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From the office of

September 20, 1991

Senator Joseph R. Biden, Jr.  
Chairman  
United States Senate  
Committee on the Judiciary  
Room 224  
Dirkson Senate Office Building  
Washington, D.C. 20510

Re: Confirmation of Clarence Thomas

Dear Senator Biden:

**CALIFORNIA WOMEN LAWYERS OPPOSES CONFIRMATION OF THOMAS**

California Women Lawyers (CWL) is a statewide organization of women lawyers whose mission is to speak out on issues substantially affecting the 25,000 women lawyers in the State of California. After extensive review of Judge Clarence Thomas' record we urge the Senate Judiciary Committee not to confirm the appointment of Judge Clarence Thomas to the United States Supreme Court.

Of particular importance in this judicial confirmation proceeding are our rights to "Choice" and to equality in the work place. Judge Thomas's report card on these basic issues, despite his recent "opportunistic" conversion, shows that he has failed.

Judge Thomas has failed to grasp the application of basic constitutional privacy rights to women. His past alignment with conservative reactionaries combatting the freedoms upheld in Roe v. Wade alienates him from women north and south, women of color and women not of color.

Judge Thomas has failed to accept the concept that women belong in the workplace. His "cultural differences" excuse for the continuance of the historic pay and job inequities for women is insensitive and reveals a lack of scholarship in this significant constitutional area.

We may never know for sure just what he personally believes on the issues of "choice" and discrimination against women in the work place. We do know from his record, however, that he will do the job expected of him by President Bush,

AFFILIATES: Black Women Lawyers Association of Los Angeles; Butte County Women Lawyers & Judges; Fresno County Women Lawyers; Inland Counties Women of Law; Kern County Women Lawyers; Lawyers Club of San Diego; Los Angeles Lesbian or Gay Minority County Women Lawyers; Orange County Women Lawyers; Queen's Beach; San Fernando Valley Women Lawyers; San Francisco Women Lawyers Alliance; San Joaquin County Women Lawyers; Women Lawyer's Section; San Mateo County Bar Association; Santa Barbara Women Lawyers; Solano County Women Lawyers; South Bay Women Lawyers; Women Lawyers Commission; Santa Clara County; Women Lawyers of Alameda County; Women Lawyers of Contra Costa; Women Lawyers of El Dorado County; Women Lawyers of Fresno County; Women Lawyers of Inyo County; Women Lawyers of Santa Cruz County; Women Lawyers of San Luis Obispo County; Women Lawyers of Ventura Co.; Women Lawyers Association of Los Angeles; Napa County Women Lawyers; Women's Section - Contra Costa County Bar; Marin County Women Lawyers; Mendocino Women Lawyers; Nevada & Yuba Women Lawyers.

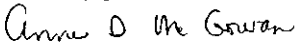
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but certainly not by the women of America. This record leaves no conclusion, despite his current protestations, but that when faced with the opportunity, he will overrule Roe v. Wade, and that he will furthermore provide a lackluster if not damaging performance in correcting the historic pay and job inequities between men and women in the work place. Judge Thomas's recent back-pedaling and recanting is clearly that of a person who believes the "end justifies the means." The Supreme court appointment that has been offered to him has become the pole star guiding his each and every utterance during these confirmation hearings.

We challenge each of you in your own review of Judge Thomas' report card to first cast aside any consideration of the political exigencies of the moment. Use as your pivotal point the support for the constitutional right to "choice" by the vast majority of your women constituents, a support that crosses party lines. Next, resolve to support the constitutional requirement of equal protection to bring about the termination of the inequities for women in the work place. Then review Judge Thomas' report card - the evidence of his lack of commitment to the legal status of women - and contrast it with your own support and with your own resolve. We further challenge each of you to vote your conscience on this candidate's commitment to the legal values the Supreme Court is entrusted to protect. In view of Judge Thomas' demonstrated wavering, we believe your conscience will dictate a decision that will protect a woman's choice and support the removal of the barriers holding back women from equal pay and professional status.

Judge Thomas is not the only candidate in the vast talent pool from which our President can choose. Let President Bush use this opportunity to appoint a person to the bench who not only is eminently qualified, but who is attuned to the basic rights of the women voters of America. Clarence Thomas never was and never can be such a person. You and the President of the United States can do better, and we challenge you to do so.

Very truly yours,



Anne D. McGowan  
President