

think of Judge Thomas being elevated, I see more problem being created. I see us moving backward and not forward. And race won't help him there. A poverty-stricken background is of no use to us in what we think he is going to do based on what he has done in the past.

Senator SPECTER. Congressman Stokes.

Mr. STOKES. Thank you, Senator Specter.

The manner in which you have characterized the positions taken by Judge Thomas is what really frightens me about him. I think that for one who has been the beneficiary of affirmative action to say, "Now, I've got mine; you get yours the best way you can"; "It was okay for me, but you ought not have affirmative action"—that frightens me.

Black Americans and other minorities who are in need of affirmative action aren't really asking for anything special. All they are asking for, Senator Specter, is under our Constitution the guarantee of opportunity and equality that is given to all Americans under our Constitution. That is not asking for a handout. When the person who is discriminated against in the marketplace or in the employment place asks just to have an equal opportunity—not preference, not priority, just an equal opportunity to earn a decent living—that's not a handout.

It is Judge Thomas' attitude toward people who need relief, his attitude when he was head of the EEOC of trying to get away from class actions and reduce it down to individual action with the knowledge that what that did was to hurt the masses of cases—that is disturbing to me in the same way that Congressman Conyers has already mentioned.

A man who had the attitude he had toward his own sister and her children; the references that he made to them publicly before conservative black groups, while he made his points with the President and other conservatives, that this man can attack his own family. And it turns out that he really wasn't telling the truth about his sister. While she was on welfare at that time, and he was referring to the children as learning how to cheat now and so forth, later information came out that all of them really worked when they had an opportunity to do so.

But these are things that frighten me about him. I don't think, in the sense of a role model for black Americans, that a Judge Thomas will ever be the role model that a Thurgood Marshall is.

Senator SPECTER. Congressman Owens?

Mr. OWENS. I think the thinking that you have set forth as being the position of Judge Thomas with respect to affirmative action and blacks not receiving any special treatment is a very backward kind of reasoning, very limited, lacking in compassion, and basically dishonest to any black in America to take that position because there is a cornered reality which blacks in America live through every day.

All Judge Thomas needs to do is take off his suit and his tie and walk through 1 day of life in this city or anywhere else in the country and he will experience some things to let him know that blacks are treated in a very special way.

Prejudice and discrimination are a part of the reality of human-kind all over the globe. We have all kinds of conflicts that people

set up or reasons that they set up to discriminate against each other. Often, when both groups are white it is religion or some other ethnic difference, but when you are dealing with blacks, you are dealing with people who are highly visible, and the degree to which discrimination is expressed against us is far greater.

And any black who says that we are just like everybody else and should never expect to have any kind of special treatment in order to overcome certain problems is basically dishonest. They are dishonest because of the current reality; they are dishonest because, as an intellectual, they want to disregard all of history.

Blacks are the descendants of African slaves who were brought here against their will, not like other immigrants. We were, for 300 years, treated as slaves and suddenly set free with very little or nothing to compensate. There was a social experiment called the Freed Man's Bureau. Thank God for that, because it created historically black colleges.

But, basically, nothing happened when the slaves were set free to deal with the problem that they had their labor stolen from them all those years. They had no property, et cetera, et cetera. So the whole concept of reparations has to enter into dealing with the descendants of African slaves today, but we refuse to accept that.

In every group, there is a certain percentage who will overcome and excel no matter what the conditions are, no matter how great their pressure. There is a certain percentage who will overcome. The majority of the people are just normal human beings; they will not be able to overcome without some special help.

We accept the principle of reparations in the case of war. One nation loses a war; they have to pay. We also accepted it in the case of Israel and the Jews under the Nazis. We went one moral step further, and oppressed people who had not won the war were paid reparations by the Germans because of the conditions they subjected those people to during the course of the Nazi period.

I am not asking for reparations in the payment of dollars to individual blacks, but some consideration of what—300 years of slavery, followed by years of de facto discrimination that impact on a people has to be taken into consideration.

Any person, black or white, who is an intellectual and knows history and wants to disregard this totally, I find, you know, either naive or basically dishonest, and I think in the case of Judge Thomas it is basic dishonesty.

Senator SPECTER. Well, my time is up, Mr. Chairman. May the answers continue?

The CHAIRMAN. Yes.

Mr. WASHINGTON. I will be brief in my response, not to say that the others weren't, of course, because they are senior to me.

The first question you asked is about—you ran off a litany of things dealing with—and you arrived at the correct assessment that we are dealing with, unfortunately, a period of more racial divisiveness in this country than any of us would think ordinarily possible in 1991; that we were on a course where things were getting better. Now, it appears that things are either standing still or moving backwards.

And the question you raised, as I understood it, Senator, had to do with Judge Thomas' views about affirmative action vis-a-vis