sought to promote women and minorities into nontraditional jobs.

In addition, several of my friends who are women have confided in me about the horror of harassment, on the job or elsewhere. I thought I really understood the anguish, the fears, the doubts, the seriousness of the matter. But since Sept. 25, I have suffered immensely as these very serious charges were leveled against me. I have been racking my brains and eating my insides out trying to think of what I could have said or done to Anita Hill to lead her to allege that I was

interested in her in more than a professional way, and that I talked with her about pornographic or X-rated films.

Contrary to some press reports, I categorically denied all of the allegations, and denied that I ever attempted to date Anita Hill when first interviewed by the FBI. I strongly reaffirm that denial.

Let me describe my relationship with Anita Hill. In 1981, after I went to the Department of Education as an assistant secretary in the Office of Civil Rights, one of my closest friends from both college and law schools, Gil Hardy, brought Anita Hill to my attention. As I remember, he indicated that she was dissatisfied with her law firm, and wanted to work in government. Based primarily, if not solely, on Gil's recommendation, I hired Anita Hill.

During my tenure at the Department of Education, Anita Hill was an attorney-adviser who worked directly with me. She worked on special projects as well as day to day matters. As I recall, she was one of two professionals working directly with me at the time. As a result, we worked closely on numerous matters.

I recalled being pleased with her work product, and the professional but cordial relationship which we enjoyed at work. I also recall engaging in discussions about politics and current events.

Upon my nomination to become chairman of the Equal Employment Opportunity Commission, Anita Hill, to the best of my recollection, assisted me in the nomination and confirmation process. After my confirmation she and Diane Holt, then my secretary, joined me at E.E.O.C.

I do not recall that there was any question

or doubt that she would become a special assistant to me at E.E.O.C., although as a career employee, she retained the option of remaining at the Department of Education.

At E.E.O.C. our relationship was more distant, and our contacts less frequent, as a result of the increased size of my personal staff, and the dramatic increase and diversity of my day-to-day responsibilities.

Upon reflection, I recall that she seemed to have had some difficulty adjusting to this change in her role. In any case, our relationship remained both cordial and professional. At no time did I become aware, either directly or indirectly, that she felt I had said or done anything to change the cordial nature of our relationship.

I detected nothing from her, or from my staff, or from Gil Hardy, our mutual friend, with whom I maintained regular contact.

I am certain that had any statement or conduct on my part been brought to my attention, I would remember it clearly because of the nature and seriousness of such conduct, as well as my adamant opposition to sex discrimination and sexual harassment.

But there were no such statements.

In the spring of 1983, Mr. Charles Coffey contacted me to speak at the law school at Oral Roberts University in Tulsa, Oklahoma. Anita Hill, who is from Oklahoma, accompanied me on that trip. It was not unusual that individuals on my staff would travel with me occasionally.

Anita Hill accompanied me on that trip, primarily because this was an opportunity to combine business and a visit to her home.

As I recall, during our visit at Oral Roberts University, Mr. Coffey mentioned to me the possibility of approaching Anita Hill to join the faculty at Oral Roberts University Law School.

I encouraged him to do so, and noted to him, as I recall, that Anita would do well in teaching. I recommended her highly, and she eventually was offered a teaching position.

Although I did not see Anita Hill often after she left E.E.O.C., I did see her on one or two subsequent visits to Tulsa, Okla.,

and on one visit, I believe she drove me to the airport.

I also occasionally received telephone calls from her. She would speak directly with me, or with my secretary, Diane Holt. Since Anita Hill and Diane Holt had been with me at the Department of Education, they were fairly close personally, and I believe they occasionally socialized together.

I would also hear about her through Linda Jackson, then Linda Lambert, whom both Anita Hill and I met at the Department of Education, and I would hear of her from my friend Gil.

Throughout the time that Anita Hill worked with me, I treated her as I treated my other special assistants. I tried to treat them all cordially, professionally and respectfully. And I tried to support them in their endeavors and be interested in and supportive of their success. I had no reason or basis to believe my relationship with Anita Hill was anything but this way until the FBI visited me a little more than two weeks ago.

I find it particularly troubling that she never raised any hint that she was uncomfortable with me. She did not raise or mention it when considering moving with me to E.E.O.C. from the Department of Education. And she never raised it with me when she left E.E.O.C. and was moving on in her life. And to my fullest knowledge, she did not speak to any other women working with or around me, who would feel comfortable enough to raise it with me, especially Diane Holt, to whom she seemed closest on my personal staff. Nor did she raise it with mutual friends such as Linda Jackson and Gil Hardy.

This is a person I have helped at every turn in the road since we met. She seemed to appreciate the continued cordial relationship we had since day one. She sought my advice and counsel, as did virtually all of the members of my personal staff.

During my tenure in the executive branch, as a manager, as a policy maker and as a person, I have adamantly condemned sex harassment. There is no member of this committee or this Senate who feels stronger about sex harassment than I do. As a manager, I made every effort to take swift and decisive

action when sex harassment raised or reared its ugly head.

The fact that I feel so very strongly about sex harassment and spoke loudly about it at E.E.O.C. has made these allegations doubly hard on me. I cannot imagine anything that I said or did to Anita Hill that could have been mistaken for sexual harassment. But with that said, if there is anything that I have said that has been misconstrued by Anita Hill or anyone else to be sexual harassment, then I can say that I am so very sorry and I wish I had known. If I did know, I would have stopped immediately and I would not, as I've done over the past two weeks, had to tear away at myself trying to think of what I could possibly have done.

But I have not said or done the things that Anita Hill has alleged. God has gotten me through the days since Sept. 25 and He is my judge.

Mr. Chairman, something has happened to me in the dark days that have followed since the F.B.I. agents informed me about these allegations. And the days have grown darker as this very serious, very explosive, and very sensitive allegation, or these sensitive allegations were selectively leaked in a distorted way to the media over the past weekend.

As if the confidential allegations themselves were not enough, this apparently calculated public disclosure has caused me, my family, and my friends enormous pain and great harm.

I have never, in all my life, felt such hurt, such pain, such agony.

My family and I have been done a grave and irreparable injustice. During the past two weeks, I lost the belief that if I did my best all would work out. I called upon the strength that helped me get here from Pin Point. And it was all sapped out of me.

It was sapped out of me because Anita Hill was a person I considered a friend, whom I admired and thought I had treated fairly and with the utmost respect.

Perhaps I could have been—better weathered this if it was from someone else. But here was someone I truly felt I had done my best with.

Though I am, by no means, a perfect—no

means—I have not done what she has alleged. And I still don't know what I could possibly have done to cause her to make these allegations.

When I stood next to the President in Kennebunkport, being nominated to the Supreme Court of the United States, that was a high honor. But as I sit here before you, 103 days later, that honor has been crushed.

From the very beginning, charges were levelled against me from the shadows—charges of drug abuse, anti-semitism, wife beating, drug use by family members, that I was a quota appointment, confirmation conversion, and much, much more. And now, this.

I have complied with the rules. I responded to a document request that produced over 30,000 pages of documents. And I have testified for five full days under oath.

I have endured this ordeal for 103 days. Reporters sneaking into my garage to examine books that I read. Reporters and interest groups swarming over divorce papers, looking for dirt. Unnamed people starting preposterous and damaging rumors. Calls all over the country specifically requesting dirt.

This is not American. This is Kafkaesque. It has got to stop. It must stop for the benefit of future nominees and our country. Enough is enough.

I am not going to allow myself to be further humiliated in order to be confirmed. I am here specifically to respond to allegations of sex harassment in the workplace. I am not here to be further humiliated by this committee or anyone else, or to put my private life on display for prurient interests or other reasons.

I will not allow this committee or anyone else to probe into my private life.

This is not what America is all about. To ask me to do that would be to ask me to go beyond fundamental fairness.

Yesterday, I called my mother. She was confined to her bed, unable to work, and unable to stop crying. Enough is enough.

Mr. Chairman, in my 43 years on this earth, I have been able with the help of others and with help of God to defy poverty, avoid prison, overcome segregation, bigotry, racism,

and obtain one of the finest educations available in this country.

But I have not been able to overcome this process. This is worse than any obstacle or anything that I have ever faced. Throughout my life I have been energized by the expectation and the hope that in this country I would be treated fairly in all endeavors. When there was segregation, I hoped there would be fairness one day, or someday. When there was bigotry and prejudice, I hoped that there would be tolerance and understanding—someday.

Mr. Chairman, I am proud of my life. Proud of what I have done, and what I've accomplished, proud of my family. And this process, this process, is trying to destroy it all.

No job is worth what I've been through—no job. No horror in my life has been so debilitating. Confirm me if you want. Don't confirm me if you are so led. But let this process end. Let me and my family regain our lives.

I never asked to be nominated. It was an honor. Little did I know the price, but it is too high.

I enjoy and appreciate my current position, and I am comfortable with the prospect of returning to my work as a judge on the U.S. Court of Appeals for the D.C. Circuit, and to my friends there. Each of these positions is public service, and I have given at the office.

I want my life and my family's life back, and I want them returned expeditiously.

I have experienced the exhilaration of new

heights from the moment I was called to Kennebunkport by the President to have lunch and he nominated me. That was the high point. At that time I was told, eye to eye, that, Clarence, you made it this far on merit; the rest is going to be politics. And it surely has been.

There have been other highs. The outpouring of support from my friends of longstanding, a bonding like I have never experienced with my old boss, Senator Danforth. The wonderful support of those who have worked with me. There have been prayers said for my family and me by people I know and people I will never meet, prayers that were heard, and that sustained not only me but also my wife and my entire family.

Instead of understanding and appreciating the great honor bestowed upon me, I find myself here today defending my name, my integrity, because somehow select portions of confidential documents dealing with this matter were leaked to the public.

Mr. Chairman, I am a victim of this process. My name has been harmed. My integrity has been harmed. My character has been harmed. My family has been harmed. My friends have been harmed. There is nothing this committee, this body, or this country can do to give me my good name back. Nothing.

I will not provide the rope for my own lynching, or for further humiliation. I am not going to engage in discussions, nor will I submit to roving questions, of what goes on in the most intimate parts of my private life, or the sanctity of my bedroom. These are the most intimate parts of my privacy, and they will remain just that: private.

Statement of Professor Anita F. Hill to the Senate Judiciary Committee October 11, 1991

Following is the text of the opening statement by Prof. Anita F. Hill at the Senate Judiciary Committee hearing on the nomination of Clarence Thomas to be an Associate Justice of the Supreme Court.

Mr. Chairman, Senator Thurmond, members of the committee:

My name is Anita F. Hill, and I am a professor law at the University of Oklahoma. I was born on a farm in Okmulgee County, Okla., in 1956. I am the youngest of 13 children.

I had my early education in Okmulgee County. My mother's name is Irma Hill. She is also a farmer and a housewife.

My childhood was one of a lot of hard work and not much money, but it was one of solid family affection as represented by my parents. I was reared in a religious atmosphere in the Baptist faith, and I have been a member of the Antioch Baptist church in Tulsa, Okla., since 1983. It is a very warm part of my life at the present time.

For my undergraduate work, I went to Oklahoma State University and graduated from there in 1977. I am attaching to this statement a copy of my resume for further details of my education.

Senator Joseph R. Biden, Jr.: It will be included in the record.

Professor Hill: Thank you.

I graduated from the university with academic honors, and proceeded to the Yale Law School, where I received my J.D. degree in 1980.

Upon graduation from law school, I became a practicing lawyer with the Washington, D.C., firm of Wald, Hardraker & Ross. In 1981 I was introduced to now Judge Thomas by a mutual friend.

Judge Thomas told me that he was anticipating a political appointment, and he asked if I would be interested in working with him.

He was in fact appointed as assistant secretary of education for civil rights. After he was—after he had taken that post, he asked if I would become his assistant, and I accepted that position.

In my early period there, I had two major projects. The first was an article I wrote for Judge Thomas's signature on the education of minority students. The second was the organization of a seminar on high-risk students, which was abandoned because Judge Thomas transferred to the E.E.O.C., where he became the chairman of that office.

During this period at the Department of Education my working relationship with Judge Thomas was positive. I had a good deal of responsibility and independence. I thought he respected my work, and that he trusted my judgment.

After approximately three months of working there, he asked me to go out socially with him. What happened next, and telling the world about it, are the two most difficult things—experiences of my life.

It is only after a great deal of agonizing consideration, and sleepless—number of—great number of sleepless nights, that I am able to talk of these unpleasant matters to anyone but my close friends.

I declined the invitation to go out socially with him, and explained to him that I thought it would jeopardize at—what at the time I considered to be a very good working relationship. I had a normal social life with other men outside the office. I believe then, as now, that having a social relationship with a person who was supervising my work would

be ill advised. I was very uncomfortable with the idea and told him so.

I thought that by saying no and explaining my reasons, my employer would abandon his social suggestions. However, to my regret, in the following few weeks, he continued to ask me out on several occasions.

He pressed me to justify my reasons for saying no to him. These incidents took place in his office, or mine. They were in the form of private conversations, which not—would not have been overheard by anyone else.

My working relationship became even more strained when Judge Thomas began to use work situations to discuss sex. On these occasions he would call me into his office for a course on education issues and projects, or he might suggest that because of the time pressures of his schedule we go to lunch to a government cafeteria.

After a brief discussion of work, he would turn the conversation to a discussion of sexual matters. His conversations were very vivid. He spoke about acts that he had seen in pornographic films involving such matters as women having sex with animals, and films showing group sex or rape scenes.

He talked about pornographic materials depicting individuals with large penises or large breasts involving various sex acts.

On several occasions, Thomas told me graphically of his own sexual prowess.

Because I was extremely uncomfortable talking about sex with him at all, and particularly in such a graphic way, I told him that I did not want to talk about this subject. I would also try to change the subject to education matters or to nonsexual personal matters, such as his background or his beliefs.

My efforts to change the subject were rarely successful.

Throughout the period of these conversations, he also from time to time asked me for social engagements. My reaction to these conversations was to avoid them by eliminating opportunities for us to engage in extended conversations.

This was difficult because, at the time, I was his only assistant at the office of education—or office for civil rights. During the latter part of my time at the Department

of Education, the social pressures, and any conversation of his offensive behavior, ended. I began both to believe and hope that our working relationship could be a proper, cordial and professional one.

When Judge Thomas was made chair of the E.E.O.C., I needed to face the question of whether to go with him. I was asked to do so, and I did.

The work itself was interesting, and at that time it appeared that the sexual overtures which had so troubled me had ended.

I also faced the realistic fact that I had no alternative job. While I might have gone back to private practice, perhaps in my old firm or at another, I was dedicated to civil rights work and my first choice was to be in that field. Moreover, at that time, the Department of Education itself was a dubious venture. President Reagan was seeking to abolish the entire department.

For my first months at the E.E.O.C. where I continued to be an assistant to Judge Thomas, there were no sexual conversations or overtures. However, during the fall and winter of 1982 these began again. The comments were random and ranged from pressing me about why I didn't go out with him to remarks about my personal appearance. I remember his saying that some day I would have to tell him the real reason that I wouldn't go out with him.

He began to show displeasure in his tone and voice and his demeanor and his continued pressure for an explanation. He commented on what I was wearing in terms of whether it made me more or less sexually attractive. The incidents occurred in his inner office at the E.E.O.C.

One of the oddest episodes I remember was an occasion in which Thomas was drinking a Coke in his office. He got up from the table at which we were working, went over to his desk to get the coke, looked at the can and asked, "Who has put pubic hair on my Coke?"

On other occasions, he referred to the size of his own penis as being larger than normal and he also spoke on some occasions of the pleasures he had given to women with oral

sex. At this point, late 1982, I began to be concerned that Clarence Thomas might take out his anger with me by degrading me or not giving me important assignments. I also thought that he might find an excuse for dismissing me.

In January of 1983, I began looking for another job. I was handicapped because I feared that if he found out, he might make it difficult for me to find other employment and I might be dismissed from the job I had. Another factor that made my search more difficult was that there was a period—this was during a period—of a hiring freeze in the government.

In February 1983 I was hospitalized for five days on an emergency basis for acute stomach pain, which I attributed to stress on the job. Once out of the hospital I became more committed to find other employment and sought further to minimize my contact with Thomas. This became easier when Allison Duncan became office director because most of my work was then funneled through her and I had contact with Clarence Thomas mostly in staff meetings.

In the spring of 1983, an opportunity to teach at Oral Roberts University opened up. I participated in a seminar, taught an afternoon session in a seminar at Oral Roberts University. The dean of the university saw me teaching and inquired as to whether I would be interested in further pursuing a career in teaching beginning at Oral Roberts University.

I agreed to take the job, in large part because of my desire to escape the pressures I felt at the E.E.O.C. due to Judge Thomas.

When I informed him that I was leaving in July, I recall that his response was that now I would no longer have an excuse for not going out with him. I told him that I still preferred not to do so. At some time after that meeting, he asked if he could take me to dinner at the end of the term. When I declined, he assured me that the dinner was a professional courtesy and not a social invitation. I reluctantly agreed to accept that invitation but only if it was at the very end of a working day.

On, as I recall, the last day of my employment at the E.E.O.C. in the summer of 1983,

I did have dinner with Clarence Thomas. We went directly from work to a restaurant near the office. We talked about the work I had done, both at Education and at the E.E.O.C. He told me that he was pleased with all of it except for an article and speech that I had done for him while we were at the Office for Civil Rights. Finally he made a comment that I will vividly remember. He said that if I ever told anyone of his behavior that it would ruin his career. This was not an apology; nor was it an explanation. That was his last remark about the possibility of our going out or reference to his behavior.

In July of 1983 I left Washington, D.C. area and I've had minimal contacts with Judge Clarence Thomas since. I am of course aware from the press that some questions have been raised about conversations I had with Judge Clarence Thomas after I left the E.E.O.C. From 1983 until today, I have seen Judge Thomas only twice. On one occasion, I needed to get a reference from him and on another he made a public appearance in Tulsa. On one occasion he called me at home and we had an inconsequential conversation. On one occasion he called me without reaching me and I returned the call without reaching him and nothing came of it.

I have, on at least three occasions, been asked to act as a conduit to him for others. I knew his secretary Diane Holt. We had worked together at both E.E.O.C. and Education. There were occasions on which I spoke to her and on some of these occasions undoubtedly I passed on some casual comment to then Chairman Thomas.

There were a series of calls in the first three months of 1985 occasioned by a group in Tulsa which wished to have a civil rights conference. They wanted Judge Thomas to be the speaker and enlisted my assistance for this purpose. I did call in January and February, to no effect, and finally suggested to the person directly involved, Susan Cahall, that she put the matter into her own hands and call directly. She did so in March of 1985.

In connection with that March invitation, Miss Cahall wanted conference materials for

the seminar and some research was needed. I was asked to try to get the information and did attempt to do so. There was another call about possible conference in July of 1985.

In August of 1987 I was in Washington, D.C., and I did call Diane Holt. In the course of this conversation, she asked me how long I was going to be in town and I told her. It is recorded in the message as Aug. 15. It was in fact Aug. 20. She told me about Judge Thomas's marriage and I did say, "Congratulate him."

It is only after a great deal of agonizing consideration that I am able to talk of these unpleasant matters to anyone except my closest friends. As I've said before, these last few days have been very trying and very hard for me and it hasn't just been the last few days this week.

It has actually been over a month now that I have been under the strain of this issue.

Telling the world is the most difficult experience of my life, but it is very close to having to live through the experience that occasioned this meeting.

I may have used poor judgment early on in my relationship with this issue. I was aware, however, that telling at any point in my career could adversely affect my future career, and I did not want, early on, to burn all the bridges to the E.E.O.C.

As I said, I may have used poor judgment. Perhaps I should have taken angry or even militant steps, both when I was in the agency or after I left it. But I must confess to the world that the course that I took seemed the better as well as the easier approach.

I declined any comment to newspapers, but later, when Senate staff asked me about these matters, I felt I had a duty to report.

I have no personal vendetta against Clarence Thomas. I seek only to provide the committee with information which it may regard as relevant.

It would have been more comfortable to remain silent. It took no initiative to inform anyone. But when I was asked by a representative of this committee to report my experience, I felt that I had to tell the truth. I could not keep silent.

Second Statement From Judge Clarence Thomas October 11, 1991

Senator, I would like to start by saying unequivocally, unconditionally, that I deny each and every single allegation against me today that suggested in any way that I had conversations of a sexual nature or about pornographic material with Anita Hill, that I ever attempted to date her, that I ever had any personal sexual interest in her, or that I in any way ever harassed her.

The second and I think more important point, I think that this today is a travesty. I think that it is disgusting. I think that this hearing should never occur in America. This is a case in which this sleaze, this dirt was searched for by staffers of members of this committee, was then leaked to the media, and this committee and this body validated it and displayed it at prime time, over our entire nation.

How would any member on this committee, any person in this room, or any person in this country would like sleaze said about him or her in this fashion? Or this dirt dredged up

and this gossip and these lies displayed in this manner, how would any person like it?

The Supreme Court is not worth it. No job is worth it. I am not here for that. I am here for my name, my family, my life, and my integrity. I think something is dreadfully wrong with this country when any person, any person in this free country would be subjected to this.

This is not a closed room. There was an F.B.I. investigation. This is not an opportunity to talk about difficult matters privately or in a closed environment. This is a circus. It's a national disgrace.

And from my standpoint, as a black American, it is a high-tech lynching for uppity blacks who in any way deign to think for themselves, to do for themselves, to have different ideas, and it is a message that unless you kowtow to an old order, this is what will happen to you. You will be lynched, destroyed, caricatured by a committee of the U.S. Senate rather than hung from a tree.