

I mean it would have come out some place if a person had a weakness like this.

Ms. BERRY. That's my belief.

Senator GRASSLEY. I primarily ask the question, not based on your understanding of personal behavior, but rather in your office. In your office environment could anything like this have been kept secret?

Ms. FITCH. Senator, no. My office was not in the suite of the Chairman. It was on staff floors and I heard all kinds of things about things that were happening in the Commission, about other people. There were never any stories floating around about the chairman in a negative or of this kind of nature is what I am saying.

Senator GRASSLEY. And especially in Washington, D.C. If two people know about something it is no longer a secret in this town.

Ms. BERRY. And there were no secrets at the EEOC, believe me.

Senator GRASSLEY. There were no secrets at the EEOC?

Ms. BERRY. No secrets.

Senator GRASSLEY. So I mean there is no way, given how people are, especially in this town, that an activity like this could have been a secret?

Ms. HOLT. No.

Ms. BERRY. No.

Senator GRASSLEY. Okay. I have just kind of a comment about something that Senator Leahy asked you folks. He asked if you had any information about why Anita Hill would jeopardize her career by coming forward with public allegations about Judge Thomas.

Now, I am not sure that this is a relevant question. Professor Hill admits that she never expected her allegations to be made public, so the possibility of public disclosure must not have been a factor in her decision to accuse Judge Thomas. And by making secret allegations behind closed doors she would not have to worry about jeopardizing her career or reputation.

Does that sound reasonable to you?

Ms. FITCH. I have said previously that I have no idea of motivation. I can't ascribe motivation to other people, only to myself.

Ms. BERRY. And I am not a mind reader, Senator, so I have no idea what was going through her mind.

Ms. HOLT. I have no ideas.

Ms. ALVAREZ. I have no explanation.

Senator GRASSLEY. There has been some suggestion by Ms. Alvarez that there may be two Anita Hills, because you never knew the one that you saw on television. I want to ask the other three of you, while you were working with Anita Hill, did you see that she could have been two different people? You saw her as an aggressive lawyer arguing for her position very vocally, fighting for her position, etc.

Did you ever see another side to her, so that there could be some reason to believe that she was other than just this aggressive person? Any hint of that in any way?

Ms. HOLT. I never saw another side.

Ms. FITCH. I saw her as a smart person and also as a reserved one and that is pretty much what I saw the other day, except the

story was something I had never heard before. No, so the answer is, no.

Senator GRASSLEY. Okay. Ms. Berry?

Ms. BERRY. No.

Senator GRASSLEY. Let me also ask you about Professor Hill: you know the old saying that a certain individual would even walk on their grandmother to get ahead. Is she the sort of a person? Did you ever see her as being that sort of a person that would do anything just to get ahead?

Ms. FITCH. No, Senator.

Ms. HOLT. No, I did not.

Senator GRASSLEY. Ms. Berry.

Ms. BERRY. To have ambition, to be ambitious, yes, but to do anything? I don't know.

Ms. ALVAREZ. I also saw her as quite ambitious and I have said so. To take it to the extent that she has, I think it kind of got out of hand, maybe before she even realized it.

Senator GRASSLEY. My time is up.

The CHAIRMAN. If you need more time, Senator, go ahead, take a few more minutes. You have been very patient, extremely patient.

Senator GRASSLEY. Given your expertise as a historian, Professor Fitch, I wondered if I might ask you to draw on that background for a moment. You heard Judge Thomas testify Friday comparing his treatment here to a lynching. I would like to have you explain or elaborate on that comparison for us.

Why is this ordeal, defending against a charge of sex harassment, similar to a lynching, as he put it?

Ms. FITCH. I haven't talked to the Judge since he made those comments, but when he made those comments I felt that I understood them. I have a student who is working on lynching right now, so I have been thinking about this. Lynching was something that was done to intimidate people, that was done to control them, as well as kill them. And I think, if I understand what the Judge was saying, was that this was an attempt to do that to him; that the process, the subsequent confirmation hearings process, this process was patently unfair, that it was a way to neutralize and control and intimidate not just him, but possibly through him, any person that was considered, as he put it, uppity.

When black soldiers came back from World War I, they felt that they had proved themselves to the country and to their fellow citizens; and wore their uniforms down south and that was a sure way to get yourself lynched, because they were wrapped, so to speak, in the American flag. That was to tell these people that they were not Americans. I see a connection and understood what he meant by that. He said electronic lynching, I believe.

Senator GRASSLEY. Well, do you sense then that there has to be a larger group of people that see him or people who think like him as a threat that must be put down right now or worry about what will happen if they are not put down right now?

Ms. FITCH. Senator, I have talked to a colleague who worked with us on personal staff who you may have a statement from, I am not sure, and we talked about this on the phone and his words, subsequently, I think used in the press were character assassination. For me the operative word there is assassination. And the other word

is neutralization and I felt and some of us do feel that any person of color in this country who goes against the stream of what people think black people in this country should be thinking and feeling and doing by so distinguishing themselves, put themselves at great risk.

This is not something that my colleague and I felt only because of the last few weeks. This is something we talked about years ago and tried to talk to the Judge about, and in a comment to a friend last evening, I said, if he didn't understand what we were trying to say then—and obviously we were not beating him over the head with it, because it is a very uncomfortable thing to say to someone—I was assured that after his testimony of the last 2 days he understood it now.

Senator GRASSLEY. Yes. I had a black leader in my State advise me to be against him, saying, "He doesn't even speak our language."

What is meant by that? I honestly don't know.

Ms. FITCH. Senator, I don't know what the person who said that meant, but I think it means that that person is somehow perceived to be outside the group, is not in some perceived lock-step. And I think if you look at the history of black people in this country you see that people have always had diverse views. We are not a monolithic community in thought. And I think that is a huge mistake for the dominant society to think and for us to buy into.

And I suppose that—I don't know the situation you are talking about—but that is probably what that meant.

Senator GRASSLEY. Well, have you ever heard other black American leaders use the expression, he doesn't even speak our language?

Ms. FITCH. I don't know if I have heard the exact words, but I have gotten the distinct impression from working and watching Judge Thomas and how he seems to be perceived by black leaders, some of them, that that is something that they are saying, in effect, if they are not using those exact words. So I understand what that means.

Senator GRASSLEY. Well, it is almost like denouncing the individuality that we worship in America.

Ms. FITCH. I think, Senator, the problem is that when you are a community under siege it is very difficult for people to want to allow diversity of opinion. It is understandable. I don't like it but it is understandable and I don't think in any situation where you have communities that are considered minority and where there are a majority community around them that you are going to find this kind of attitude.

Senator GRASSLEY. In other words, we are all going to hang together or hang separately?

Ms. FITCH. That, I think that is one way of explaining it, yes, Senator. That may be a simplistic way of doing it. I am sure there are other things involved, but, certainly that is one way of putting it. And I don't think it is just true in this country, it's probably true in South Africa, and in other places where there are communities under siege within the countries that they live in, and the societies that they live in.

Senator GRASSLEY. So you intellectually lynch the people who do want to—

Ms. FITCH. That's one way of doing it, Senator. That is probably the lesser of many evils.

Senator GRASSLEY. Okay, I am done.

The CHAIRMAN. Thank you, very much.

Let me clear up two facts and you have been here a long time. We are not going to hold you much longer. But Ms. Holt, on the last page of the transcript that you have in front of you of your logs, there is an insertion or an addition, an addendum, that has one message on it, the very last page. And it is in a different form than the others are and it says, "Judge, 11-1-90, 1:40", etc.

And the handwriting seems to be different from all the other handwriting.

Ms. HOLT. It is different.

The CHAIRMAN. Is it yours?

Ms. HOLT. No, it isn't. This was probably taken at the court.

The CHAIRMAN. I want the record to show that this is not admissible as part of your telephone logs and it is not admissible in the record. Ms. Holt cannot testify as to whether or not this is true, is that correct, Ms. Holt?

Ms. HOLT. That is correct, yes.

The CHAIRMAN. So, therefore, it is not admissible as a part of the record.

Now, let me ask one other thing. Do any of you know Sacari Hardnet?

Ms. HOLT. I knew her, Senator.

Ms. FITCH. Yes, Senator.

The CHAIRMAN. Do you, Ms. Alvarez?

Ms. ALVAREZ. No.

The CHAIRMAN. Ms. Fitch, you know her?

Ms. FITCH. Yes.

The CHAIRMAN. Ms. Holt you know her?

Ms. HOLT. Yes.

The CHAIRMAN. Ms. Myers, do you know her?

Ms. BERRY. No, I don't know her.

The CHAIRMAN. Now, can Ms. Fitch and Ms. Holt tell me who she is? Ms. Holt?

Ms. HOLT. She was a legal intern in the Office of the Chairman.

The CHAIRMAN. At EEOC?

Ms. HOLT. At EEOC. What happens is that we hire legal interns while they are still in law school. When they graduate law school they have a certain period, and I don't know what that is, to pass the bar. Their titles are then changed to attorney.

Ms. Hardnet completed law school but she failed the bar so she had to be dismissed from her position.

The CHAIRMAN. I see. Do you know who she is?

Ms. FITCH. Yes.

The CHAIRMAN. What do you know of her?

Ms. FITCH. Senator, the same thing.

The CHAIRMAN. Did you work with her at all?

Ms. FITCH. I vaguely remember that I might have been involved in some project or she might have been involved in some project I was working on. I remember her but I can't tell you what that