

The CHAIRMAN. Now, does anybody on—Senator Kohl?

Senator KOHL. Thank you, Mr. Chairman.

Some of you suggested possible motives for Ms. Hill to have done what she did. And I can understand that. But what I cannot understand and perhaps you can explain it to me, is what the motives would be of those four people who came here today, each one who had heard from Professor Hill over the past 10 years, about these sexual harassment charges. Reputable people, people who had not talked to her over the past 2 years, had not talked to her over the past several months, but clearly reputable people who didn't know each other, came here from all walks of life.

And they testified that in 1981, 1982, 1983, and 1987, Professor Hill told them about what was happening.

Ms. BERRY. I have already challenged Mr. Carr's statement. He said that Anita Hill told him that she was harassed by her supervisor. And he made the great leap that the supervisor that she was referring to was Clarence Thomas. And that, right there, is suspect to me when I know, for a fact, that Anita Hill had more than one supervisor.

Senator KOHL. Okay. So in your case, you are saying her comments might have been about somebody else at EEOC? Her comments might not have referred specifically to him. All right, I think that is possible.

Diane.

Ms. HOLT. Senator, I think I would question the fact that none of those people who Professor Hill told that she had been sexually harassed did not provide any advice. These were professional people. They knew what the recourse was. Nobody told her to go forward with her story.

Senator KOHL. But the assumption there is that all four of them are lying.

Ms. HOLT. That's not my assumption.

Senator KOHL. But that is what you are saying.

Ms. HOLT. No, I said I questioned that fact.

Senator KOHL. I know but let's just move on to real talk. If you question that fact, you question the veracity of what they are saying.

Ms. HOLT. I do, yes.

Senator KOHL. All right, that is another way of saying in your opinion—

Ms. HOLT. I question it, but I am not calling them liars.

Senator KOHL. Well, we are just trying to use nice words, but I want to understand. You can say that, there is nothing wrong with it, but your explanation is that they are not telling the truth?

Ms. HOLT. That's right, I don't believe it.

Senator KOHL. I appreciate that.

And Ms. Fitch.

Ms. FITCH. Senator, in discussing motivation I have said that I only understand my own. I cannot, I cannot try to discuss their motivation. I am sure they had the best intentions and wanted to be helpful to the person that they believe in. I don't know what else to say about that question. It is a question that I can't answer.

Senator KOHL. Ms. Alvarez?

Ms. ALVAREZ. No, likewise, I couldn't begin to put motivation or words into somebody's mouth or in their heads. I think that there was possibly some, like Phyllis talked about, there may have been, it may not have been who they all assumed it was. I can't really, I can't offer any more explanation than that. There may have just been a misunderstanding of what she had to say.

Senator KOHL. All right. Just one other quick question.

Clarence Thomas has spoken here of a conspiracy, a lynching on the part of some white people that has a lot to do with what is happening. In fact, in his opinion, that is the major reason why we are here today and you, yourself, Ms. Alvarez, said "That we are beating up on the Judge, and that this is a trumped up deal" and so on.

But isn't it a fact that what we are dealing with here is a charge of sexual harassment by an African-American against an African-American? Isn't that why we are here today? Isn't that the fact of what brings us here today, an African-American woman who is charging an African-American man with sexual harassment? Is there something else that brings us here today?

I mean aren't we all here and hasn't a Senate committee convened to hold this hearing, because of a charge leveled at an African-American man by an African-American woman?

Ms. BERRY. That's an old tactic in this country, Senator, that we use and I am sickened by that. That's the thing, I guess, that embarrasses me most about this situation is that a black woman would allow herself to be a pawn to destroy a black man. Have we reached the point in our civilization or in this country where people can't legitimately have points of disagreement without trying to destroy the person because you don't agree with what that person stands for?

And the Chairman said, you might kill him but you are not going to kill his ideas.

Senator KOHL. No, we are not suggesting—

Ms. BERRY. There are a lot of other people out there who believe what Clarence Thomas says and his ideas are beginning to take root in the black community.

Senator KOHL. That may well be so but what we are discussing here is a charge against an African-American man by an African-American woman. How do we wind up saying this is a racist conspiracy?

Ms. BERRY. I haven't heard him use those terms. I heard him say a lynching.

Senator KOHL. Ms. Alvarez?

Ms. ALVAREZ. You are not investigating a sexual harassment charge.

Senator KOHL. Of course we are. That's what the hearing is about.

Ms. ALVAREZ. The statute of limitations ran out.

Senator KOHL. An allegation of sexual harassment, that's what the hearing is all about.

Ms. ALVAREZ. Well, no, an allegation of improper conduct.

Senator KOHL. Again, an allegation made by an African-American woman against an African-American man.

Ms. BERRY. Lynching doesn't necessarily have to refer to race.

Senator KOHL. Well—

Ms. BERRY. I mean what is happening to Clarence Thomas is, in my estimation, a——

Senator KOHL. Ms. Alvarez, then I will be finished.

Ms. ALVAREZ. No, I guess I am not sure quite the point you are trying to make.

Senator KOHL. Well, I am trying to understand why you——

Ms. ALVAREZ. You are trying to say this isn't a lynching?

Senator KOHL [continuing]. I can't understand why you are saying and that Thomas is saying that this is a racist conspiracy against——

Ms. ALVAREZ. I did not say that.

Senator KOHL. Well, you are saying, we, meaning the committee, are beating up on the Judge.

Ms. ALVAREZ. Yes.

Senator KOHL. He is calling it a lynching and you are saying we are beating up on a Judge, but what we are doing here is trying to understand whether there is any truth in the allegation made by an African-American woman against an African-American man.

Ms. ALVAREZ. I think there is a much better way that it could have been done, not in this kind of forum——

Senator KOHL. Well, that's true.

Ms. ALVAREZ [continuing]. And not in broad daylight and not on television and——

Senator KOHL. Well, that's true, but the allegation, itself, is an allegation made by an African-American woman against an African-American man. That is just a fact.

Ms. ALVAREZ. But what does that have to do? I mean that means it is okay to beat him up? I am not sure what you are saying. I am saying when I made that statement I think there was a better way for this whole thing to have been investigated and to have been handled. I think we did both of them a disservice by handling it the way we did, because you just beat him up in broad daylight and you took his name, his reputation, and his character and you can't give it back to him. That was my point.

The CHAIRMAN. Senator, do you have more? Is that it?

Senator KOHL. Yes. Thank you.

The CHAIRMAN. Thank you.

If there are not any more questions I do have two very, very short questions. And Ms. Fitch, if I ever need an advocate you are the one I want to hire. You are all very good, but let me ask you this. I think that one of the points has confused me in this process not merely who is telling the truth because that perplexes me as much as it perplexes the American public apparently. I don't know what the American public thinks. I take that back. It perplexes me.

Now, you were asked a question by Senator Hatch a while ago, if I recall, that was an echo of an assertion that Judge Thomas made yesterday in a very articulate fashion and it was this:

That isn't this a stereotypical attack on a black man? Judge Thomas—and I am not criticizing his statement, I just want to understand it, and as a black historian maybe you can help me—he indicated that he believed this was—I won't use exactly his words, because they are not appropriate coming from my mouth—but something to the effect that if an uppity black person is being put