

Senator SIMON. And I would be interested in hearing from the others, but if you take one view of privacy and another view of privacy, whether the Constitution has it, but you come out the same on *Roe v. Wade*, the net result for the American public is the same.

Mr. BUCHANAN. I think it is very important, Senator. I think in terms of a fundamental threat to our liberties, the rights and liberties of the American people, it ends in the same place. They may have differences in philosophies, but the mind set or at least the gamble the Senate is taking with the rights and liberties of the American people is very troubling indeed.

And may I add one footnote on affirmative action, since it has been such a subject throughout these hearings? We white males, like me and like every member of this panel, have had an affirmative action program going for centuries. We have had preferences that we have enjoyed for centuries throughout American history, and it is only very recently in this century that we have gotten around to extending some affirmative action, or at least some redress to black Americans, to women.

One specific example is the Vietnam war. That was a wonderful affirmative action program. The sons of the rich and the powerful, in preponderance, were able to get into the guard and the reserves, and I was here and I well remember, and I think that can be clearly documented. The people who had to go to Vietnam and fight and kill and be killed were disproportionately poor and minority.

Well, that is a different kind of affirmative action program, but if we waited for a case-by-case basis to redress historic injustices done to the black community in my State of Alabama and throughout the country and to women through the centuries, we would be to the year 2200 getting to first base.

If you can't have class action—blacks are discriminated against as a class in the United States, regardless of individual differences; women were here and many other places. If we can't deal with it on a class action basis, we can never solve the problem. So I find the danger to the liberties of the people just as great in one case as the other.

Mr. LUCY. Senator, if I can just add maybe an extension on the question of economic justice, be it for black males, black workers or workers in general, but particularly with regard to women workers—and while I don't want to quote Mr. Thomas out of context, at least his description of the economic question was when he made the statement that comparable worth or pay equity was loony tunes, sort of reflecting the fact that he does not believe that the value of work of women will ever equal the value of work that males contribute. And this by itself in 1991 is the critical issue confronting female workers in the workplace, and particularly as statistics show our society moving toward substantial numbers of single-headed households by women.

As I said in my testimony, any dollar denied them by gender-based wage discrimination is almost a denial of economic justice. And on that point alone, I think he is so far out of the mainstream.

Mr. CHAMBERS. Senator, for African-Americans, I was thinking really as you raised that question—I don't think in the race area that there would be very much difference in the outcome in decisions between Judge Bork and Judge Thomas. In fact, there is from