

that, and the question was does his position have a reasonable basis. The answer to that question is no because it misappends, if you will, the very touchstone of what discrimination is.

Judge Thomas' view is that whatever has happened to him, good or bad, has happened to him as an individual. Nothing could be farther from the truth. Prejudice is prejudice because of group identification. People can't prejudge you if they don't know you, except either you are too tall, Senator Simpson, or you are too short or you are too black or you are too this or you are too that, based upon group identification.

It oversimplifies and overlooks the fact that, as my colleague has said, the prejudice that is visited upon black people or Hispanics or any other group of individuals is born of someone having categorized them as being not as qualified to have the job. So, that is not going to go away.

If you did away with all affirmative action, then there are white people and black people and Hispanic people and all kinds of people who think that the view of the sunset is somehow enhanced if they are standing on somebody else's shoulders. Nothing is going to change about that. There are always going to be white people who think the black guy got the job because he was black rather than because he was qualified.

We as leaders have to ensure that regardless of how we feel about these laws, if these are laws on the books that are bound to be enforced that overcome the vestiges of past discrimination, we can't play political cannon fodder with them, it seems to me. We lend ourselves to that kind of notion when we get out and play politics with notions about job discrimination and the like.

We know that Griggs decided that there would be remedies available to overcome the built-in headwinds as long as the headwinds continue to exist for women or for Hispanics or for—one of these days, it is going to be for white males. A majority of people in this country are not going to be white males forever. Demographers already tell us that. So when you become the minority, then will the built-in headwinds be opposing you? I think so.

In answer to the second part of the question of does he have the potential to be a role model, he has the same potential as in Rudyard Kipling's admonition in the poem, "he travels the fastest who travels alone"—"when by the aid which he has done and the aid his own which he has done, he travels the fastest who travels alone." That is the role model he presents. He presents a role model that if you want to get ahead in life, don't come up through the ranks the same way that you and all the rest of us do; get in the short line.

That is exactly what he has done. He went over, he looked at the line over here on this side, and he said that the line of black people who want to move up is shorter over there, so he got in the short line, and that is the role model that he presents for black Americans, I think.

Mr. LEWIS. Senator, let me just state that in spite of all of the changes, in spite of all of the progress that we have made in this country during the past few years, the scars and stains of racism are still deeply embedded in American society. So there is still a need for affirmative action. I think you have a nominee who would

like to destroy the bridge of affirmative action that brought him across. He is forgetting those that have been left out and left behind.

And on the question of a role model, I think we want someone who is going to be a headlight rather than a taillight when it comes to the issue of simple justice and simple fairness. Is this man the type of role model that we want for our children, someone who is defiant, evasive and inconsistent? It is not a role model I want for my son.

Senator SPECTER. Thank you very much, gentlemen. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Simpson.

Senator SIMPSON. Mr. Chairman, I just want to thank my fellow legislators for coming. I appreciate that, and I do understand your terribly deep concern. I am sure that the deliberations within your caucus were very spirited because I know more than several members of your caucus, and quite well, and I enjoy my work with you as legislators. We have been on conference committees together, and panels and forums, and that has been an opportunity for me to know you better.

And so, you know, I know that it was a spirited discussion you had in your caucus. We are going to have another group before us today, black lawyers, where the vote on Clarence Thomas was 113 to 104. That is reality in this one. The black community is split for the first time in my memory here on this panel. It is very real, and I understand that and it is troubling to you.

And the things you talked about, the EEOC and comments about the sister and the affirmative action—all of those things were addressed by the nominee. The sister sat right here with him for 5 days—an example of family affection. The mother, the son—all those things have been covered; all parties have been treated fairly.

No one is going to be shut out, but it seems to me that it is the diversity of thought and philosophy of this man that is the fear, the real fear. That is a terribly presumptuous statement of mine because there is no way I can even identify. But I do think that it is unfortunate to see sometimes a white legislator telling a black person how a black person should feel. I don't like that one. I bet you don't like it either.

So this is not the usual black conservative; that is not who this Clarence Thomas is, and that is why he has got to be a big puzzle to you and somewhat to us. But I don't think he is dishonest. I think he is fair, I think he is compassionate, and I think he is sensitive. I think he is going to be a tremendous addition to the Supreme Court and he is going to surprise everybody.

Craig, I heard what you said about you and I have to buy our shirts in a separate place. We have a wingspread of about 37½ inches. And we are different, but I enjoy you and admire you greatly. John Conyers and I have had some tough words back down the line, and I respect him. We have been on conferences. I know Congressman Stokes somewhat, but Kweisi Mfume and Don Payne, and you have got a lot of wonderful people in your group. And so here we go. We will just try to do our best.