

Judge THOMAS. Senator, I repeat what I said, I have been hurt by this deeply, and nothing is worth going through this. This has devastated me and it has devastated my family. It is untrue. They are lies. I have hundreds of women who work with me, and you can call them, dozens who worked closely with me on my personal staff. You can call them. You can bring them up and give them as much air time as you have given this one, one person, with uncorroborated scurrilous lies and allegations. Give them as much time and see what they say.

Senator HATCH. I hope we will do that.

Judge THOMAS. It is not just that, Senator, it is more than that. You are ruining the country. If it can happen to me it can happen to anybody, any time over any issue. Our institutions are being controlled by people who will stop at nothing. They went around this country looking for dirt, not information on Clarence Thomas, dirt. Anybody with any dirt, anything, late night calls, calls at work, calls at home, badgering, anything, give us some dirt. I think that if our country has reached this point we are in trouble. And you should feel worse for the country than you do for me.

Senator HATCH. I feel bad for both.

Mr. Chairman, I am sorry I have kept us over a little bit. I wish I could proceed further tonight but I think we will wait until tomorrow morning. I know everybody is dead tired, and I am sure you are dead tired, I know that.

So, thank you for giving me this extra time. You have always been courteous and decent, and frankly, you have run this committee through this whole process in a courteous and decent way, including the way in which you ran it with regard to the FBI report, as well. We, on this side, know that but thank you.

The CHAIRMAN. Let me, before we go, Judge Heflin, reserved some of his time.

Senator HEFLIN. Judge Thomas, you describe Anita Hill and your relationship with her up until you heard, on September, I believe you said the 24th, as cordial, positive, had no trouble with her, in any way. Now, you make rather strong statements. Do you think that Anita Hill is lying?

Judge THOMAS. Senator, I know that what she is saying is untrue.

Senator HEFLIN. Now, what do you think that her motivations are to come here and testify?

Judge THOMAS. Senator, I have agonized over that. I have thought about it. I have thought about why she would say these things, why she would come here, why it would keep changing. I don't know.

Senator HEFLIN. Well, if you don't know, see we, in the committee, have a responsibility to figure out if she is not telling the truth, why? When you worked with her did you feel that she was a zealous civil rights supporter who was willing to consider and be only a one-interest individual?

Judge THOMAS. Senator, I cannot characterize her that way. I have not thought about her that way. But I would like to address what you said before that. I think you have more than an obligation to figure out why she would say that. I think you have an obli-

gation to determine why you would allow uncorroborated, unsubstantiated allegations to ruin my life.

Senator HEFLIN. Well, she has testified, that you, in effect, act as a character witness for her. You have testified here about the relationship, her work, and her reputation and here we are trying to get to the bottom of what the facts are. And we want to know what the truth is, and you knew her probably better than any one of us.

Judge THOMAS. Senator, there are others that you could bring as witnesses. I have suggested to you there are dozens of people who work there. And—

Senator HEFLIN. I think you have made a point and I hope they are brought here.

The CHAIRMAN. We are, we have agreed already to do that.

Senator HEFLIN. But we are still faced with the fact, Judge, that if she is lying why? We are still faced with the fact that if she is telling a falsehood, what is the motivation?

Now, we have watched her testify today and she is a meek woman.

Judge THOMAS. That is not as I remember Anita. Anita is, I can't say that and you can ask others who visit here, Anita would not have been considered a meek woman. She was an aggressive debater. She stood her ground. When she got her dander up, she would storm off and I would say that she is a bright person, a capable person. Meek is not a characterization that I would remember.

Senator HEFLIN. Well, you say when she got her dander off she would stalk off.

Judge THOMAS. Well, she was a good debater. She fought for her position. I don't remember her as being someone who was a push-over.

Senator HEFLIN. Well, was she a vindictive woman?

Judge THOMAS. I think, Senator, that she argued personally for her position, and I took it as a sign of immaturity, perhaps, that when she didn't get her way, that she would tend to reinforce her position and get a bit angry. I did not see that as a character flaw or vindictiveness.

Senator HEFLIN. Did she have any indication to you that she wanted to be a martyr in the civil rights movement?

Judge THOMAS. Senator, I can't answer all those questions. What I have attempted to do here is simply say to you that—you indicated that she was meek and suggesting that she was not an aggressive, strong person. I remember Anita as aggressive, strong and forceful and advocating the positions that she stood for. Again, there are others who worked with her and I suggest that you have them come before this committee and you ask them.

With respect to why, as I saw through my own memory and my own recollection of what could possibly have happened, particularly at EEOC, the change in position, where she was no longer my top assistant or my top aid and she became one of many, and certainly not the most senior and not the one who received the better assignments and later not becoming the top assistant, that could have been a basis for her being angry with me, but that doesn't seem to be too much of a basis.

I don't know, Senator. If I knew, I would not have been as perplexed as I am.

Senator HEFLIN. Well, did she ever show signs of being resentful?

Judge THOMAS. I can't remember, Senator. I know that she has shown signs that she was upset when she did not get her way. Again, I am not going to sit here and attempt to criticize her character. I can only say that during the time that she worked with me, she was not perfect, but there seemed to me nothing that would suggest that she would do this to me.

Senator HEFLIN. Well, did she at any time during the time that she worked with you at the EEOC, which most of—I mean at the Department of Education, where most of the charges that she makes against you pertaining to remarks about pornographic films and pornographic materials, and then she says they continued some, but that there were more at that time, she was your attorney assistant, as I understand it.

Judge THOMAS. Attorney adviser.

Senator HEFLIN. All right. Did you at that time ever notice anything about her that would indicate to you that she was out of touch with reality?

Judge THOMAS. Senator, again, that is 10 years ago and my working relationship with her, she was professional and cordial, as I suggested this morning. It did not involve, as I have indicated, any discussion of pornographic material or any attempt to ever date Anita. I view my special assistants as charges of mine. They are students, they are kids of mine and I have an obligation to them. It is the same way I feel toward interns and individual co-ops or stay-in-school students.

Senator HEFLIN. Well, we are still left in a great quandary and we are trying to get to the bottom of it. After she went to EEOC with you, did she show any signs at that time of being out of touch with reality?

Judge THOMAS. Senator, again, I am not a psychologist or psychiatrist, and at EEOC, I can tell you, I was enormously busy and spent an enormous amount of time at the office, involved in any number of activities. At EEOC, the assignments, as I remember them, the individual in charge of the office, I had a chief of staff at the time who would take care of the assignments and would be more involved with the special assistants.

My suggestion to you, as I have indicated, would be that this committee spend some time with the people who worked there. This committee has spent I think an inordinate amount of time with someone making uncorroborated allegations against me, and should have people who have worked with me, who have not seen any such activity, who did not corroborate these allegations and who had opportunities to work with and observe Anita Hill.

Senator HEFLIN. I believe Chairman Biden adds to that, saying that they will come and be available. But, now, at the Department of Education and at the EEOC, did any fellow employee of hers, did any supervisor of hers or anybody else indicate to you that she was out of touch with reality?

Judge THOMAS. The only one employee who indicated very strongly to me during my tenure at EEOC that she was, I believe—and I believe this may be a quote—my enemy, and I refused to believe that and argued with him about that and refused to act in accordance with that.

Senator HEFLIN. Well, did he tell you any of the facts surrounding how he arrived at the opinion that she was your enemy?

Judge THOMAS. Senator, as I said, I ignored it. Loyalty is something that was important to me and I paid no attention to it and he in recent days reminded me of what he told me.

Senator HEFLIN. All right. Now, was there any other information that came out while you were working with her that would indicate to you that she lived in a fantasy world or anything?

Judge THOMAS. Senator, again, I don't know, I am not a psychiatrist or psychologist. I was a busy chairman of an agency.

Senator HEFLIN. Well, here we are in a perplexed situation trying to get to the bottom of it. I will ask you again, do you know of any reason why she might purposely lie about these alleged incidents?

Judge THOMAS. Senator, I don't know why anyone would lie in this fashion.

Senator HEFLIN. I believe that is all.

The CHAIRMAN. Judge, just because we take harassment seriously doesn't mean we take the charges at face value. You have pointed out that when you worked with Anita Hill and up until the moment that the charge was made available to you through an FBI agent, you thought her to be a respected, reasonable, upstanding person. When a respectable, reasonable, upstanding person, a professor of law, someone with no blemish on her record, comes forward, this committee has the obligation to do exactly what you would have done at EEOC, investigate the charge.

You are making a mistake, if you conclude that because this is being investigated before all the evidence is in; the conclusion has been reached by this committee.

You have said some things tonight that are new information to us. Assuming them to be true, it is the first time I've heard that you were ever invited, drove home and/or were invited into Professor Hill's apartment to have a Coke or a beer. You have told us things that are new. You should not in your understandable anger refuse to tell us more. We have to figure this out.

For us to have concluded, when faced with a person of Professor Hill's standing and background that this is something we were not going to look at would have been irresponsible.

I don't disagree with you, it was irresponsible, the way in which Professor Hill ended up before us. I understand that, and if I had had anything to do with it, I would apologize for it, but in a very much smaller fashion, I was at the other end of that one myself.

So, do not in your anger refuse to tell us more tomorrow. This is not decided. Witnesses are going to be coming forward, the witnesses that you and your attorneys have asked us to hear, and people we want to hear from.

Senator HATCH. Mr. Chairman, could I just make one last comment?

The CHAIRMAN. You may.

Senator HATCH. I hope that nobody here, either on this panel or in this room, is saying that, Judge, you have to prove your innocence, because I think we have to remember and we have to insist that Anita Hill has the burden of proof or any other challenger, and not you, Judge.