

The CHAIRMAN. Mr. Colley, it is a distinct pleasure to have you here and, quite frankly, somewhat reassuring. You have been, if I am not mistaken, president of a national bar. You have been a man deeply involved in civil rights issues all your life, and I am anxious to hear what you have to say about this gentleman.

Mr. COLLEY. Thank you very much, Senator Biden. It is a pleasure for me to be here also, and I can assure you that I would not be here if I didn't have reasonable cause to believe that Judge Kennedy will be an outstanding member of the Supreme Court of the United States.

I want to tell you that I am one of these people who have known him for a long, long time. I even go further than that; I knew his father. He practiced law in Sacramento. When I came to Sacramento there was some question, believe it or not, whether I should be admitted to the local bar association, even though I had passed the State bar examination.

The CHAIRMAN. What year was that?

Mr. COLLEY. This was in 1949. And it was Archibald Mull, a local lawyer, and Mr. Kennedy's father who at once took steps to see that there were no barriers placed before me, and in fact they encouraged me to apply for membership in the American Bar Association, and of course I was accepted. You will have to remember that at the time I am talking about black members were not welcome to the Los Angeles Bar Association. But in Sacramento, my welcome was complete and total from the beginning, largely through the work of two people. That was Archibald Mull and Mr. Anthony Kennedy Sr. Well, it is not senior because their middle initials are different. But anyway, I want to make that point very clear.

And, if Judge Kennedy went astray on racial issues, it happened to him long after he left home. Now, I heard that he went to Stanford. That might have had some influence on him adversely. I hope not.

The CHAIRMAN. Where did you go to school?

Mr. COLLEY. Well, first I went to Tuskegee, in Alabama.

The CHAIRMAN. Don't brag, just get to the end.

Mr. COLLEY. I went to Yale, but I went there because Stanford didn't welcome black people then, Columbia had a quota, and Harvard was too far from Harlem. So I went to Yale.

The CHAIRMAN. And if I am not mistaken, you graduated with distinction from Yale.

Mr. COLLEY. Well, yes. That is because—I want you to know that I am not from the Establishment. Everybody has been asking about the Establishment.

The CHAIRMAN. You are sure sounding like it, though.

Mr. COLLEY. No, I am not a part of the Establishment. I was born in rural Alabama, and I represent something I think is special in America; and that is, you can come from anywhere and go anywhere if you really try. And I came from rural Alabama where I was unfit for picking cotton from the very outset. My mother recognized this and she encouraged me to read books, and, of course, that was very important in my life. I ended up as an officer in the Army, for instance. You will never know how much trouble it gave me to lead a black company in the Solomon Islands and in the