

The CHAIRMAN. Did you ever have any doubt when you picked up the phone and say how are you, whether or not you know whether they are all right or not?

I wonder if any man or woman in the world has ever picked up the phone and called someone with whom they had a relationship and said how are you, and heard that silence on the other end of the phone and not wondered whether something was wrong. The inability to know whether someone on the other end of the phone is upset seems to me to be an experience every American has probably shared at one time or another.

Mr. CARR. I would agree that it is very easy with anyone that you have even the slightest of relationship, to be able to tell whether they are happy or sad with the slightest of cues over the phone.

The CHAIRMAN. Were you surprised that—did you find it unusual at all that, notwithstanding the fact that the relationship had not—whatever your phrase was—not matured, not gone forward, that she would discuss or raise the subject of sexual harassment?

The Senator from Pennsylvania said it was rather unusual to bring up the subject of sexual harassment. Did you find it unusual that she would confide in you to the extent that she would tell you she was upset and she was being harassed? What did you think when she told you? Did you say well, our relationship just hit a new high? What did you think?

Mr. CARR. If someone would have asked me, sort of in the abstract, whether Anita Hill would have shared such a thing with me at that point in our relationship, I would not have been able to say yes. I would have wondered whether she would have. But as I think about it, my recollection is that Anita Hill is a very honest and forthright person, and maybe, in a simplistic sense, when asked the question, she was visibly upset, she could not—she did not think to avoid telling me.

The CHAIRMAN. I yield to my friend from Alabama.

Senator HEFLIN. Judge Hoerchner, you are a workmen's compensation judge, and in the experience that you have had relative to judging, have you found that when confronted with an issue of fact, that the recollection process, where the fact occurred several years previous, that recollection of the incident and the details of the incident do not always come to mind in the witness' recital of them and his recollection, the continuing process, particularly if these events, incidents, facts and conversations occurred a number of years ago?

Judge HOERCHNER. Yes, Senator, I definitely believe that is the case.

Senator HEFLIN. Do conversations with people who bring back to your memory certain instances help in regard to trying to comprehensively refresh your memory?

Judge HOERCHNER. I believe that is the case, as well. I do wish to say, though, that I have never discussed with Anita since that main conversation that I remember, the substance of that conversation or when it took place.

Senator HEFLIN. Now, we are faced with the issue here between two people, both Yale Law School graduates, both who appear to have had prior to all of this arising, good reputations among people that had worked with them. We have the problem of trying to sift

through all of the facts and come up with some decision, if it is humanly possible—and it may not be humanly possible—of who is telling the truth.

The issue of motivation as to someone coming forward and making a statement that was untrue arising—now, we have gone into various elements that people might think of in regard to motivation, and I want to ask you, and all of you and each of you can answer it: Was she, in your observation, a zealous-cause person, whether it be in civil rights, the feminist movement, or whatever? Did she ever indicate to you that she was as zealous-cause person, who was willing to do great things, move forward, and take drastic steps in order to advance whatever her cause would be?

Judge HOERCHNER. Most definitely not, Senator. I know that she worked under the Reagan administration. To this day, I have no idea how she votes. I have very little sense of where she would fit on a political spectrum. Further, due to the quiet and gentle strength of her nature, she is not someone who seeks a public forum.

Senator HEFLIN. Certainly, you wouldn't use the word "militant" in any degree?

Judge HOERCHNER. I think she would be very offended by that word.

Senator HEFLIN. All right. Ms. Wells?

Ms. WELLS. I would agree with the judge. In all the time that I have known Professor Hill, we have not had a conversation that would indicate a militant viewpoint about current affairs or any particular philosophy. She is very even tempered, in my estimation.

Senator HEFLIN. Mr. Carr?

Mr. CARR. Your characterization of her as militant I found—

Senator HEFLIN. Well, I don't mean to necessarily use "militant." It is probably the extreme word to use.

Mr. CARR. Well, just to respond to that, I am a corporate, sort of a Wall Street lawyer, my profession, and I would consider myself militant compared to Anita Hill. [Laughter.]

Senator HEFLIN. Mr. Paul.

Mr. PAUL. I recall on one occasion asking her specifically about whether she agreed with the policies of the Reagan administration specifically on civil rights issues, and I remember her saying that she didn't have any disagreements with them.

The only time I remember her being at all animated in a political discussion was the lunch table discussion that I referred to in my testimony, where she very strenuously defended her former mentor-teacher Judge Robert Bork.

Senator HEFLIN. I am limited to 5 minutes, and I will sort of go over these and ask each of you to make comments on it: Vindictiveness, a martyr-type complex, desire to be a hero, write a book, spurned woman or scorned woman in regard to romantic interests, and then the issue of whether or not she has any fantasy or out of touch with reality.

I suppose most of you have heard what we have attempted to go over to find motivation, and if you would comment on those, each one of you.

Judge HOERCHNER. Is that to start with me, Senator?

Senator HEFLIN. Yes.

Judge HOERCHNER. On vindictiveness, I have never known Anita to express a desire for revenge in any context. I will address the characteristics that I remember, and then I hope you can refresh my memory.

She was not a spurned woman, and I am unaware of any context in which she has ever felt herself to be a spurned woman.

And what are the other qualities?

Senator HEFLIN. Well, I don't know if I remember them all. I will have to go back and read them—martyr complex—you could look at it from a group basis and give them—because my time is up—just an overall response relative to these matters and give us a thumbnail viewpoint.

Judge HOERCHNER. They are all sound like the product of fantasy, frankly, Senator. As we have all commented, she is as very private, reserved person, whose personal style is that of gentleness, dignity, and understatement. She is very uncomfortable with the prospect of being in the public eye.

Senator HEFLIN. All right.

Ms. Wells.

Ms. WELLS. The answer would be in the nature for all of the qualities, if you will, that you listed, Senator. I would say that the thing that attracted me to Professor Hill made me feel I want to know this person is the fact that she is a very sweet-natured person, and yet you can feel from within her a wonderment, a sense of joy about life, and I love to hear her laugh and she loves to laugh. She is a happy person, a very giving person and one of the best friends anyone could hope to have.

Senator HEFLIN. Mr. Carr.

Mr. PAUL. You have to remember that my recollections of Anita Hill are I guess 9 years ago. I can't remember any of those characteristics being particularly applicable to her. I heard earlier this characterization as a spurned woman, and for a moment I tried to recall whether I had spurned her or she had maybe spurned me, but I don't recall. [Laughter.]

Professor, I don't know Professor Hill in the same personal way as these other individuals. I know her as a professional colleague and she has always struck me as a person with two feet very firmly planted on the ground. The only book, Senator, I could conceive of her wanting to write would be a book on the Uniform Commercial Code. [Laughter.]

The CHAIRMAN. Again, we are going to continue this going back and forth for 5 minutes. I have indicated to Senators on both sides that, as we get to the end of the process and people have no questions, but if one Senator continues to have questions. He will have an opportunity to ask those questions. We will alternate, so that every Senator gets an opportunity to participate this way I will just recognize the ranking member each time and he can determine who will move next.

I recognize the Senator from South Carolina.

Senator THURMOND. Mr. Chairman, I am going to yield my 5 minutes to Senator Specter and suggest to other members that they yield their time to him such as they are don't need.

I now yield to Senator Hatch.