

[DRAFT 7:00 a.m.]

STATEMENT OF CLARENCE THOMAS
BEFORE THE SENATE JUDICIARY COMMITTEE
October 11, 1991

AS EXCRUCIATINGLY DIFFICULT AS THE LAST TWO WEEKS HAVE BEEN,
I WELCOME THE OPPORTUNITY TO CLEAR MY NAME TODAY, ~~BEFORE THIS~~
~~COMMITTEE.~~ NO ONE OTHER THAN MY WIFE HAS SEEN AND HEARD THIS
STATEMENT...NO HANDLERS, NO ADVISORS.

THE FIRST I LEARNED OF THE ALLEGATIONS BY PROFESSOR ANITA HILL
WAS ON SEPTEMBER 25, 1991 WHEN THE FBI CAME TO MY HOME TO
INVESTIGATE HER ALLEGATIONS. WHEN INFORMED BY THE FBI 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 HAD NEVER HAD SUCH AN ALLEGATION LEVELLED AGAINST ME AS I SOUGHT TO PROMOTE WOMEN AND MINORITIES INTO NON-TRADITIONAL 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 THIS MATTER.

BUT SINCE SEPTEMBER 25TH, I HAVE SUFFERED IMMENSELY AS THESE VERY SERIOUS CHARGES WERE LEVELLED 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 FILMS. CONTRARY TO SOME PRESS REPORTS, I CATEGORICALLY DENIED ALL OF THE ALLEGATIONS AND DENIED THAT I EVER ATTEMPTED TO DATE ANITA HILL. 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, 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 ON GIL'S RECOMMENDATION, I HIRED ANITA HILL.

DURING MY TENURE AT THE DEPARTMENT OF EDUCATION, ANITA HILL WAS AN ATTORNEY ADVISOR 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. AS A RESULT WE WORKED CLOSELY ON NUMEROUS MATTERS.

I RECALL 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 EEOC. I DO NOT RECALL THAT THERE WAS ANY QUESTION OR DOUBT THAT SHE WOULD BECOME A SPECIAL ASSISTANT TO ME AT EEOC, ALTHOUGH, AS A CAREER EMPLOYEE, SHE RETAINED THE OPTION OF REMAINING AT THE DEPARTMENT OF EDUCATION.

AT EEOC, 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 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 KOTHE CONTACTED ME TO SPEAK AT THE LAW SCHOOL AT ORAL ROBERTS UNIVERSITY IN TULSA OKLAHOMA. ANITA HILL, WHO IS FROM OKLAHOMA, ACCOMPANIED ME. 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 HOME. AS I RECALL, DURING OUR VISIT AT ORAL ROBERTS UNIVERSITY, MR. KOTHE 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 HILL 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 EEOC, I DID SEE HER ON ONE OR TWO SUBSEQUENT VISITS TO TULSA, OKLAHOMA. 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, WHOM BOTH ANITA HILL AND I MET AT THE DEPARTMENT OF EDUCATION, AND FROM MY FRIEND, GIL HARDY.

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 EEOC FROM THE DEPARTMENT OF EDUCATION. AND, SHE NEVER RAISED IT WITH ME WHEN SHE LEFT EEOC 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 THE 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 REARED ITS UGLY HEAD. THE FACT THAT I FEEL SO VERY STRONGLY ABOUT SEX HARASSMENT AND SPOKE SO LOUDLY ABOUT IT AT EEOC, 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 HAVE 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 SEPTEMBER 25TH. AND
HE IS MY JUDGE.

MR. CHAIRMAN, SOMETHING HAS HAPPENED TO ME IN THE DARK DAYS
THAT HAVE FOLLOWED SINCE THE FBI AGENTS INFORMED ME ABOUT THESE
ALLEGATIONS. AND THE DAYS HAVE GROWN DARKER AS THIS VERY SERIOUS,
VERY EXPLOSIVE, AND VERY SENSITIVE ALLEGATION^s ~~was~~ ^{were} SELECTIVELY
LEAKED TO THE MEDIA OVER THE PAST WEEKEND. AS IF THE CONFIDENTIAL
ALLEGATION^s ^{to me} 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 OUT OF PINPOINT ... 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 ADMIRE AND THOUGHT I HAD TREATED FAIRLY AND WITH THE UTMOST RESPECT. PERHAPS I COULD HAVE 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 PERSON, 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 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 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. I HAVE ENDURED THIS ORDEAL FOR 103 DAYS -- REPORTERS SNEAKING INTO MY GARAGE TO EXAMINE BOOKS I READ, REPORTERS AND INTEREST GROUPS SWARMING ^{over} ~~THROUGH~~ DIVORCE PAPERS LOOKING FOR DIRT, UNNAMED PEOPLE STARTING PREPOSTEROUS RUMORS, CALLS ALL OVER THE COUNTRY SPECIFICALLY REQUESTING DIRT. THIS IS NOT AMERICAN. THIS IS KAPKAESQUE. 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 INTEREST OR OTHER REASONS. I WILL NOT ALLOW THIS COMMITTEE OR ANYONE ELSE TO PROBE INTO MY PRIVATE LIFE. THAT 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 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 MY ENDEAVORS. WHEN THERE WAS SEGREGATION, I HOPED THERE WOULD BE FAIRNESS ONE DAY. WHEN THERE WAS BIGOTRY AND PREJUDICE, I HOPED THAT THERE WOULD BE TOLERANCE AND UNDERSTANDING.

MR. CHAIRMAN, I AM PROUD OF MY LIFE -- PROUD OF WHAT I HAVE DONE -- PROUD OF MY FAMILY -- AND THIS PROCESS IS TRYING TO DESTROY IT ALL.

NO JOB IS WORTH WHAT I HAVE BEEN THROUGH. 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. I ENJOY AND

It is too high!
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APPRECIATE MY CURRENT POSITION AND I AM COMFORTABLE WITH THE PROSPECT OF RETURNING TO MY WORK AS A JUDGE AND TO MY FRIENDS ON THE COURT OF APPEALS. 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. I WAS TOLD EYE TO EYE THAT: "CLARENCE, YOU MADE IT THIS FAR ON MERIT, THE REST IS GOING TO BE POLITICS."

THERE HAVE BEEN OTHER HIGHS...THE OUTPOURING OF SUPPORT FROM FRIENDS OF LONGSTANDING, A BONDING LIKE I HAVE NEVER EXPERIENCED WITH MY OLD BOSS, JACK 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 ON ME, I FIND MYSELF HERE TODAY DEFENDING MY NAME, MY INTEGRITY BECAUSE SOMEHOW SELECT PORTIONS OF CONFIDENTIAL DOCUMENTS DEALING WITH THIS MATTER WERE MADE 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.

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.