

Therefore, I think his membership in a different club, if you may, is a source of much of the consternation and resistance to Judge Thomas.

Mr. JACKSON. I guess to add to what Bob has said, what Reverend Soires has said, I will not cast any aspersions on the NAACP because I am a member and I have a great deal of respect for Reverend Hooks and his wife and consider them my friends. I have a number of friends that I consider my friends on the Black Caucus.

What I will say to you, Senator, in asking the question, is that we have been a proponent over the years to the victim theory. And somehow anyone who wishes to escape the victim theory based on doing some things for themselves is labeled either a Tom, an Oreo, someone that is bought off by the system.

But one thing that we must keep in mind and I remind us all the time: Those who are calling us those names are clearly benefiting from the system. They serve on the major boards of the corporations in this country. They fly around in Lear jets. They play at the best country clubs. But yet they are telling us to accept the victim.

I see myself as an African-American extremely fortunate, having served both public and private life, having made a great deal of money. In the process of doing that, you must give something back. And I think Clarence Thomas simply says: How can we best give something back?

The way we give something back in my mind is to give people hope and to work with those who are most in need. And that is our philosophical viewpoint, rather than, quote, unquote, telling them that they are a victim, that the system will ever keep them a victim, they can never hope to escape being a victim, so therefore the best avenue is to keep hollering that racism is the epitome of what is keeping us down. Yet those who tell them that will be with us at the Jockey Club tonight.

Senator GRASSLEY. Thank you.

Senator SIMON. Senator Specter.

Senator SPECTER. Thank you, Mr. Chairman.

Mr. Woodsen, let me direct my first question to you. I believe you were present when the five Congressmen testified, correct?

Mr. WOODSEN. Yes, I was.

Senator SPECTER. And the five Congressmen testified in opposition to Judge Thomas, on the basis that he was not a good role model, since he was the beneficiary of affirmative action and, once he had attained his status, he was turning his back on other African-Americans.

You have suggested that the opposition by that group was really directed in a political context, that they are the beneficiaries of having African-Americans to support the Democratic Party, as opposed to looking for a role model like Judge Thomas who, in his speeches, was very direct about wanting to bring more African-Americans to the conservative cause and more African-Americans to the Republican Party.

Are you saying that the opposition by the congressional panel was really based on Democratic/Republican politics?

Mr. WOODSEN. I think, in part, it was, Senator. It was based also, in part, as Mr. Jackson said, any black that does not characterize other blacks as being victims of white oppression and believes that

the mugger might have knocked him down, that is, racism, but it is the responsibility of the person mugged to get up, the victim's responsibility to get up, and I have debated most members over the years

To espouse this puts you at odds politically and ideologically with members of the caucus, and, yes, I think Clarence Thomas, because of his position on civil rights, challenging—again, Senator, I disagree with the characterization that Clarence Thomas is against affirmative action and civil rights. He is not. Even Ben Hooks affirms that, when he says, in cases of individual discrimination, Judge Thomas will nail you to the wall.

Where Judge Thomas disagrees or has some problems with it is when remedies are applied to groups, so I think that it is in that context where there is some debate, and I think what he is trying to do, and some of us are trying to find some middle ground to find out what do we do about the blacks who are locked out, because of race and economic and social circumstance, and I think Judge Thomas is grappling for alternative questions to be raised, and a lot of the members of the Caucus just simply do not want those questions raised.

Senator SPECTER. Mr. Woodsen, the Congressmen criticized Judge Thomas on the ground that he was a beneficiary of affirmative action. But he did not want to see it extended to others, and I do not know if you heard the testimony—

Mr. WOODSEN. I did.

Senator SPECTER [continuing]. But Judge Thomas did say that, when it came to employment, and there was considerable discussion about the very famous discrimination case in New York City on Local 28 of the building trades, which had been going on for more than 20 years, with a finding of egregious discrimination. Judge Thomas held back and said that he would grant a remedy for any specific individual who was discriminated against, but in terms of looking to the future, in a context where you knew with virtually certainly that the next group of African-American applicants would be discriminated against, and, as one of the Congressmen put it, you wanted to give some of the tail-wind to the head-wind which was going to face that African-American who was going to look for the job. Don't you think that, just as preference is desirable, as Judge Thomas said in the educational context, which he received, that there ought to be a preference for the next applicant, say, in the New York City context, where you have every reason to expect discrimination, as the prior applicants had been discriminated against?

Mr. WOODSEN. Senator, you have taken me into the details of that particular case that are beyond my knowledge, but I can say to you that the fact that when Secretary Donovan was facing trial, the trial judge, in ruling against or setting aside one of the charges against him of using a prominent black elected official as a dummy 8(a) firm, that the practice is so widespread that you could not hold Secretary Donovan culpable in that situation. I think that is the kind of situation, at least, that I think requires some review and some discussion and some debate as to who are the true beneficiaries of some of these group remedies. And I think all Judge Thomas was trying to do, as I and the rest of us are trying to do, is

to try to begin to raise a new set of questions, instead of just relying upon some of the same set-aside remedies.

I remember contracts that get set-aside contracts bid on a contract \$30 million, and because they are black, they get the contract, they take \$2 million and then subcontract with the white firm that came in second and that firm hires all-white employees, while this one black contractor has \$2 million.

Now, is this really what we intended through affirmative action, or did we really intend to improve, increase the number of workers and people participating? I think those are the situations, Senator, that we need to look into.

Senator SPECTER. Mr. Jackson, let me direct this question to you, where a major point was made by the Congressmen who testified, in response to my questions, if Judge Thomas is a good role model. They were highly critical of Judge Thomas, because of the statements he had made about his own sister, and were highly critical of him, because he was unwilling to see affirmative action benefit others as affirmative action had benefited him.

Do you consider those factors to be relevant in evaluating whether Judge Thomas would be a good role model for other young African-Americans in this country?

Mr. JACKSON. Senator, first, let me say this: Knowing Clarence as I do and his family, Clarence and his sister are extremely close. I think that was a philosophical difference at a point in time between the two and that has not in any way daunted their relationship. I think that probably every one of us has had some differences with our different brothers and sisters.

Second, Clarence Thomas has made it clear in the days of his testimony here that he supports affirmative action, so those who will basically tend to distort the reality of the situation is doing that basically to serve their own interests.

Lastly, I was very pained to listen to many of the members of the Black Caucus come out as they did sitting at this table today against a man that I know very well and have a great deal of affinity for and I think is an excellent human being, with a tremendous amount of compassion.

But I think a few minutes ago, I said, when Senator Hatch asked the question, that you must understand it in the overall context that we are still operating in a victimized situation, and when someone comes in and challenges the philosophical viewpoint that we are victims and we will remain victims and there is nothing that we can do, the only recourse that must occur is they cannot deal with them from an academic or philosophical viewpoint, so, therefore, it becomes very personal, and it saddens me to hear them say that they do not believe that Judge Thomas would be a role model.

I must tell you a story that they did on the Today Show not 2 weeks ago about a young African-American boy, in Savannah, GA, who had no hope. For 2 years, Judge Thomas has been writing him letters, sent him a set of encyclopedias, sending him a book every month. That young African-American's grades have gone up tremendously. He has set his sights on being a doctor. Had Clarence ignored his letter, he might have been doomed to defeat. To say that Clarence Thomas as a man is not a role model is to basically