

## STATEMENT OF MS. NIARA SUDARKASA

Ms. SUDARKASA. Thank you, Mr. Chairman and members of this distinguished committee.

First of all, I want to express my appreciation for your allowing me to join this panel, in recognition of a prior commitment.

My name is Niara Sudarkasa, and I am pleased to have the opportunity to appear before you today in my capacity as an individual scholar who supports the nomination of Judge Clarence Thomas for the U.S. Supreme Court.

In my view, Judge Thomas has the education and experience, as well as the intelligence, integrity and high ideals necessary to serve on the Nation's highest court. But much of the debate over Judge Thomas' nomination has focused on his ideology, rather than his qualifications.

If I may, I would like to make a few comments in this regard.

Many of those who oppose Judge Thomas and some who support him seem to have assumed that his ideology could be pigeonholed, and used to predict the positions he would take if he were on the Supreme Court.

From what I have read by and about Judge Thomas, and from what I have heard this week, I believe, as others have said, that he is an open-minded and independent thinker, not one with rigid pre-packaged views. He has been characterized as insensitive to the concerns of African-Americans. Permit me to submit that I think because of his independence and his keen sense of justice and fairness, Judge Thomas looks at all sides of issues, when others might be content to examine only one.

For example, Judge Thomas wrestles with the issue of individual rights when considering group entitlements, because he knows that fairness and justice are not one-sided concepts. He struggles with the points of conflict between the principle of equality and the practice of affirmative action. But because of his open-mindedness, I believe Judge Thomas can be persuaded to see and, indeed, has been persuaded to see that, in order to address past discrimination, the concept of equity, rather than strict equality, has to be applied. The Constitution speaks of equality, but it also speaks of justice, and under various circumstances the principle of equity must be applied, in order to insure that justice and fairness will be the end result.

Leaders must be understood in the context of the times that spawned them. This is as true of Judge Thomas as it is of others. As African-Americans, we have been fortunate in having a long line of leaders who, in retrospect, seem right for their times. These leaders did not always have the same ideology or agree on strategies, but they all agreed that the goal was to secure freedom and justice for our people, and thereby help to insure freedom and justice for all. Who can say that we are not the better off for having had the benefit of their separate and distinct voices?

In the 1850's, there was Frederick Douglas fighting for the abolition of slavery, for voting rights for free blacks and for what we now call integration. But there was also Martin Delaney, an equally strong abolitionist, who sought freedom and prosperity through economic and political linkages with Africa, including the estab-

lishment of African-American settlements on the African Continent. The legacy of Douglas is the fight for equal rights; that of Delaney the struggle for economic empowerment for blacks and others.

At the turn of the 20th century, there was Booker T. Washington speaking for vocational education for the masses, self-reliance in the black community, and coexistence with segregation. At the same time, W.E.B. DuBois advocated a liberal education for the "talented tenth," economic interdependence and an end to segregation. Booker T. Washington, contrary to the opinions of some, left us quite a legacy. He left Tuskegee University, a healthy respect for black colleges and other black institutions, and an appreciation of the value of self-help. On the other hand, Dubois' legacy is that of the NAACP, admonition to "the talented tenth" to reach back and help the less fortunate, and the demand that America help those upon whose backs this country was built.

In the decade of the 1920's, there was the rise and fall of Marcus Garvey, the nationalist who preached "Africa for Africans" and "back to Africa," while envisioning a black-owned economic network spanning the Atlantic. In the same decade, there was A. Philip Randolph, the Socialist, who emerged as the leading spokesman for jobs and justice here in America. Garvey left us a legacy of racial pride and a commitment to cooperation among Africans at home and abroad. And A. Philip Randolph, who disavowed socialism and became one of the country's greatest labor leaders, taught us the effectiveness of direct action and planted the seeds for fair employment practices legislation.

In more recent times, there was Martin Luther King and Malcolm X, both committed to justice, equality and empowerment, but while Dr. King chose the path of integration, Malcolm chose separation, at least until near the end of his life. Both of them were taken from us in a flash, leaving a legacy of work unfinished and a job to be done.

My point, Mr. Chairman, is that different leaders have brought us thus far on our way, different voices have spearheaded the crusade for freedom and justice.

In the judicial arena itself, we see the great legacy of Thurgood Marshall, the brilliant architect of legal desegregation and the undefeated champion of civil rights. Thurgood Marshall, a man of and for his time.

Today, as we anticipate the appointment of Clarence Thomas to the Supreme Court, we see in him a leader with a different voice for a different time. We who have put our faith and confidence in him do not expect that he will abandon the quest for equal rights. As a matter of fact, we come forth now to challenge him to choose well the means by which he will carry on the quest for justice and equality. We ask him to be ever mindful of the words of Robert Hayden, the celebrated African-American poet, who suggested that we must not read until "it is finally ours, this freedom, this liberty, needful to man as air, usable as earth."

Senators I would say to you and to Judge Thomas, whose nomination I support, as a nation, we must not rest until Dr. King's dream becomes a reality. We cannot rest as we as a people have overcome.

Thank you.

[Prepared statement follows:]