

Thank you.

The CHAIRMAN. Well, I will point out later where it came from. I thank you very much. We are going to recess for 10 minutes. [Recess.]

The CHAIRMAN. The committee will resume now.

Judge, I did not give you a chance to say anything. Did you want to say anything after my little discussion with the Senator? I am not asking you to, but did you?

Judge THOMAS. Senator, the one point, and perhaps it is one that you probably already knew, I did not consider you a detractor of me. I think that the dialog on natural law is an important one and it is one that, of course, you indicated we would have, and I welcome the opportunity to explain to you—

The CHAIRMAN. I want to make clear, also, I did not think that you thought I was a detractor, and I am sure that Senator Simpson is not. But all kidding aside, that was really a discussion between Senator Simpson and me on whether or not this issue is of consequence.

Thank you, and let me now yield to the Senator from Arizona, Senator DeConcini.

**OPENING STATEMENT OF HON. DENNIS DE CONCINI, A U.S.
SENATOR FROM THE STATE OF ARIZONA**

Senator DeCONCINI. Mr. Chairman, thank you very much.

Members of the committee and Judge Thomas, I regret that I was unable to be here yesterday for the opening testimony. I did read your statement and have heard a lot about it. Indeed, it was a moving statement and I compliment you for your candidness and openness.

As Cochairman of the Helsinki Commission, I had to attend or felt I had to attend the opening of the International Human Rights Conference in Moscow prior to being here today. Our delegation, traveled to the Baltic states and several other republics and had an interesting opening session in Moscow.

As I was traveling through these republics and listening to Gorbachev and others make speeches about human rights in Moscow, I couldn't help but think about the process that we are going through here today. The fundamental rights, the freedoms which Americans have enjoyed for 200 years are just now coming to pass, perhaps, in the Soviet Union. My thoughts kept returning to these hearings and the Founding Fathers, of how they struggled with this and did not do a perfect job. It took a long time before we finally did some of the things we should have done earlier on.

It is our Constitution which these small democrats were looking to for the equality of human beings, and we see how they struggled with it, and your opening statement certainly expresses how you have struggled with that, like no one on this committee could really appreciate.

It is particularly fitting that my first duty upon returning to the country is to consider the confirmation of the successor to a man who has been the champion and in the forefront of the rights of the individuals during his long and distinguished service on the Supreme Court, of course, that is Thurgood Marshall. His legacy will

surely serve as a model for the jurists in these emerging democracies and the justice system, as they seek to protect their hard-fought struggle for individual rights and their freedoms.

It is against this backdrop that I will listen to the responses to some of the questions that I will submit to you and those that have already been asked to you. I hope that I will be able to conclude, Judge Thomas, that your judicial philosophy will first and foremost be dedicated to the protection of the rights of individuals.

Mr. Chairman, I request that the full statement that I would have given yesterday be inserted in the record in the proper place, if I may.

The CHAIRMAN. It will be placed in the record in its entirety.

Senator DECONCINI. Thank you, Mr. Chairman.

[The statement of Senator DeConcini follows.]