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September 25, 1991

Senator Joseph R. Biden, Chairman
U.S. Senate Judicial Committee
224 Dirksen Building
Washington, DC 20510

Dear Senator Biden:

I regret that my letter of July 18, 1991, requesting the opportunity to speak before your committee for the Confirmation of Judge Clarence Thomas was not accepted, probably due to the large number of requests. Nevertheless, I had the opportunity to listen to the full hearing by television. Therefore, I am listing below the presentation I would have made as if I was appearing in person, before your committee.

IN THE U.S. SENATE JUDICIARY COMMITTEE HEARING

THE CONFIRMATION OF JUDGE CLARENCE THOMAS
FOR
ASSOCIATE JUSTICE - U.S. SUPREME COURT

MR. CHAIRMAN AND MEMBERS OF THE U.S. SENATE JUDICIARY
COMMITTEE:

I APPRECIATE THIS OPPORTUNITY TO APPEAR FOR THE
CONFIRMATION OF JUDGE CLARENCE THOMAS FOR ASSOCIATE JUSTICE,
U.S. SUPREME COURT. MY NAME IS SAMUEL L. EVANS. I AM
CHAIRMAN AND FOUNDER OF: THE AMERICAN FOUNDATION FOR NEGRO

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AFFAIRS; CHAIRMAN - THE NATIONAL COUNCIL OF PUBLIC AUDITORS;
CHAIRMAN - THE FAMILY OF LEADERS (REPRESENTING 180 LEADERS OF
ORGANIZATIONS IN THE DELAWARE VALLEY (COVERING PENNSYLVANIA,
NEW JERSEY AND DELAWARE). I AM ALSO CHAIRMAN OF AFNA
NATIONAL EDUCATION AND RESEARCH FUND, THE AFNA PLAN -NEW
ACCESS ROUTES TO PROFESSIONAL CAREERS IN: MEDICINE, LAW,
COMPUTER SCIENCE, BUSINESS TO THE HUMANITIES (TO AID
DISADVANTAGED AND MINORITY STUDENTS TO MEET THE ACADEMIC
REQUIREMENTS OF THE SCHOOL HE OR SHE IS ATTENDING)...SINCE
ITS INCEPTION, OVER 4,500 STUDENTS HAVE ENROLLED IN THE
PLAN...HOWEVER, TODAY, I SPEAK TO THE COMMITTEE AS AN
INDIVIDUAL, AND NOT FOR THE ABOVE ORGANIZATIONS.

MR. CHAIRMAN, I CAME TO PHILADELPHIA OVER 70 YEARS AGO.
HOWEVER, YOU CAN TELL BY MY VOICE AND DIALECT THAT I STILL
CARRY THE VOICE OF THE "DEEP SOUTH". MR. CHAIRMAN, THERE IS
SOMETHING ABOUT THE SOUND OF THE SOUTHERN VOICE THAT
EXPRESSES CONFIDENCE AND TRUST (VOID OF HYPOCRISY), THAT "A
MAN'S WORD IS HIS BOND". MR. CHAIRMAN, FOR OVER 60 YEARS, I
HAVE LIVED AND WORKED ON THE CUTTING EDGE OF A MULTITUDE OF
AMERICAN ACTIVITIES ON THE COMMUNITY, STATE AND NATIONAL
LEVEL OF GOVERNMENT AND HUMAN AFFAIRS.

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MR. CHAIRMAN, THERE IS SOMETHING WRONG WITH A PEOPLE WHO SELECT TO MAKE, AS THEIR PRIORITY, A CAMPAIGN TO STOP A POOR BLACK BOY, WHO PULLED HIMSELF UP WITHOUT EVEN A "BOOT STRAP"; A BOY WHO SUFFERED, DURING HIS EARLY LIFE, FROM RACE AND RELIGIOUS BIGOTRY. MR. CHAIRMAN, THESE LEADERS CAME BY PLANES, BUSES AND "STRETCH" LIMOUSINES, AND LODGING AT LUXURY HOTELS, LIKE VULTURES -- "BIRDS OF PREY" THAT SITS ON HIGH PEAKS OF MOUNTAINS; LIMBS OF TREES, WAITING TO ATTACK THEIR VICTIMS AT THEIR WEAKEST MOMENT. MR. CHAIRMAN, I WATCHED JUDGE THOMAS SIT IN THE CHAMBER BEFORE THE COMMITTEE AND LISTEN TO: THE MANY DEGRADING REMARKS, THE ANGER AND THE EXPRESSED DETERMINATION TO "GET HIM" AND DRAG HIM DOWN AT ANY COST. INDEED THIS WAS IN ITSELF, AN AWESOME BURDEN FOR JUDGE THOMAS TO BEAR FROM HIS OWN RACE. YET, HE SAT THERE WITH DIGNITY, NOR DID HE REFLECT ANGER, HATE OR REGRET...HE SEEMS, MR. CHAIRMAN, TO HAVE BEEN INSULATED BY A "HIGHER ORDER"; INSULATED WITH A FEELING THAT HIS CONSCIOUS WAS CLEAR AND HIS SPIRIT, SATISFIED.

MR. CHAIRMAN, I AM NOT HERE TO TAKE EXCEPTION TO THE MANY CHARGES AND STATEMENTS MADE AGAINST JUDGE THOMAS BY CIVIC AND RELIGIOUS LEADERS REGARDING THE POSITION HE HAS TAKEN IN THE PAST...HOWEVER, I AM HERE TO TAKE EXCEPTION TO THE ABILITIES OF THESE LEADERS TO DETERMINE WHAT JUDGE THOMAS

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WILL DO IN THE FUTURE...INDEED, MR. CHAIRMAN, I LISTENED WITH SHARP ATTENTION AS THESE LEADERS INTRODUCED THEMSELVES, CLAIMING THEIR MILLIONS OF MEMBERS AND THE ORGANIZATIONS THEY REPRESENTED. INDEED, MR. CHAIRMAN, ORGANIZATIONS AND LEADERS WITH SUCH POWER AND STATURE COMPELLED ME TO RAISE A POINT OF PERSONAL INQUIRY...

- 1) I ASK YOU MR. CHAIRMAN AND THE PEOPLES OF AMERICA...
"WOULDN'T IT BE MORE BENEFICIAL TO AFRICAN-AMERICANS AND TO THE IMAGE OF OUR NATION IF THESE LEADERS WOULD DEMONSTRATE AN EQUAL COMPASSION AND CONCERN FOR SETTING-UP THE ESSENTIAL ORGANIZATIONAL STRUCTURE TO HARNESS THE OVER THREE HUNDRED BILLION DOLLARS (\$300,000,000,000) A YEAR THAT THIS COUNTRY PROVIDES FOR AFRICAN AMERICANS?"...
- 2) "WOULDN'T IT BE WONDERFUL IF THESE LEADERS, WITH THEIR MILLIONS OF MEMBERS, WOULD DEMONSTRATE THE SAME COMPASSION AND ZEAL TO SET-UP A NATIONAL CASKET COMPANY TO BURY THEIR OWN DEAD OF THREE HUNDRED FIFTY THOUSAND (350,000) AFRICAN AMERICANS WHO DIE EACH YEAR, AND TO OWN THEIR CEMETERY TO BURY THEM IN?"
- 3) "WOULDN'T IT BE WONDERFUL, MR. CHAIRMAN, IF THESE LEADERS WOULD GET TOGETHER AND DEMONSTRATE THE SAME

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INTEREST TO ORGANIZE A NATIONAL CATERING COMPANY TO SERVICE THE 105 BLACK COLLEGES AND UNIVERSITIES, WHO SPEND THREE HUNDRED AND FIFTY MILLION DOLLARS (\$350,000,000) A YEAR IN THE DISTRIBUTION OF FOOD TO STUDENTS AND STAFF?...NOT COUNTING, MR. CHAIRMAN, THE CATERING NEEDS OF 30 MILLION AFRICAN AMERICANS."

- 4) "FURTHER, MR. CHAIRMAN, WOULDN'T IT BE WONDERFUL IF THESE LEADERS WOULD DEMONSTRATE THE SAME COMPASSION AND ZEAL TO AID THE THOUSANDS OF STUDENTS, MANY OF THEM FROM THE "BOWELS OF POVERTY" TO OBTAIN PROFESSIONAL EDUCATION...WOULD IT NOT BE WONDERFUL IF THESE LEADERS WOULD DEMONSTRATE THE SAME ZEAL AND COMPASSION TO AID STUDENTS TO MEET THEIR COLLEGE AND UNIVERSITY TUITION, WHICH IS \$10,000 - \$18,000 ANNUALLY?"

MR. CHAIRMAN, WITH ALL THE HOMELESS, THE SICK, THOSE WHO ARE AFFLICTED WITH AIDS, AND THE THOUSANDS OF SINGLE PARENTS...INDEED, ONE WONDERS HOW THESE SUPPOSEDLY INTELLIGENT LEADERS COULD HAVE SELECTED THE DESTROYING OF JUDGE CLARENCE THOMAS AS THEIR SINGLE PRIORITY.

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LET ME SAY HERE, MR. CHAIRMAN, THAT I BELIEVE IN THE CHURCH; I WAS BROUGHT UP IN THE CHURCH...MY FATHER WAS A MINISTER AND MY UNCLE, GEORGE LONDON, AND HIS SON ORGANIZED CHURCHES THROUGHOUT GEORGIA AND FLORIDA...MY BROTHER, THE REVEREND PERRY E. EVANS, IS FOUNDER AND PASTOR OF THE FAITH BAPTIST CHURCH AND FORMER TREASURER OF THE NATIONAL BAPTIST CONVENTION...AND, MAY I ADD, MR. CHAIRMAN, I AM A TRUSTEE IN HIS CHURCH; I MAKE ANNUALLY, THOUSANDS OF DOLLAR IN CONTRIBUTIONS TO THE BLACK CHURCH. BUT, MR. CHAIRMAN, THE PREACHERS WHO TESTIFIED BEFORE THIS COMMITTEE WERE NOT DEMONSTRATING THE KIND OF RELIGION OF WHICH MY FATHER PREACHED, MY BROTHER PREACHED, NOR THE KIND THAT THE GREAT BELIEVERS IN THE PAST PREACHED.

MR. CHAIRMAN, THESE PREACHERS, SEEMS TO ME, ARE FOSTERING "AN EYE FOR AN EYE AND A TOOTH FOR A TOOTH" PHILOSOPHY. THIS IS INDEED CONTRARY TO THE OLD TIME RELIGION, WHICH OUR FOREFATHERS TAUGHT US. WE WERE TAUGHT THE RELIGIOUS PHILOSOPHY -- "PROP ME UP ON EVER LEANING SIDES". SO, IF JUDGE THOMAS HAS A "LEANING SIDE", WHICH I DOUBT, WE SHOULD PROP HIM UP...NOT CUT HIM DOWN. THESE PREACHERS AND LEADERS SEEMED TO BE CONCERNED MORE BECAUSE CLARENCE THOMAS HAS VIOLATED A SACRED LAW, LAID DOWN BY THEM, AS THE UNANointed LEADERS OF AFRICAN AMERICANS, THAT THEY MUST MAKE AN EXAMPLE OUT OF THOMAS AS A LESSON THAT WHAT THEY

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BELIEVE AND SPONSOR MUST BE SUPPORTED BY BLACK PEOPLE. YOU SEE, MR. CHAIRMAN, JUDGE THOMAS'S ACTIONS WAS DISMANTLING THE POWER OF A SELECT GROUP, THAT THREATENED THEIR MIDDLE CLASS LIVING.

THE PREACHERS AND LEADERS EXPRESSED FEAR THAT MR. THOMAS HAD LEFT THE BLACK RACE; THAT HE HAD FORGOTTEN THEM. MR. CHAIRMAN, FOR MR. THOMAS TO WALK AWAY FROM HIS RACE, WOULD BE IN DIRECT VIOLATION OF TWO SUPERNATURAL PHENOMENONS AND AN ACHIEVEMENT, NEVER ACCOMPLISHED BY LIVING CREATURES ON PLANET EARTH...

- 1) "BIRDS OF A FEATHER SHALL FLOCK TOGETHER". THIS IS A SUPERNATURAL LAW OF WHICH NO LIVING CREATURE HAS BEEN ABLE TO ESCAPE.
- 2) THE OTHER SUPERNATURAL PHENOMENON IS SELF PRESERVATION. MR. CHAIRMAN, IT IS NATURAL FOR EACH GROUP TO STRUGGLE FOR SURVIVAL AND PROTECT THEMSELVES, BUT IT SHOULD NOT BE AT THE EXPENSE OF OTHERS.

MR. CHAIRMAN, IN MY OPINION, JUDGE THOMAS HAS NOT LEFT HIS RACE, BUT RATHER, THROUGH HIS PATTERN OF BEHAVIOR, THOUGHTS, ACTIONS, BELIEFS AND PHILOSOPHY, HE HAS RAISED HIMSELF ON

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THAT HIGH RAREFIED PLATFORM, THAT HOLDS ONLY GREAT AMERICANS,
AND HAS SHED HIS "RACIAL BLINDERS", THEREBY BELIEVING IN ONE
GOD AND ONE HUMANITY.

MR. CHAIRMAN, YOU KNOW, I KNOW AND THE MANY LEADERS WHO
TESTIFIED AGAINST HIM AND FOR HIM KNOW THAT THE FIGHT TO KEEP
JUDGE THOMAS OFF THE SUPREME COURT IS NOT THE MAJOR ISSUE.
THE MAJOR ISSUE IS "POWER" TO SUSTAIN A DEGRADING "HAT IN
HAND" PHILOSOPHY THAT HAS DONE MORE THAN ANYTHING ELSE TO
MAKE AFRICAN AMERICANS SECOND CLASS CITIZENS, AND TO
PROPAGATE DIS-INFORMATION OVER THE WORLD, REGARDING BLACK
AMERICANS. MR. CHAIRMAN, THE IDEA OF FIGHTING FOR CIVIL
RIGHTS AND SPECIAL PRIVILEGES HAS BECOME A MAJOR PROFIT
INDUSTRY, WHERE 16% OF AFRICAN AMERICANS ARE LIVING OFF 84%
OF THOSE LIVING ON THE LEVEL OF POVERTY; STRUGGLING FOR FOOD,
SHELTER AND CLOTHING. THIS GROUP SEE THEIR MIDDLE CLASS
KINGDOM THREATENED WITH DESTRUCTION. THEY ARE MAKING A STAND
HERE, TO PROTECT THEIR PRIVATE AND PERSONAL INTEREST.
MR. CHAIRMAN, THIS GROUP KNOWS OF THE STORY OF JUDGE HUGO
BLACK, PRESIDENT JOHNSON, AND GEORGE WALLACE...THEY KNOW WHAT
THEY DID OR SAID BEFORE AND WHAT THEY DID OR SAID AFTER. SO,
MR. CHAIRMAN, SO THAT THEIR NAMES WILL NEVER DIE AND REMAIN
ON THE LIPS OF AMERICANS EVERYWHERE AS TO THE UNKNOWN EXTENT

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OF HUMAN ACTIONS, BUT FOR ONLY THE FUTURE DOUBTERS, LET US
REPEAT AGAIN AND AGAIN...

WHEN JUSTICE HUGO BLACK, ALLEGED TO BE A KU KLUX KLAN
LEADER WAS SWORN INTO THE UNITED STATES SUPREME COURT,
THE BLACK PEOPLE ACROSS THIS COUNTRY ROSE UP AS ONE
AGAINST HIM. THE BLACK PRESS PRINTED HIS PICTURE WITH
THE KU KLUX KLAN HOOD ON...AND YET, MR. CHAIRMAN, TO THE
GLORY OF GOD, HUGO BLACK CONTRIBUTED MORE TO THE
ADVANCEMENT, EQUALITY AND JUSTICE FOR ALL AMERICANS THAN
ANY OTHER JUSTICE THAT EVER HELD THAT OFFICE.

ANOTHER EXAMPLE, MR. CHAIRMAN...

IN HIS BOOK, "VANTAGE POINT", PRESIDENT LYNDON
JOHNSON, THEN A U.S. SENATOR, SAID HE HAD A BLACK MAN
AND HIS WIFE WORKING FOR HIM FOR 25 YEARS. HE SAID THAT
THEY WERE GETTING READY TO DRIVE BACK TO TEXAS FROM
WASHINGTON, AND WHEN THEY WERE LOADING THE CARS, HE
WENT TO THE BLACK MAN AND SAID, "YOU TAKE THE DOG WITH
YOU THIS TIME." THE BLACK MAN LOOKED AT HIM AND SAID,
"DO I HAVE TO, BOSS?"...AND SENATOR JOHNSON SAID, "YES,
THE DOG LIKES YOU AS WELL AS HE DOES ME". JOHNSON SAID,
"DO YOU HAVE A PROBLEM WITH THAT?"...AND THE MAN SAID,
"YES SIR, IT'S BAD ENOUGH FOR BLACK PEOPLE TO TRAVEL

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THROUGH THE SOUTH ALONE WITHOUT TAKING A DOG WITH US...WE GET ON THE HIGHWAY AND DRIVE AND DRIVE...AND TO FIND A LAVATORY, WE HAVE TO GET OFF THE HIGHWAY AND DRIVE 2 OR 3 MILES TO FIND A BLACK NEIGHBORHOOD WHERE WE CAN USE THE LAVATORY. WE GET BACK ON THE HIGHWAY; WE DRIVE AND WE DRIVE...THEN, WE WANT SOMETHING TO EAT. WE HAVE TO GET OFF THE HIGHWAY AND GO BACK INTO THE BLACK NEIGHBORHOOD TO GET SOMETHING TO EAT."...AND JOHNSON SAID, "AFTER HE TOLD ME THIS, I VOTED AGAINST CIVIL RIGHTS SIX TIMES, AND EVERY TIME I VOTED, MY HEART GOT WEAKER AND WEAKER...BUT, IF I HAD VOTED FOR CIVIL RIGHTS ONE TIME, I WOULD NOT BE PRESIDENT OF THE UNITED STATES TODAY", HE SAID. "NOW I AM THE PRESIDENT OF THE UNITED STATES AND BY GOD, THE BLACK PEOPLE OF THIS COUNTRY SHALL WALK THROUGH EVERY GATEWAY, DOORWAY AND HIGHWAY WITH EQUALITY AND JUSTICE." PRESIDENT JOHNSON PASSED MORE CIVIL RIGHTS LEGISLATIONS THAN ANY OTHER PRESIDENT IN UNITED STATES HISTORY.

LET'S TAKE ANOTHER EXAMPLE, MR. CHAIRMAN...

GOVERNOR GEORGE WALLACE STATED THAT HE WAS FOR "SEGREGATION TODAY, SEGREGATION TOMORROW AND SEGREGATION FOREVER". GOD BROUGHT HIM DOWN TO A WHEEL CHAIR AND HE WENT ABOUT CAMPAIGNING FOR THE RIGHTS OF BLACKS AND IN

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HIS LAST ELECTION, HE SECURED 85% OF THE BLACK VOTE.

MR. CHAIRMAN, THAT IS FORGIVENESS -- THE AMERICAN WAY --
THE RELIGIOUS WAY.

MR. CHAIRMAN, THE CONSTITUTION OF THE UNITED STATES
GOVERNMENT, AS IT STANDS TODAY, HAS A MESSAGE FOR ALL
AMERICANS AND PEOPLE OVER THE WORLD, THAT "DEMOCRACY IS A
VEHICLE BY WHICH AN INDIVIDUAL OR A GROUP MAY WORK OUT THEIR
OWN WAY OF LIFE WITHOUT HINDRANCE, THREATS, INTERFERENCE AND
WITHOUT DESTRUCTIVE ATTITUDES TOWARDS OTHER OTHERS".

I WILL PREDICT, MR. CHAIRMAN...IF THERE EVER BE AN
AFRICAN AMERICAN PRESIDENT OF THE UNITED STATES OF AMERICA,
HE WILL BE MORE LIKE CLARENCE THOMAS, BELIEVING IN ONE GOD
AND ONE HUMANITY, AND NOT ONE OF THOSE WHO SPEND THEIR LIVES
PROPAGATING AND SPONSORING THE ADVANCEMENT OF ONE GROUP OR
ONE RELIGION.

MR. CHAIRMAN, NEVER BEFORE, ON NATIONAL TELEVISION, HAVE
AMERICANS, AND PROBABLY THE WORLD, HEARD AND LISTENED TO SUCH
A THREAT AND CHALLENGE TO THE U.S. SENATE AND JUDICIAL
COMMITTEE, COMING FROM THE LIPS OF A BLACK PREACHER, WHEN HE
SAID, "YOU SENATORS COME HANGING AROUND THE BLACK CHURCH WHEN
YOU NEED OUR SUPPORT." MR. CHAIRMAN, THAT WAS A DIRECT

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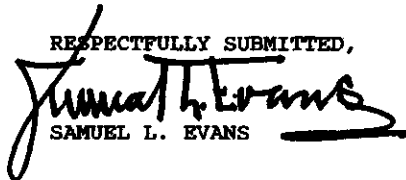
THREAT TO THE UNITED STATES SENATE, WHICH IMPLIED -- "IF YOU DON'T VOTE AS WE SAY, WE WILL BE OUT TO GET YOU, AS WE ARE OUT TO GET THOMAS, IN YOUR NEXT ELECTION!"

MR. CHAIRMAN, I APPRECIATE AND COMMEND THE BIDEN COMMITTEE FOR NOT SLAPPING THAT PERSON DOWN, AT THAT TIME. IT REFLECTED THEIR HIGH QUALITY OF LEADERSHIP. BUT, MR. CHAIRMAN, LET IT BE SAID THAT, "THE LEADERS, (THE SENATORS) OF OUR COUNTRY, WOULD NEVER BOW AND FORSAKE A PRINCIPLE FOR THE SAKE OF SECURING A VOTE FOR HIS OWN SECURITY".

NOW, I COME BACK, MR. CHAIRMAN, WHERE I BEGAN WITH THAT SOUTHERN DIALECT THAT REFLECTS TRUST AND CONFIDENCE...IT IS BECAUSE, MR. CHAIRMAN, OUR MOTHER TAUGHT US THAT SHE WOULD RATHER SEE US "EAT DIRT WITH A KNITTING NEEDLE", THAN TO SUBSTITUTE A PRINCIPLE TO MEET A SELFISH NEED.

GOD GRANT THAT THE UNITED STATES SENATORS WILL RISE TO THE OCCASION.

RESPECTFULLY SUBMITTED,



SAMUEL L. EVANS

SLE/YS