

But the point is he says that he kept his personal life extremely private. You seem to indicate that it was sort of public.

Let me just ask—

Ms. BERRY. There is not an inconsistency in that or what—what he has said or what I am saying. In the professional contact that I had with this man I also got to know of his private life, his private travails and things. Because that was part of my job in preparing him for processes like this one.

Senator METZENBAUM. Let me just ask each of you a question which can be answered yes or no. Each of you has testified as to the qualities of Judge Clarence Thomas and with a great deal of respect, and one of the—a major issue in this matter relates to Anita Hill's testimony about certain claims of sexual harassment.

I ask you yes or no. Could Clarence Thomas have made such remarks to Anita Hill, whatever those remarks, absent your presence and you would never have known anything about it?

Ms. BERRY. Of course, Senator, if we weren't there we wouldn't know anything about it.

Senator METZENBAUM. Pardon?

Ms. BERRY. If we weren't present, we wouldn't know anything about it.

Senator METZENBAUM. Correct. Would each of you answer? Isn't that the fact for each of you? That you actually would—it would be normal if a man were making such remarks at the workplace or any other place that other workers would not be familiar with those remarks?

Ms. ALVAREZ. Senator, I don't think any of us could account for his time 24 hours a day, even in the office. But we know the man that he is and we know that he is not capable of making those remarks.

Ms. FITCH. Senator, I had said, I think carefully, that I was talking about probability in terms of the Judge, not possibility. Anything is possible, but the probability for me was nil.

Senator METZENBAUM. Thank you, Ms. Fitch.

Ms. Holt, do you care to comment?

Ms. HOLT. It is true that those comments could have been made in private, a private moment between he and Ms. Hill. However, I do feel that if this were going on I would have discerned something at some point, and I did not.

Senator METZENBAUM. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Thurmond?

Senator THURMOND. Senator Grassley will inquire.

Senator GRASSLEY. Taking off on a point that Senator Metzbaum just raised, and following an axiom of politics—or maybe it's one that even ought to be practiced in every day life—if you always tell the truth, then you don't have to worry about what you told somebody else and you won't be in a mode of lying to cover up another lie. So always tell the truth and you won't get in trouble.

As a practical matter, if Mr. Thomas was doing all of the things that Professor Hill accuses him of, he wouldn't have been doing them just with her. It would be a weakness that would come out in conversations and with activities with other people that surely there is no way that this could have been covered up.

I mean it would have come out some place if a person had a weakness like this.

Ms. BERRY. That's my belief.

Senator GRASSLEY. I primarily ask the question, not based on your understanding of personal behavior, but rather in your office. In your office environment could anything like this have been kept secret?

Ms. FITCH. Senator, no. My office was not in the suite of the Chairman. It was on staff floors and I heard all kinds of things about things that were happening in the Commission, about other people. There were never any stories floating around about the chairman in a negative or of this kind of nature is what I am saying.

Senator GRASSLEY. And especially in Washington, D.C. If two people know about something it is no longer a secret in this town.

Ms. BERRY. And there were no secrets at the EEOC, believe me.

Senator GRASSLEY. There were no secrets at the EEOC?

Ms. BERRY. No secrets.

Senator GRASSLEY. So I mean there is no way, given how people are, especially in this town, that an activity like this could have been a secret?

Ms. HOLT. No.

Ms. BERRY. No.

Senator GRASSLEY. Okay. I have just kind of a comment about something that Senator Leahy asked you folks. He asked if you had any information about why Anita Hill would jeopardize her career by coming forward with public allegations about Judge Thomas.

Now, I am not sure that this is a relevant question. Professor Hill admits that she never expected her allegations to be made public, so the possibility of public disclosure must not have been a factor in her decision to accuse Judge Thomas. And by making secret allegations behind closed doors she would not have to worry about jeopardizing her career or reputation.

Does that sound reasonable to you?

Ms. FITCH. I have said previously that I have no idea of motivation. I can't ascribe motivation to other people, only to myself.

Ms. BERRY. And I am not a mind reader, Senator, so I have no idea what was going through her mind.

Ms. HOLT. I have no ideas.

Ms. ALVAREZ. I have no explanation.

Senator GRASSLEY. There has been some suggestion by Ms. Alvarez that there may be two Anita Hills, because you never knew the one that you saw on television. I want to ask the other three of you, while you were working with Anita Hill, did you see that she could have been two different people? You saw her as an aggressive lawyer arguing for her position very vocally, fighting for her position, etc.

Did you ever see another side to her, so that there could be some reason to believe that she was other than just this aggressive person? Any hint of that in any way?

Ms. HOLT. I never saw another side.

Ms. FITCH. I saw her as a smart person and also as a reserved one and that is pretty much what I saw the other day, except the

story was something I had never heard before. No, so the answer is, no.

Senator GRASSLEY. Okay. Ms. Berry?

Ms. BERRY. No.

Senator GRASSLEY. Let me also ask you about Professor Hill: you know the old saying that a certain individual would even walk on their grandmother to get ahead. Is she the sort of a person? Did you ever see her as being that sort of a person that would do anything just to get ahead?

Ms. FITCH. No, Senator.

Ms. HOLT. No, I did not.

Senator GRASSLEY. Ms. Berry.

Ms. BERRY. To have ambition, to be ambitious, yes, but to do anything? I don't know.

Ms. ALVAREZ. I also saw her as quite ambitious and I have said so. To take it to the extent that she has, I think it kind of got out of hand, maybe before she even realized it.

Senator GRASSLEY. My time is up.

The CHAIRMAN. If you need more time, Senator, go ahead, take a few more minutes. You have been very patient, extremely patient.

Senator GRASSLEY. Given your expertise as a historian, Professor Fitch, I wondered if I might ask you to draw on that background for a moment. You heard Judge Thomas testify Friday comparing his treatment here to a lynching. I would like to have you explain or elaborate on that comparison for us.

Why is this ordeal, defending against a charge of sex harassment, similar to a lynching, as he put it?

Ms. FITCH. I haven't talked to the Judge since he made those comments, but when he made those comments I felt that I understood them. I have a student who is working on lynching right now, so I have been thinking about this. Lynching was something that was done to intimidate people, that was done to control them, as well as kill them. And I think, if I understand what the Judge was saying, was that this was an attempt to do that to him; that the process, the subsequent confirmation hearings process, this process was patently unfair, that it was a way to neutralize and control and intimidate not just him, but possibly through him, any person that was considered, as he put it, uppity.

When black soldiers came back from World War I, they felt that they had proved themselves to the country and to their fellow citizens; and wore their uniforms down south and that was a sure way to get yourself lynched, because they were wrapped, so to speak, in the American flag. That was to tell these people that they were not Americans. I see a connection and understood what he meant by that. He said electronic lynching, I believe.

Senator GRASSLEY. Well, do you sense then that there has to be a larger group of people that see him or people who think like him as a threat that must be put down right now or worry about what will happen if they are not put down right now?

Ms. FITCH. Senator, I have talked to a colleague who worked with us on personal staff who you may have a statement from, I am not sure, and we talked about this on the phone and his words, subsequently, I think used in the press were character assassination. For me the operative word there is assassination. And the other word